

REPORT ON THE IMPLEMENTATION OF AGREED CONCLUSION “WOMEN’S ECONOMIC EMPOWERMENT IN THE CHANGING WORLD OF WORK”

1. Strengthening normative and legal frameworks:

- **What specific actions were taken to enact, strengthen and enforce laws and regulatory frameworks that ensure gender equality and prohibit discrimination against women in the world of work?**
 - According to the Amendment to 14.1.1 of Criminal Code, made on 11 May 2017, the discrimination and restriction of human rights based on ethnicity, language, race, age, gender, social status, wealth, work, religion, education, sexual orientation, gender identity, and health is a criminal offence.
 - Amendment to the Law on Infringement, made on 10 January 2020, has provided the legal base for a workplace to be free of all forms of discrimination and to impose appropriate punishment in case of a violation. In accordance with Article 6.26 of the same law, a person shall be fined in the amount of MNT equivalent to one thousand units or compulsory training and arrest for seven to thirty days in the case of a verbal, physical or otherwise expressed motives to engage in sexual acts that causes harmful work, position, honor, property or emotional consequences.
 - Subsection of 5.1 of Labor Code, revised and adopted in 2021, prohibited the discrimination, harassment, violence and sexual harassment based on the basic principles and rights of the parties during the employment, and employment relations. On the prohibition of discrimination against women in the workplace, Article 6.1 states that “in employment and labor relations, it shall be prohibited to directly or indirectly discriminate on the bases of nationality, ethnicity, language, race, age, sex, social origin, social and marital status, wealth, religion, opinion and political affiliation, opinion, trade union membership, health status, pregnancy or childbirth, sexual orientation, disability, appearance, and restriction of rights or privileges. According to the 162.3.7 of the same law, the state labor inspector shall be responsible for ensuring that the work environment is free from discrimination, harassment, violence and sexual harassment.

- **What specific actions have been taken to enact, strengthen and enforce laws and regulations that uphold the principle of equal pay for equal work or work of equal value in both the public and private sectors?**
 - In the 102.1.1 of Labor Code, revised and adopted in 2021, the principle of equal pay for employee performing of equal value is reflected.
 - ILO’s “Workplace Assessment on Equal Pay Regardless of Gender: A Step by Step” guideline was translated with official permission and distributed to the employer organizations, trade unions, agencies in charge of gender issues, and human resources and wage managers of companies.

- The “National Policy on Wage 2019-2024” and its Action Plan to ensure effective implementation has been ratified and implemented by Tripartite National Committee on Labour and Social Consensus in 2019.
- **What measures have been taken to enact, strengthen and enforce laws and policies to eliminate all forms of violence and harassment against women in the world of work and provide means of effective redress in cases of noncompliance?**
- The revised version of the Labor Code adopted in 2021, adequately includes provisions to prevent workplace violence and harassment, ensure gender equality, provide assistance to victims of sexual harassment in the workplace, prevent further harassment, and ensure job security.
- The Law on Infringement states that “if an employer fails to comply with the internal labor regulations on the prevention of sexual harassment in the workplace and the resolution of grievances, a legal entity shall be fined equivalent to one thousand five hundred units”.
- The Ministry of Labour and Social Protection, the National Human Rights Commission, the Mongolian Trade Union Confederation, and the Mongolian Employers' Confederation has jointly defined the rights and responsibilities of stakeholders in labor relations in regard to sexual harassment in the workplace. A “Sample Model” ratified in 2021, a guiding document in regard to issues concerning the creation of a sexual harassment free work environment and an internal labor regulation which addresses the complaints regarding workplace sexual harassment to all the entities and organizations of public and private sector.

2. Strengthening education, training, and skills development:

- **What measures have been taken to mainstream a gender perspective into education and training programs in order to facilitate the effective transition from education or unemployment to work?**
- Starting from 2019, the study of Gender Issues will be included in the curriculum of the School of Education of the Mongolian National University of Education (MSUE) for 14 credit hours. In addition, from 2020, other social sciences universities will make their curricula gender-sensitive and implement special programs.

3. Implementing economic and social policies for women’s economic empowerment:

- **What steps have been taken to promote decent paid care and domestic work in the public and private sectors?**
- The revised version of the Labor Law approved in 2021, provides a legal basis for paid labor and domestic work in the public and private sectors. The law promotes decent employment and regulates employment contracts between employee and employer in both the government and the private sector, as well as between citizens. Articles 69-71 of the Law specifies the specifics of the

employment contracts and agreements between citizens, especially those of assistant herders and domestic service workers.

- **What actions and investments have been made to support gender-responsive social protection and care infrastructure and services?**

- Taking into account the lack of pre-school education institutions and kindergartens, a total of 100 new kindergartens were built and put into operation nationwide in 2017-2020, of which 62 were built in 2017, 19 in 2018, 4 in 2019 and 15 in 2020 respectively.

- In 2017-2021, some social welfare programs were redesigned and became gender sensitive. For example:

- Since 2018, “Mothers with Salary” program is being implemented that provides MNT 50,000 to every mother taking care of her children under 3 years old. In 2020, the program was redesigned and gender sensitive approach was employed where fathers, who are taking care of their children under 3 years old, also became eligible to receive same benefits as the mothers.

- In addition, single mothers or fathers heading households with three or more children receive quarterly based allowance of MNT 420,000, which is an amount equivalent to the minimum wage.

- Since 2017, several amendments were made to the social insurance laws and regulations and following are the ones best fit to the interest of herders and women with many children:

- Reducing retirement age of herders by 5 years, women herders can retire at age of 50 and man herders at age of 55.

- Women who gave birth and raised many children are entitled to earn 1.6 years of service years for each children during their retirement.

- Fifty percent of the social taxes of mother who takes care of her children under 3 years old is covered from the Benefit Insurance Fund and 50 percent is paid individually. As for the mother, who has not paid the taxes, 50 percent of the contribution is subsidized by the state and 50 percent is paid individually.

- Adoption of the Law on Child Caring Service and approval of the relevant regulations have enabled to expand participation of women in labor market.

- The Government has implemented relief package in response to COVID-19 pandemic and the package includes more than 10 measures including postponing of mortgage payments and exemption of social insurance contribution, increased child money, increased pension and benefits to targeted groups, increased amount of food voucher etc., until the end of 2021.

- **What specific measures have been implemented to promote women’s entry, reentry and advancement in the labor market?**

- Adoption of the Law on Child Caring Service and approval of the relevant regulations have enabled to expand participation of women in the labor market.

4. Addressing the growing informality of work and mobility of women workers:

- **What measures have been implemented to promote the transition from informal to formal paid employment for women?**

- Urbanization process has been going on rapidly in Mongolia and 68 percent of the total population is residing in urban areas particularly 46 in the capital city. In rural areas, female to male ratio was at the level of 100 female per 103.4 male while in urban areas, it was at the level of 100 female per 93.8 male. One of the main reasons for the gender gap in urban and rural areas is that women are more likely to migrate to urban areas to study on their own or to send their preschool and school-age children for educational purposes.
- In Mongolia, 41 percent of the total employed in the informal sector are women. The share of informal workers in the total number of employees is 25.6 percent for men and 19.8 percent for women. Informal employment remains a major component of employment and of the economy as well.
- Currently, we are working on the draft Law on Employment, in which we plan to reflect issues related to employment promotion of women.
- So far, we have no specific policy document to promote informal employment.

5. Managing technological and digital change for women's economic empowerment:

- **What specific actions have been taken to support women's access to skills development and decent work in emerging fields, including science, technology, engineering, and mathematics?**

- In the "Sectoral Policy of Education, Culture, Science and Sports on Gender-2021-2024", certain objectives were set to implement temporary specific measures by setting a step by step quota scheme in order to increase number of male students to study in the area of health and education, and increase number of female students in the areas of engineering, information and technology.
- In order to address gender gap and promote young women's participation in science, technology, mathematics and engineering sector, Zorig Foundation has been implementing "Empowering Women in STEM", a one month intensive program since 2019. This program provides opportunity for the participants to learn from leading experts' experiences in the respective sectors, visit leading domestic companies and industries, which are implementing sophisticated technological and engineering solutions and expand their networks.

6. Strengthening women's collective voice, leadership, and decision-making:

- **What specific efforts have been implemented to support women’s participation and leadership in trade unions, workers’ organizations and employers’ organizations?**
 - National Committee on Gender has a representative from the Confederation of Mongolian Trade Unions, in addition to close cooperation to ensure gender equality in social and labor sector.
 - Tripartite National Committee on Labor and Social Consensus with equal number of representatives from the Government, Confederation of Mongolian Trade Unions and Mongolian Employers Federation, have operational activities under the Government of Mongolia that ensure interest of each participating party. The Committee approves tripartite national agreement on Labor and Social consensus every 2 years, jointly ensuring its implementation.
 - In 2015, evaluation was conducted on the implementation of the collective agreements and its implementation plans and the result shows that 40.3 percent of participatory entities had established internal collective agreement at entity level. Evaluation results revealed common shortcomings that were not specifically addressed in preventing violence, ensuring equal opportunity for both men and women, and gender equality in the collective agreement. The revised Labor code clearly states to create equal opportunity for men and women at workplace, and therefore, it is highly possible to include it into the collective agreement to be established between the Government, Confederation of Trade Unions and Mongolian Employer’s Federation.

7. Strengthening the role of the private sector in women’s economic empowerment.

- It is critically important to strengthen involvement of private sector to improve economic empowerment of women and certain activities tend to be frequently organized in this regard. For instance:
 - During recent years, the Zorig Foundation has been implementing “Local Women Capacity Development Program” aimed at empowering women aged 22-30 living and working in rural areas through leadership and skills development program for a month.
 - The Golomt Bank, one of the largest banks in Mongolia, implemented a program to empower women entrepreneurs focusing on business development, tax administration and modern digital marketing in 2021.