The factors that prevent women from having gender equality in the workplace in Ecuador

Ab Juan carlos arandia zambrano.Msc
uq.juanarandia@uniandes.edu.ec
https://orcid.org/0000-0003-1152-104X

Daniela alejandra núñez acosta
dq.danielaana89@uniandes.edu.ec
https://orcid.org/0000-0002-6355-8947

Victor ariel palacios vistin
dq.victorapv57@uniandes.edu.ec
https://orcid.org/0000-0003-0746-3369

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Abstract

Over the years, various scientific studies have highlighted inequalities. There are several factors that do not allow women to develop their career 100%. It must be borne in mind that this is invisible, since no regulations provide for any way of limiting the professional growth of women. This is a very common phenomenon in labor practice in our country. These invisible barriers are not going to disappear because they generate disadvantages. The current Constitution of the Republic of Ecuador specifies in article 11 the principles of equality and non-discrimination in all areas in recruitment, recruitment and promotion processes; Prohibition of harassment and discrimination at work for reproductive roles.

Key words

Labor inequality, labor legal system, gender equality.

Introduction

Despite efforts at the international, national and local levels, women are still perceived as those human beings who must continue to receive lower salaries than men, it is still estimated that women do not have the capacity to hold positions of
high responsibility, for this reason it is increasingly essential to generate and implement positive actions in favor of women in order to eradicate violence and inequality towards this genre that today is still marginalized and vulnerable. An important reflection is that although in Ecuador the female population is greater than the male population, it has not been possible to achieve equality in job opportunities, this is still influenced by machismo and this generates distrust to assign large positions to women.

During the COVID-19 pandemic, women were mostly affected with an unemployment rate of 8% compared to 5.7% for men, this health crisis increased the gender and unemployment gap in women reaching 15.7% in June 2020, compared to 11.5% in men. At present, the paradigm that hiring a woman is more expensive is still handled, although it has been shown that companies that included more women than men on their payroll were more profitable. In addition, there are studies that refer that women earn 16% less than men, reflecting problems in the formal market. Within the labor sphere, it is estimated that 1% of hidden unemployment is estimated, which means that more than 800,000 women do not even go out to look for work (Peralta, 2020).

In December 2021, according to the characterization of the population with unemployment, at the national level, women (6.7%) have a higher rate than men (4.2%), on the other hand the adequate employment rate for men is 37.8% compared to 25.5% of the rate of women, therefore, Women with adequate employment totaled 997,426 positions and in the first month of this year they were reduced to 920,860, which means that 76,566 women lost their jobs in January 2022. In total, between men and women, 106,651 full/adequate employment positions were lost in just one month, and participation in this type of employment closed the month of January with 67.3% of places for men and 32.7% for women, which means that, out of every ten jobs, between six and seven are occupied by men and a maximum of three are for women.

According to figures from the National Survey of Employment, Unemployment and Underemployment (Enemdu) with a cut to January 2022, women lost more full employment positions than men. In January 2022, the nationwide unemployment rate was 5.4%. As for unemployment by sex, in January 2022 at the national level, 6.7% of women in the EAP were unemployed, while the rate of men was 4.5%. It is because of this inequality that exists in the country that the Ecuadorian State must guarantee women equal access to employment, training and promotion of employment and career, equal remuneration, and the initiative of self-employment. In addition, all necessary measures must be taken to eliminate inequalities and prohibit harassment or acts of violence of any kind, whether direct or indirect, affecting women at work.

Having a labor legal system that guarantees the rights of workers, it is evident that it contains a guiding principle of formal equality, which is directly linked to the protection of the right to gender equality, with the purpose of offering the mechanisms that have been recognized in the course of history. It can be said then
that the principle of equality in the workplace establishes that each of the workers enjoy the same opportunities, thus taking a step forward which leads to unbalance the prevailing social and gender discrimination in work groups, emphasizing the need to provide equal opportunities. The principle of equality in labor law needs to be deepened in terms of its legal treatment, since both the Constitution of the Republic of Ecuador, the Labor Code and the International Labor Organization guarantee, at least, formally and legally, inclusion and gender equality.

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Neutrosophy is a philosophical concept that deals with the study of neutralities and their connections to reality. According to Vázquez et al. (2022), "Neutrosophic logic provides a theoretical framework for the study of phenomena characterized by the presence of conflicting and indeterminate elements." In the context of productivity and scientific research, the use of neutrosophic values can aid in identifying the ambiguities and uncertainties that may arise.

When examining the factors that prevent women from achieving gender equality in the workplace in Ecuador, it is essential to recognize the complexity and nuance of the issue. As Ricardo et al. (2022) suggest, "The implementation of strategies that ensure gender equity is complex because it involves dealing with various factors that are not always visible, such as cultural and societal norms and implicit biases."

Additionally, Romero et al. (2020) propose that neutrosophic values can be used to measure the level of knowledge in dental medical emergencies among dentistry students. This highlights the potential of neutrosophy to be applied in various fields beyond productivity and scientific research.

In conclusion, the use of neutrosophic values can aid in understanding complex and nuanced issues such as gender inequality in the workplace. As research by Vázquez et al. (2022), Ricardo et al. (2022), and Romero et al. (2020) suggests, neutrosophy has the potential to be applied in a range of fields to help address ambiguities and uncertainties.

**Materials and Methods**

It should be noted that this section explains the methodology assumed for the development of the research process. In this sense, the study that seeks to describe the factors that prevent women from having gender equality within the workplace in Ecuador, making use of quantitative methodologies. Likewise, and (Alvarez & Jurgenson, 2018) as a strategy to respond to the research problem, a
non-experimental design was assumed, and no variable was deliberately manipulated.

It is to be known that this type of non-experimental design demanded that the research be; First, a field study, in order to collect primary data on the facts or phenomena directly from the reality where they occur. Second, at an exploratory level, since the purpose is to have an approximate vision of the issue of labor inequality factors as facts of reality as it happens for the sample involved. And, finally, cross-sectional, since the data were collected in a single period or time.

Regarding the population sample under study, it was taken in a non-probabilistic and intentional manner, according to the criteria defined by the researchers. In this sense that lawyers and psychologists who worked in positions of: judges, prosecutors were of professional profile. Specifically, the sample was made up of professionals related to the labor field of Ecuador.

To do the fieldwork and collect the research data, the interview technique was used as a technique applicable to broad sectors of the universe, through direct testimonies or specialists in the subject to be treated. They also allow us to know different interpretations of the available information. Therefore, interviews are tools for researching, analyzing and reporting. (Diaz, 2020)

Results

At this point, the results obtained with the application of the questionnaire to 3 professionals of the law and the subject of psychology, in the work exercise of: judges, prosecutors, psychologists are presented. This, in order to describe, from his perspective, the factors that generate labor inequality. Hence:

| POPULATION  |  |
|-------------|  |
| Interview 1 | 2 | Interview 2 | 1 |
| Quantity:   |  |
| In total, 1 labour judge, 1 provincial prosecutor and 1 psychologist were interviewed. |

Question of the interviews of the judge in labor matters Sara Solís.

Do you consider as a professional in the field, that the State is promoting laws that guarantee the principle of equality in the country in different groups, for example, the groups of women at work?

I believe that in recent times the State has implemented measures of equal opportunities and conditions for women's access to work, in any area, because there are no longer limitations. The limitations are the capacities of women, in this case to hold positions, but in itself the State has implemented,
as new inclusion policies, these content-oriented policies to in a certain way, benefit women within merit and opposition competitions, awarding them points. But either for being a woman, for being a single mother, for being of African descent, etc. I do consider that there are no limitations, as in the past there is now much more openness in that, because we have that women already occupy more than 50% of the public positions in the country means, that there is already openness and the limitations for which each of them has them already depends on the preparation with which women, that they are doing at this time to face the challenges that every day present us, in every aspect, not only in the workplace.

Do you think that today, both women and men have the same opportunities to hold important positions within the nation?

Yes, they have the same possibilities, they already have equal conditions, but everything depends on the preparation that women have, because the opportunities are there.

Do you consider that the public and private sectors respect the breastfeeding period of women in the workplace?

From my experience within my judicial field 90% is fulfilled, the other 10% the processes that are presented, but not precisely because they do not respect the breastfeeding period, but because of the dismissals that occur within the period of pregnancy or lactation, but in the public sector if 100% is respected.

What annual percentage do you receive, in your spite in terms of unjustified dismissals of women?

We would be talking about 20%, but there may be more, but they are not reflected in the demands or there is also the scope of labor mediation, because not only lawsuits are filed claiming labor rights, but within the constitutional scope where types of lawsuits are filed for the rape of pregnant women or for being in the process of breastfeeding.

Do you consider that the State promotes measures to prevent discrimination in the country, specifically in maintaining equality for women in the workplace?

Yes, day by day the State in different areas is working to prevent violations against women, giving training to women so that they not only exercise the right they have but to claim.
Do you consider that the rules of the national legal framework are sufficient to protect women who perform functions during their pregnancy, and breastfeeding process?

The rules are, the respect for them may be that they cause these types of violations, but the rules exist even the penalties if they are not complied with, they are well dictated.

Do you consider that the State is applying, in terms of guaranteeing workers full respect for their dignity, a decent life, fair remuneration and remuneration?

Not only in the field of women, in the entire labor context both public and private, but in the public sector much more is respected, pro in the private sphere it is not that the State does not have control but if there are violations that occur of these rights, it is true that the law exists and the rules equal. But there are also violations of labor rights that have to be overcome, so that discrimination does not occur especially to women who are already mothers, because companies choose to enroll women without children, and that is a form of discrimination.

Do you consider that public and private companies comply with the provisions of article 79 of the Labor Code, giving the same remuneration in your company to both men and women?

In the remunerative field yes, but everything depends on the role played by that, there the importance of preparation, because it is not the same as a woman, access a position by talking about what moves in this medium, which is the long. It is not the same as a woman who does not have enough preparation to still access an office position to make a secretary, to have a key position in accounting, human talent, a woman who has to access to work in what is field, is seen a lot here in the agricultural area. More than anything, the work of women in the field. In the Tabacaleras women have priority, I do not know why not, I would not know how to explain that, but the priority for that type of work is for women. In the field of bananas, it is more for men, but there are jobs. For women who, as founders, cleaning the banana plantations in this area. That is why it is very important to see the preparation that the woman possesses to be able to reach a good job, because a person who has a certain degree of preparation that you have a university degree is not going to access a position to go pick up banana covers, look for a position already of another level, which is what is the office environment and that private companies, if they give them playing this opening, but now there is much more demand in what is preparation. Before they received more than anything to bachelors, now they follow titles in that way, they also require women to prepare to access a position. In any field,
the first thing they ask for is preparation of the title, if they do not have it, unfortunately they cannot, they cannot access it and you will have to resign yourself to a minor job of lower hierarchy.

What is your opinion that in the twenty-first century inequality between men and women continues within our society?

Well, that is something that comes from the beginning of history, that is something that we bring rooted and that the radical 100%, at least Latin America still has a long way to go. That is something that is already extracted from our idiosyncrasy of making the difference between man and woman. And but little has been making way, but that already comes from the beginning. The Government is working and the social organizations in front of international ones are doing it to eradicate that difference that exists, that is why I told them that the State in the merit and opposition competitions already makes a difference, chooses to carry a give, because if I am a woman and applied, I have an additional point than the man in order to achieve one, But not so that there is superiority in women. That in a certain way there is that unification in levels. That is why it is the intention of the State and now it is seen in the appointments, for example, if the president is a man the vice president is a woman. In the already appointments, the president, is a man, the vice president has to be a woman, because they are fighting for equality. Women should not only stay at home attending, they already open a field in society, but always with the predisposition to study, it is the only way to compete in the workplace.

What is your opinion about this problem and how could you solve it?

Not even the State can give a solution, but I do believe that, if we continue working with public policies, in different areas, I believe that it is the only way for them to ever come to an equal. But for now, this is still very distant, at least in Latin America because of our idiosyncrasy, which is different from that we were talking about Europe from the United States, we still here make limitations. Not only men, but also women limit ourselves, as I mentioned earlier, I believe that this type of policy continues and as now courts have been created so that, more than anything to eradicate violence, family violence, which is more male towards women, but there are also women towards men, But it is in reaction to the actions that have been taken for many years. This is not only now and the State is determined to completely end discrimination, this is not going to end today, tomorrow, or the day after, but at some point, hopefully it can be achieved.
Questions from the provincial prosecutor Karina Guanopatín Mendoza

Do you consider as a professional in the field, that the State is promoting laws that guarantee the principle of equality in the country in different groups, for example, the groups of women at work?

Well as a State, there are certain regulations already established as in the Constitution of the Republic, and through labor matters such as the Labor Code, which is applicable to public and private companies in what is the provincial prosecutor’s office of Los Ríos, we try to respect those basic guarantees of equity. However, as it says in the principle of equity, there will be times when women will have to try a little harder than men, because of their quality as mothers and wives, which is a role that belongs to women to mothers and that place will undoubtedly always generate some additional difficulty because they are women.

Do you think that today, both women and men have the same opportunities to hold important positions within the nation?

According to the panorama you can see, women are already located in different strategic places or high-ranking positions. However, there is still a marked machismo in certain areas. For example, in the eastern field of the police, you will see that there are very few women policemen, also in the military where the highest ranks are occupied by men there is also less incidence of women, in what is the Prosecutor’s Office, we if we submit to a program of merit and opposition competitions. So, there what is measured is the intellectual capacity of people.

Do you think, in the private and public sectors, do they respect the breastfeeding period of women in the workplace?

In the private sector there are some that, if they respect and others do not, but in public institutions how they are governed by established schedules, then they do enjoy enough privileges for those who are breastfeeding or maternity, according to what the law establishes and without violating any of the labor rights. This is what is a public institution and specifically in the Prosecutor's Office.

Do you consider that the State promotes measures to prevent discrimination in the country, specifically in maintaining equality for women in the workplace?

An analysis of how each of the institutions, both public and private, would have to be carried out in order to determine if, according to the payrolls of officials, there is equity between men and women, to verify whether or not there is discrimination, but it is true that when a higher position is held there is always a little inequality between men and women.
Do you consider that the rules of the national legal framework are sufficient to protect women who perform functions during their pregnancy, and breastfeeding process?

It is always good to improve so that the laws are adequate and achieve a better performance of women, because, as I was explaining the role of being a mother is a budget so that there is greater difficulty or greater sacrifice of the official to occupy a high-grade position and that is what is handled. For this reason, the family is sacrificed and A is the greatest sacrifice of the woman in itself to be able to equate the functions by the role she plays, by the fact of being a woman. It is still as established by the egalitarian law, but in reality if you see what is the role of the father of the family and the mother of the family who exercises her functions as head of the family, it is undoubtedly more difficult for women to still have greater difficulty because they are mothers.

Do you consider that the State is applying, in terms of guaranteeing workers full respect for their dignity, a decent life, fair remuneration and remuneration?

The Attorney General's Office, if it has very good remuneration, they are the best salaries at the level of the public sector for each official who exercises work in this institution.

Do you consider that public and private companies comply with the provisions of article 79 of the Labor Code, giving the same remuneration in your company to both men and women?

As far as this public institution of the State Attorney General's Office, if there is equal pay for both men and women.

What is your opinion that in the twenty-first century inequality between men and women continues within our society?

In our society there is in general inequality between men and women due to machismo that still persists specifically in our area, even more so in the city of Quevedo is what we can identify with the crimes of gender violence that we have a rebound at the provincial level of four times of Babahoyo, which is the capital of the province. So we have that inequality still exists, but this inequality is bundled or comes from the hand of machismo, because they do not give the same opportunities to men and women, even within the family nucleus. And this is what we have to eradicate we must modify these inequalities. From the family once we manage to eradicate machismo, we can proclaim the principle of equality that is already in the Constitution of the Republic of Ecuador, that the laws are already there, what happens is that they still do not apply it properly
for these circumstances that are anchored in certain localities, not in all, We have in some places that can be with academic preparation, greater academic preparation that has greater approach, to improve structures from the family nucleus. So we have a greater incidence of equality but this gender inequality is what allows there to always be reforms, which equate the crimes or circumstances that can lead to gender violence, which in many cases, for example, a psychological rape or rapes that occur eradicated in certain parts of the province go hand in hand with these aspects of the aspects that still exist inequalities and that is what We have to improve, then it can be done and if they can expand this an investigation or some reform that indicates that there is greater equality, because there are certain established laws, but we are always improving, because we have settled.

What is your opinion about this problem and how could you solve it?

In the labor field we must continue to identify this the problems that exist, according to the entire institution. In the case of some institutions we must create our own internal policies that allow certain women to fully play their role from the perspective they may have as mothers, because we have to remember that the family is the fundamental nucleus of society and it is another perspective that all women must play a dual role. a role such as performing their functions according to the greatest of their abilities as an employee, as an official and without leaving aside their guidance for their family because if they dedicate themselves 100% to their work, and neglect their obligations as a guide in a house then undoubtedly we will have a society away through ethical and moral principles, what is currently happening, why women and men work, exercise their functions and many of the women work longer than men without being able to be equal and that women are forced to excel in their activities to be recognized and to be able to hold public positions or higher private positions, For example, managers, then she has to give more than normal, she has to try harder than men to be able to be. In that principle of equality that is what should not be, because we are in principle of equality we should do the same work, but in the case of women many of us have to certify ourselves a little more and have a being with a higher step. Without letting this that our competitors reach us very close to be able to locate us of that nobody and to be able to occupy these positions. We conclude that machismo still exists and that machismo is visible, because there are still many complaints of psychological violence in the workplace and in the family, when we have already equated all that, we can talk about equality and if it must be done is internal policies for us to reach that equality of opportunities that are necessary for an equitable society and to comply with what our Constitution says.
Interview questions for the psychologist

Response from psychologist Gina Gabriela Mendoza Litardo

You as a professional in psychology, what opinion do you have about the supposed gender inequality that you allude to in society?

In recent decades, gender inequality has been decreasing markedly; However, in some cultures the typical parenting model is still continued, in which, to mention an example, boys play with strollers and girls with dolls. From there we can observe that human beings are dragging from childhood differences that when applied in adult life result in gender inequalities that affect both women and men.

Consider, what are the main causes that generate inequality between men and women?

From my perspective, the main cause is the attribution of roles. From childhood, children are associated with work, to be providers for their family; Meanwhile, that girls are associated with the care of the home and that their family does not lack anything within it.

Why does discrimination based on gender origin?

In our socio-cultural environment there are deep-rooted beliefs about the superiority of one gender over another. Gender discrimination is the result of a complex set of interacting causes, among them we can mention: cultural and traditional practices, religious teachings, differences in education, among others.

Could you explain How does gender influence job performance?

At present, despite the changes and advances in our society, there is still the relationship of professions with gender (man-engineer-architect) (woman-teacher-nurse). Normally when you are going to hire a person for a job they relate the masculine with emotional stability, self-control, dynamism, courage, aptitude for science or rationality, and the feminine side is associated with emotional instability, lack of control, passivity, tenderness, dependence or fear.

Do you consider that all women in one way or another are more exposed to gender-based violence in their workplace?

In the workplace, most of them are women, without a doubt. Since they are considered inferior or subordinate to men.
How can it be identified that we are in the presence of a situation of harassment?

We can identify that we are in a situation of these when: they do not allow us to express our ideas, they do not respect our work schedules, they do not value our work, they demand us to fulfill activities that are not within our profile for which we were hired, they ignore the ideas we contribute, they ridicule us in the presence of co-workers, The salary is lower compared to a colleague who performs the same functions, among others.

How can we women avoid these problems in the workplace, and be able to enjoy a level of equality with men?

It is important to be part of a labor market where the professional is valued above all, without distinctions. What is relevant in a job is your ability and competence to carry it out, not your circumstances, environment or gender.

Do you agree with gender psychology, which is an area within psychology that helps determine the factors that influence inequalities?

Gender psychology is responsible for studying gender and its effects on a psychological level. For gender psychology it is important to start from existing theories about masculinity and femininity, as well as the evolution of these throughout the life of an individual. Therefore, we can say that it helps us determine the factors for inequalities to exist.

Discussion of results

According to the results obtained, it is evident that professionals related to the workplace, who have beeninterviewed from the different roles and function they exercise (practicing lawyer, judges, prosecutors and psychologists), perceive that there are still invisible barriers that prevent gender equality in one way or another.

It is established in this context that the Ecuadorian State exercises control and control of the norms that are enshrined in the Constitution of the Republic of Ecuador, in articles 65, 70, 108, 331, 332, 334, which promote the equal representation of women and men in positions of nomination or appointment of the public service, In order to achieve equality between women and men, through the specialized mechanism, it can be clearly seen in these articles that the participation of women in the national productive sphere is encouraged, so it is proposed that there be a department made up of multidisciplinary personnel in both the public and private sectors to be able to determine that the inclusion of women is complied with so that it does not exist. No discrimination in this regard.

It has been evident during the study of this research, that many companies are enrolling women who do not have children, that is, that if they give them the
job opportunity but in one way or another discrimination continues classifying women who have and who do not have children because there is the idea that women instead of generating production what they do is delay production for the issue of Their children, because they are aware of their family, are often single mothers, etc. Obviously giving access to the inequality that is already rooted in the country and that is strengthened with this breach and with this classification of women that is being done in the updated. The State shall supervise matters concerning the participation of women in politics, as established in article 70 of the aforementioned normative body, indicating that the State shall formulate, execute, and interpose policies to achieve equality between men and women in the country. Likewise, in this case, it is proposed to control the function of the State with the objective of being fulfilled for both public and private companies within the national territory.

Conclusions

The right to equal work for women is of vital importance, because this is the only way to respect international human rights and especially that they must be fulfilled by all the States that have signed them, including Ecuador. Gender inequality is not only an urgent moral and social problem, but also an economic challenge, in addition, that women do not reach their full professional potential, harms the business world. Even today, society in general has deep-seated prejudices towards the opposite sex as well as towards its own sex. Creating a gender-sensitive business culture

The Ecuadorian State provides for the situation where there is inequality between women and men, and more so in the matter of dealing with public office, there are rules within the legal system that in one way or another try to appease this problem, for this reason they establish the participation of women in these important positions within the nation, but the inapplicability of this norm can be observed, and in addition, the State is aware that there is a high level of discrimination by the female gender.

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