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The Role of Men in Closing the Gender Gap in Law Firms

Men have a great responsibility to help close the gender gap between men and women since most companies are led by men. The World Economic Forum indicates that in 2022, only 33% of managerial positions in the public and private sectors were held by women. Then, it is no surprise that every indicator of the gender gap status is based in comparison to the status of men.

The gender gap issue in Peru is comprised of various factors, one of them being the labor-force recovery of women. The Peruvian National Institute of Statistics and Informatics reported that in 2022 the female and male activity rate increased by 8.5 and 5.9 percentage points, respectively, with the female rate increasing from 54.5% to 63.0% and the male rate increasing from 75.0% to 80.9%.

According to The Progress on the Sustainable Development Goals - the Gender Snapshot 2022 issued by UN Women, COVID-19 has played a part in this matter. The pandemic not only had a global economic impact that directly affected women's access to jobs or moving up the ladder to break the famous glass ceiling, but it also intensified a series of historical contingencies for women. The idea, mostly in conservatives' societies, that women belong in the home, are only suited for service jobs such as nursing, primary school teaching, childcare or care provider for the disabled, among others was reinforced. During quarantine periods, women were expected to be the principal care givers and assume domestic labour responsibilities.

The World Economic Forum states that the analysis of the participation of men in any aspect of the closing the gender gap in the workplace must be evaluated in a cross-cutting manner, considering women's personal lives and the impact they have because of national crises. From a law firm perspective, men's participation in closing the gender gap is not only necessary, but urgent. Men can actively and effectively play a significant role in closing the gender gap in law firms.

1. Working perspective. Men can help bridge the gender gap by eradicating unconscious biases, which the International Labour Organization (ILO) has identified as the first and most important barrier women face at their workplaces. Unconscious biases are those automatic mental responses or associations that are based on gender and range among traditions, norms, values, culture or experience.

They are very deeply grounded in the upbringing of men, thus leading to automatic and very often, unconscious responses. The National Social Relations Survey (ENARES) reported that until five years ago, 55% of Peruvians considered that a woman's place was in the home and only once that work was done, she could focus on her personal and professional goals. Law firms are not an exception.

The legal practice in Peru is known for, aside from certain exceptional situations, is guided by those unconscious biases and other baseless female stereotypes that are even more detrimental to the professional development of women. Regrettable stories about women at some other firms who have been affected by harassment, especially those who are younger, are more commonplace than expected.

Unconscious biases among male partners at some other firms in Peru have directly influenced decision making processes and have resulted in situations, such as not hiring or promoting women because they are considered too emotional – or even hysterical - for the job. Men would not assign women challenging tasks because they believe women are overburdened with responsibilities at home or would prioritize having children in the future, where pregnancies and the corresponding leave of absence were deemed a serious concern. Unfortunately, these biases are intensified by the fear of rejection or derogatory treatment by men in their role as superiors, or the fear to denounce any kind of harassment by their peers. With the legal sector being predominantly male, women have feared further discouraging their professional development by speaking out.

According to the World Bank's Enterprise Survey, only 18% of companies worldwide have a female manager, while in Peru this figure rises to 20%. In conservative societies, this figure is even less in the legal sector, where most partners are men and where women partners are an exception and an achievement. Men outnumber women at the managerial level, and women cannot catch up. This is situation occurs also in law firms, where most of the partners are men. Eradicating unconscious biases is complicated, but at the very least, promoting awareness of their existence is important.

Clear and well thought company policies and politics can help significantly. Corporate governance can be a game changer in this matter. Actions must be acknowledged and clearly stated in simple public documents so that every individual in the company understands what is and is not accepted when analyzing an employee's career track record and any biases that should be factored and eliminated from consideration. Studies have also demonstrated the positive outcomes of having more women in leadership positions, as high-level decisions are made without bias. Under proper working conditions, women encounter less obstacles to advance to the top of their careers.

Additionally, men and companies must promote anti-harassment policies at work and encourage women to denounce these acts when they happen. Although Peru has passed legislation on gender discrimination and harassment in the workplace, this is not enough. The role of men is crucial, and this involves promoting initiatives to encourage more women to denounce these acts and by openly rejecting all types of harassment and discrimination. It is also essential for companies to take corrective actions against those who are involved in acts of discrimination.

2. Personal and family perspective. The ILO states that the proportion of time spent by men on unpaid work as a proportion of their total work was 19% while for women it was 55%. With the rising costs of childcare, there is a high risk that an asymmetric demand for unpaid care work will continue to be imposed on women. This situation was compounded by the reality of the pandemic, where women took on the role to take care of their families while simultaneously working full-time. Additionally, men at law firms would spend more time in the workplace to demonstrate their commitment, thus leading to an unequal balance in sharing household duties in pursuit of success and advancement at the firm.

To close the gender gap at law firms, men must assume greater responsibilities at home to relieve the pressure on women to reconcile work and personal life. This could lead to women obtaining higher salaries as well as relieving the pressure on men to be the sole household provider. Notwithstanding the educational aspect of internalizing that childcare and household tasks can and should be a shared responsibility and the professional dreams and aspirations of women are equally as important is crucial. In the same line, men should demand equal access to paternity protection and other benefits afforded to women. This encourages men to take advantage of benefits that allow for greater participation in household activities, as well as neutralizing any perceived additional costs in hiring women, significantly reducing the work gap.

3. Social perspective. Acknowledging that women are more affected by national or international crises (like the COVID-19 pandemic or an economic crisis) than men has proven difficult. The inherent privileges of merely being a man and the downplaying of barriers and mistreatment that women may face for merely being a woman as just feminist ideas have led to resistance in changing this viewpoint. Hence, if changes are expected, the battle for social equality must not only be led and narrated by women. All men, especially those in positions of power, must acknowledge their privilege and speak up against the consequences that women constantly suffer. In law firms, male partners must actively work to implement and promote policies that encourage and facilitate women to be on the partner track.

Over the last few years, women are increasingly more present and actively contributing at law firms, demonstrating the undeniable capacity to succeed in any industry sector and achieving results. Conservative societies, like Peru, are slowing changing and now, it is no longer the case in law firms that only men are partners. Women have been at the forefront in demanding and achieving this change, however men must continue to work alongside women in this fight for change, as they are a crucial component in closing the gender gap. Work means survival for women and, therefore, for humanity. Thus, it is a benefit to society if women face fewer career development barriers in their professional life and men can play a vital role in eliminating those barriers through active participation and self-reflection.