



Opinion on
**“The role of civil society in implementing
European legislation on equal treatment for
women and men in the area of equality at
work”**



Advisory Committee
on
Equal Opportunities for Women and Men

The opinion of the Advisory Committee does not necessarily reflect the positions of the Member States and does not bind the Member States.



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1. Introduction

The Advisory Committee wanted to focus discussion on the current contribution of civil society, particularly the social partners and the NGOs, to action to promote, analyse, monitor and support gender equality. Discussion should also focus on synergy and cooperation between authorities and other stakeholders (NGOs, social partners, legal practitioners, the business sector, and the media).

In line with the Advisory Committee's decision of October 2005, a working group¹ was therefore entrusted with the task of identifying the role played by civil society with a view to better knowledge, understanding and implementation of European legislation on equal treatment for women and men. It was decided to limit this study to the area of equality at work between women and men.

The mandate of the working group shows that those NGOs which promote gender equality, along with the social partners, play a major role in informing and raising awareness amongst the European citizens of Community legislation on gender equality. It is hoped that this will lead to better application of the relevant legislation.

In the matter of equal treatment for women and men there is a solid Community acquis built up since the 1970s and comprising a number of directives and underpinned by extensive case law. This legislation relates to access to employment, training and vocational training, working conditions including remuneration and social security, and also access to and supply of goods and services.

To prepare the draft opinion, a survey was conducted to examine the current situation in the Member States and to identify best practices. A questionnaire prepared by the working group was therefore sent by the Commission to the members of the Advisory Committee on 17 March 2006.

The members of the Advisory Committee sent in their contributions between 17 March and 27 June 2006. 19 responses were received:

- 12 from the institutional representatives (Austria, Cyprus, Estonia, Finland, France, Germany, Luxembourg, Malta, Netherlands, Portugal, Spain and Slovenia);
- one from the European Women's Lobby and five contributions from national EWL organisations (France, Germany, Greece, Hungary and Latvia);
- one from an NGO (Romania).

Other countries and organisations sent in their contribution under the validation procedure (Belgium, Bulgaria, Greece, Lithuania and the International Labour Office).

These contributions provided knowledge of the best practices developed in the Member States and led to the drafting of the following draft opinion.

¹ This working group, led by France, consists of Hortensia Moriones of the Institute for Women's Affairs (Spain), Ginette Jones of the Female Work Committee (Luxembourg), Laurence Goedert of the Ministry for the Promotion of Women (Luxembourg), Viviane Goergen of the European Trade Union Confederation, Cécile Gréboval of the European Women's Lobby, Michèle Favreau-Brettel of the Women's Rights and Equality Department (France).





2. The challenges

2.1. Persisting situations of inequality between women and men

The Commission's 2006 report on equality between women and men² states that three quarters of new jobs created in the EU over the past five years were taken up by women. The rate of female employment in the European Union of 25 Member States reached 55.7% in 2004, i.e. a rise of 0.7 points over 2003. The employment rate gap between women and men fell from 18.1 points in 1999 to 15.2 points in 2004, while the unemployment gap fell to 2.1 points, i.e. nearly a point less than in 1999.

Nevertheless, major imbalances still persist despite this favourable trend in the rate of female employment.

The rise in female employment is still concentrated mainly in the traditionally female occupations (public administration, education, health or the social sphere), thus further increasing sectoral and occupational segregation within the European Union.

Inequalities in the private sphere (sharing of domestic responsibilities between women and men, insufficient childminding facilities, matching working hours of both parents with school hours, etc) have a major impact on the employability of women and the characteristics of female employment. This means that disparities still persist with regard to part-time working: 32.6% of women work part time compared with only 7.4% of men. Care for dependent family members is essentially a matter for women, who thus find it more difficult to reconcile private and occupational life.

Vertical segregation is also dominant on the employment market with a lack of women in political and economic decision-making positions: women represent only 32% of management, 10% of members of boards and 3% of CEOs of the bigger EU companies.

Above all else, the gender pay gap remains substantial. Women thus earn on average, in the 25-country European Union, 15% less than men.

These inequalities also extend to aiding spouses, in particular in the agricultural and crafts sectors, where they continue to suffer from discrimination. The participation of women in the black economy should also be addressed. Consequently, these inequalities expose women far more to the risk of social exclusion and poverty and characterise strongly the still unequal access of women to resources and to positions of responsibility.

If the situation with regard to gender equality is to improve, it is essential to involve the representatives of civil society, particularly the social partners, the NGOs and the business sector, in the drafting, implementing and following up texts.

² Report from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions on equality between women and men — 2006, dated 22 February 2006 [COM(2006)71 final, Official Journal C 67 18.03.2006].



2.2. The need for synergy between the authorities and the players of civil society

Many documents stress the importance of the involvement of civil society in attaining the gender equality objectives defined in the EU approach.

In a communication from 2005³, the Commission urges a revival of the Lisbon Strategy through a European partnership for growth and employment. Improving governance of the Lisbon Strategy hinges on the taking on board of the objectives by all the players concerned, and more specifically by the institutions, governments and administrations at local and national levels, and also the social partners and civil society.

The Commission's social Agenda⁴ stressed that partnership between the public authorities, the social partners and civil society is a crucial element in the success of European policies and encourages the contribution of the social partners in examining the Lisbon Strategy.

The Roadmap for gender equality for 2006-2010⁵ acknowledges that substantial headway has been made in regard to gender equality, thanks in particular to the social dialogue and the dialogue with civil society.

The Commission, however, notes that there is still much to be done in this area and that this requires increased support for the social dialogue through strengthened cooperation with the NGOs and support for the work of the social partners on gender equality.

The Advisory Committee points out specially the importance of the role of the women organizations in work for the realization of the equality. Their competence and their engagement in this field must be fully recognized and supported.

The European level social partners, UNICE/UEAPME, CEEP and ETUC (with CEC and Eurocadres participation), for their part, committed themselves, under the gender equality action framework adopted on 1 March 2005, to encourage the social partners at all levels and in all EU countries to step up their participation in the preparation and implementation of integrated strategies for occupational equality between women and men. This document sets out four priorities for the next five years: "consider the roles of men and women, promote women in the decision-making process, support balance between occupational and family life, addressing the problem of the gender pay gap".

These commitments, shared at the European level, were recently highlighted at two conferences.

The social partners and the women's NGOs took part on 4 and 5 May 2006 in a conference organised by the European Commission entitled "Gender equality: making headway. A road-map for the future".

The conference on equal pay for women and men on 22 May 2006, organised by the Austrian Presidency and the European Commission, included the participation of government representatives and the social partners. It was the first time that a conference devoted to this theme brought together all the social partners.

3 Communication to the Spring European Council of 2 February 2005, "Working together for growth and jobs. A new start for the Lisbon Strategy" [COM(2005) 24 final. Not published in the Official Journal].

4 Commission Communication of 9 February 2005 "The Social Agenda" [COM(2005) 33 final].

5 Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions "A Roadmap for equality between women and men 2006-2010", of 1 March 2006 [COM (2006) 92 final. Not published in the Official Journal].



More similar meetings, conferences or initiatives with the participation of governmental representatives, the social partners and other institutions of the civil society are necessary as a unique opportunity to exchange best practice and to reach commitments on gender equality at the European level.

2.3. Support to Claimants

The effective implementation of equality legislation requires a support infrastructure being made available to women who have experienced discrimination to seek redress. It is important that the institution for hearing the case is accessible and adequately resourced to ensure there is no lengthy backlog of case. It is important that a specialised equality body is adequately resourced to provide information on the legislation and to provide legal advice and representation to claimants.

NGOs and trade unions have an important role to play in this regard in providing advocacy supports to women who have experienced discrimination. Business networks can also play advocacy roles in encouraging their member enterprises to comply with the legislation and to implement good practice in promoting gender equality.

3. Proposals for recommendations

Drawing on examples of best practice developed by civil society in the Member States, the following recommendations have been drawn up by the working group and enhanced by the contributions of the members of the Advisory Committee.

The point of these recommendations is to get the Commission and the national authorities to encourage the development of civil society initiatives in order to improve implementation of European legislation on gender equality at work.

These recommendations focus on six areas:

- raising awareness of the gender equality issue;
- taking stock of and monitoring the situation as regards transposition of directives;
- fostering the participation of women in the employment market;
- narrowing the gender pay gap;
- better reconciliation between family life and working life;
- eliminating gender-based harassment.

Few of the best practices observed involved the key players in civil society, e.g. the media, support and training associations, schools, universities and legal practitioners. Recommendations specifically involving these members of civil society have therefore been formulated.

In addition, while the elimination of gender-based harassment remains a priority objective in the achievement of real gender equality at work, only a small number of best practices have been developed on this issue. Recommendations have therefore been drawn up in order to encourage enhanced awareness of this issue in civil society.



The Advisory Committee, fully aware of the key role that the members of civil society must play in order to achieve genuine equality between women and men, makes the following recommendations:

3.1. Raising awareness of the gender equality issue

The Commission and the national authorities, each in their respective areas of competence, should:

- Raise awareness among the representatives of civil society and encourage them to promote gender equality. There is a need to promote the taking on board in organisations of a dual approach consisting, on the one hand, of specific actions on gender equality to be implemented by dedicated gender equality units, and on the other, an integrated approach to gender equality.
- Create, in conjunction with civil society, a multilingual Internet site at European level to provide information on European legislation on equal treatment for women and men at work, to list the laws for transposition and the infringement procedures against Member States, compile examples of initiatives developed by civil society, all this in order to encourage the exchange of good practices. It would also include a tool box with information on the opportunities for appeal and a dedicated e-mail address for information.
- Encourage and assist the representatives of civil society, particularly the NGOs and trade unions, in disseminating information on directives covering gender equality at work, in order to raise public awareness. This awareness can be achieved through multiple communication channels: Internet, information campaigns, publication of guides for good practice, organisation of conferences and organisation of training workshops.
- Encourage and assist the social partners in particular in developing awareness-raising actions at work, targeting personnel and particularly companies, in order to get them to introduce ways of combating gender-related disparities.
- Encourage the development of awareness-raising and training actions on gender equality amongst job seekers' support and training associations.
- Encourage schools and universities to cooperate with civil society in organising activities such as seminars and conferences on gender equality.
- Encourage synergy between public authorities and civil society, particularly groups which can play a multiplier role due to their influence on another sectors and on the civil society in general (associations of legal experts, lawyers, etc), by developing and disseminating together information and awareness-raising tools, the acknowledgement and use by the public authorities of the expertise of women's organisations in the area of equality and supporting their activities.
- Ensuring that legal practitioners receive training on European legislation on gender equality at work.
- Stress the role to be played by the media in highlighting the initiatives organised to fight against female stereotypes portrayed in TV advertising and programmes, and by



encouraging the media to produce and broadcast information items on gender equality in general and the legislation that exists.

3.2. Monitoring and review of transposal of directives

The Commission and the national authorities, each in their respective areas of competence, should:

- Step up cooperation between the European institutions, the national authorities, specialised equality bodies, the NGOs, particularly women organizations, and the social partners when drafting and implementing directives and laws for the transposal of the relevant directives. It is essential for the representatives of civil society to continue to raise awareness in public opinion (e.g. awareness-raising campaigns when new texts are adopted), to propose reforms, to approach political leaders and the media in order to speed up the transposal of directives at the national level. Financial support from the public authorities for these activities is vital.
- Encourage and help civil society to conduct systematic and regular studies setting out facts and figures relating to measures implemented so that their effectiveness can be assessed and the developments in the situation of women on the employment market properly evaluated. Use of methodologies such as the gender Audit of the International Labour Office would be commendable: the audit uses a participatory and self-assessment approach to promote organizational learning about gender mainstreaming (For more on ILO Gender Audit visit <http://www.ilo.org/dyn/gender/gender.home>). The representatives of civil society should ensure that gender-differentiated statistics are compiled, updated and used for the various sectors of the economy.
- Recognise the key role played by the NGOs, particularly women organizations, and the social partners, particularly in the new Member States and in the candidate countries, in following up and adopting the Community acquis in the area of equal opportunities for women and men. Help these organisations to play their role and participate at European level, in particular the representatives of the new Member States who find it difficult to form organisations in such areas as agriculture and rural development.
- Provide support and resources to NGOs and trade unions to provide advocacy support to women who experience discrimination. Advocacy supports include provision of information on the legislation, provision of legal advice on the particular incident and provision of representation before a tribunal. Support and resources could also be provided to business networks to advocate for compliance with legislation and for best practice in promoting gender equality among their member enterprises.

3.3. Promoting the participation of women in the employment market

The Commission and the national authorities, each in their respective areas of competence, should:

- Promote cooperation between civil society and schools, universities and training and counselling organisations in order to fight against stereotypes and segregation in the employment market and to encourage women and girls on the one hand and men and youths on the other to move into the sectors in which they are respectively under-



represented. Special attention should be paid to gender equality at work in urban areas with particular social difficulties and in agriculture and rural areas where women who work as aiding spouses must be granted equal professional status in line with Community legislation.

- Encourage the introduction via the social partners, the NGOs and the business sector, autonomously or in conjunction with the authorities, of training programmes focusing in particular on the new technologies, in order to make it easier for women to get into the employment market.
- Encourage the business sector and the social partners to monitor the transparency and neutrality of recruitment, selection and promotion criteria by regularly checking that the number of women recruited, selected or promoted is in proportion to the number of female applicants.
- Encourage the business sector, specially the big companies, in conjunction with the social partners, to prepare and implement action plans/agreements on gender equality, particularly on issues such as wage disparities, sexual harassment, reconciliation of private life and working life, women in the decision-making process.
- Encourage public recognition of companies which take measures to achieve gender equality at the place of work, particularly, through labels, grants, publishing of tables, awards.
- Urge that the gender equality issue be integrated into collective bargaining as at the public level as at the private level. Encourage the development of male/female negotiator training on this issue and the involvement of women in the procedure.
- Urge the public authorities and the representatives of civil society to promote the setting up of businesses by women, by developing information, training, guidance and counselling services, and by providing financial and technical assistance.
- Promote balanced representation of women and men on company boards and the decision-making bodies of trade unions.
- Encourage the business sector, in conjunction with the social partners, to set up plans of flexible distribution of working time for managerial staff, professionals and executives to promote the access of women to those posts in companies.

3.4. Reducing the gender pay gap

The Commission and the national authorities, each in their respective areas of competence, should:

- Encourage and help the social partners to organise tools and indicators to monitor equal pay for women and men (including the monitor of salaries, income, benefits, pensions...), for the benefit of employees and of the persons responsible for defining, applying and evaluating pay systems.
- Set up think tanks including representatives of civil society and the social partners in order to establish tangible strategies for reducing the pay gap.
- Encourage to include the issue of equal pay for women and men in action plans/agreements at company level and in collective bargaining (cf. point 3).



- Encourage better transparency in wage policies in public and private sector companies alike.

3.5. Improving reconciliation between family life and working life

The Commission and the national authorities, each in their respective areas of competence, should:

- Get national and local authorities, associations, companies and the social partners to cooperate in setting up good quality facilities for child-minding, care of dependent persons, as well as replacement services for women farmers, at an affordable price, taking due account of families' intrinsic needs.
- In conjunction with civil society, urge that good working conditions be maintained and that innovative and flexible work organisation patterns be introduced which integrate the objective of gender equality in private and public sector companies.
- Encourage and help the social partners to publish, either alone or in conjunction with the authorities, guides for good practice, setting out the key points on reconciling the different cycles of life, particularly working time, working timetable authorisation for carrying out prenatal checks and pre-childbirth examinations, maternity leave and time off for breast-feeding, paternity leave and parental leave, etc.
- Encourage associations and the social partners to organise actions to get men to play an active part in domestic life and take advantage of parental leave.

3.6. Eradication of sexual harassment

The Commission and the national authorities, each in their respective areas of competence, should:

- Encourage and help the representatives of civil society to organise, alone or in conjunction with the public authorities, awareness-raising campaigns on sexual harassment, targeting employees, employers and also trade unions and associations.
- Encourage incorporation of the issue of eliminating sexual harassment in the action plans/agreements concluded at company level and in collective bargaining (cf. point 3).
- Urge the social partners to systematically inform employees on how to combat sexual harassment and to support and counsel the victims of sexual harassment during complaints procedures.

ANNEX

Compendium of good practices

Good practices designed to promote professional equality between men and women have been developed on both the national and European levels.

Scrutiny of these actions reveals five different fields of intervention:

- Raising awareness of the issue of gender equality;
- Monitoring and evaluation of the transposition of European directives;
- Promotion of women's involvement in the labour market;
- Reducing the pay gap between men and women;
- Improving the balance between family and career;
- Elimination of sexual harassment.

For each of these priorities, examples are highlighted of good practices which might be emulated by representatives of civil society. These initiatives are divided into those developed exclusively by civil society, or in collaboration with the authorities.

1. Raising awareness of the issue of gender equality

This section will identify the initiatives developed to raise awareness in the world of employment, among NGO's and in society at large of the question of gender equality, while also highlighting actions which permit effective dissemination of tools designed to promote greater equality between men and women.

- **Actions developed by representatives of civil society**

- In Belgium

The "Amazone" National Resource Centre has developed two data banks: "Euwidin" designed to provide information on employment and training initiatives from the point of view of gender equality, and "Digma" which lists "gender mainstreaming" tools. These two data banks are available at the following address: www.amazone.be.

- In Cyprus

In 2005 a trade union organization (Democratic Labour Confederation) published a series of brochures for its staff, its members and for public in general on the European acquis in the area of gender equality.

- In Estonia

A non-profit-making organization (the Estonian Law Centre Foundation) invited the public to express their opinions over the Internet on the legislative procedure in respect of the law on gender equality. This Internet forum allowed anyone interested to learn more about proposed legislation, to voice an opinion and propose amendments.

In 2002 the same organization held a round table discussion on the subject Gender Equality – problems and possible solutions in the legislative procedure.





In 2004 the Estonian Employers' Confederation organized a seminar on the subject Employers : help or hindrance to promoting gender equality.

- One of the main activities of the European Women's Lobby (EWL) is to disseminate information on Directives promoting gender equality through different channels of communication (websites, publications, group presentations, etc.).

For example, the 2005 Peking +10 Report analyzes current European legislation and makes a number of recommendations.

The Lobby also launched, in June 2006, a campaign to promote policies to help women reconcile their family and working lives.

More specifically, the Lobby has set up a project Mobilizing young women for equality in Europe (1999 - 2001), designed to develop awareness of the question of gender equality among the young women of Europe, through a better understanding of the law and wider participation in actions and decision-making. The project involved the setting up of a network of national coordinators, the organizing of three seminars and issuing of two publications.

In 2003 the EWL organized a number of training seminars on the subject of institutional capacity-building in respect of gender equality, in view of the impending enlargement of the European Union.

In 2006 a training workshop was organized (European Union policy on gender equality and how to influence it) covering all aspects of European legislation and policy on gender equality.

- In France

The French coordinating body of the European Women's Lobby (CLEF) has arranged a number of conferences providing information on European directives and relevant training. The organization has been involved in annual seminars arranged in association with the Jean Jaurès Foundation and dealing with all aspects of the working lives of women in the EU, designed in particular to help delegates from central Europe and the Baltic states to familiarize themselves with the workings of EU mechanisms.

At the time of the referendum on the European constitution, the CLEF organized and participated in several conferences on advances achieved for women in France through European legislation and policies on gender equality.

One year after the referendum it also organized, with the European Commission's representation in France, a conference on these same issues in order to explore the attitudes of French women.

The National Information Centre on the Rights of Women and Families (CNIDFF) has set up a Women and European Citizenship website, with sections on all the Community institutions, Community law and the European Court of Justice.

- In Germany

Since 2003 the National Council for German Women's Organisations has organized regular conferences to provide information on Directive 2002/73/EC on the implementation of the principle of equal treatment of men and women.



- In Greece

Since the time of Greece's accession to the European Union various civil organizations (including the League for Women's Rights) have organized public conferences and special conferences for the legal profession on the question of women's rights.

- In Malta

In 2005 the General Workers' Union organized a conference on the equality of the sexes where an expert from the National Commission for the Promotion of Equality set out the implications of Directive 2002/73/EC on the implementation of the principle of equal treatment of men and women as regards access to employment, vocational training and promotion, and working conditions.

The European Centre for Parliamentary Research and Documentation organized a conference to discuss a report on the struggle against discrimination, on integration and equality.

- In the Netherlands

A special organization (the Vrouwenpensioen Platform) has been set up by the women's section of the Trade Union Confederation (FNV Vrouwenbond), the Independent Centre for Knowledge and Expertise for the Emancipation of Women in a Multicultural Society (E-Quality) and the Vrouwen Alliantie in order to inform women of their pension rights. The organisation has set up its own website (www.vrouwenpensioen.nl).

- In Romania

One of the country's NGOs (the Centre for Partnership and Equality) launched an initiative in 2005 to raise the awareness of other NGOs in the framework of an integrated approach to gender equality (establishment of an informal network, publication of a guide to good practices, creation of an internet site, provision of training).

The same organization has also made efforts to involve the trade unions in the promotion and implementation of national and European legislation on equal opportunities in the labour market (information and training).

An information initiative on equal opportunities (the Genesis programme), targeting NGOs and local authority representatives, was developed in 2002-2003.

An equal opportunities training course for the staff of citizens' advice offices was set up in 2004.

▪ **Actions developed by representatives of civil society in collaboration with the authorities**

- In Bulgaria

A partnership between NGOs and local authorities was set up, in 2003-2004, at the local level, in Varna, Gorna Oryahovitz, Parvomay, in order to establish models for mechanisms for gender equality (project of the Bulgarian Gender Research Foundation).

Partnerships with NGOs were established on projects on gender equality sponsored by the European Commission (project of the Ministry of Labour and Social Policy for gender



mainstreaming, establishment of gender focal points in the ministries, project gender equality in sports).

Cooperation between institutions and NGOs exists at the level of the Advisory Council for Equal Opportunities; NGOs are invited as associated members.

Some initiatives are conducted by authorities with civil society, for instance joint research on legal standards on gender equality in the Bulgarian legislation and recommendations for changes (the Ministry of Labour and Social Policy and the Bulgarian Gender Research Foundation), good practices of gender mainstreaming (the Center of Women's Studies and Policies), cooperation between the Ministry of Labour and Social Policy, the Turin Centre of the International Labour Organisation representation in Sofia and NGOs.

- In Cyprus

The Democratic Labour Confederation has developed, with funding from the National Department for Women's Rights, actions to raise awareness of the laws on gender equality.

The Cyprus Observatory for Equality has also implemented measures to raise awareness of gender equality legislation in European Directives.

Another trade union (the Pancyprrian Federation of Labour) has issued a publication on women's rights to employment, also with funding from the National Department for Women's Rights.

- In Estonia

The Ministry of Social Affairs has initiated and coordinated programmes and projects for the promotion of gender equality and the reduction of inequality, most of which are intended to inform and educate the public and particular target groups, to disseminate useful tools and to increase the administrative capacity of state agencies.

- In France

A guide to collective negotiation on professional equality has been prepared by the Department for Women's Rights and Equality within the Supreme Council for Professional Equality, in collaboration with a major publishing house - Liaisons Sociales. The publication contains an article by the lawyer Mme Lanquetin on discrimination as covered by Community law and the case law of the European Court of Justice.

A guide to good practices has been prepared by the ORSE (Observatory for Corporate Social Responsibility) with the assistance of the following companies: AXA Financial Protection, Accor, Caisse des Dépôts, EDF, Total, Schneider Electric, PSA Peugeot Citroën and La Poste.

- In Greece

A government agency (KETHI – Research Centre for Gender Equality) is implementing – with the help of civil society organizations like the trade union confederation, the association of European women lawyers – two European projects to raise awareness of European Directives concerning gender equality, specifically those on equal pay and equal access to employment.



- In the Netherlands

A project involving both state agencies and civil society has been implemented to increase public awareness of pension issues. A website has been created (www.pensioenkiijker.nl) and a targeted publicity campaign is organized each year. The various initiatives launched as part of this project are subject to an internal evaluation process.

- In Portugal

The Commission for Equality in Labour and Employment (CITE) has many publications (freely distributed in order to inform and raise awareness) and publishes on a regular basis its legal opinions (also available in the [site www.cite.gov.pt](http://www.cite.gov.pt), but only in Portuguese) and a booklet about good practices on conciliation of work, family and private life.

In 2003, a manual for trainers on gender equality was published (nowadays available in the site in Portuguese).

CITE is a tripartite entity composed of representatives from government and social partners. Its main responsibilities are the promotion in the private and the public sectors of:

- Equality and non-discrimination between women and men in labour, in employment and in vocational training;
- Protection of maternity and paternity;
- Reconciliation of work and family life.

- In Romania

The country's labour inspectorate has trained its representatives in the implementation of equal opportunity principles.

- In Slovenia

A leaflet on the law regulating professional relations in terms of equal treatment for men and women has been published and distributed. The initiative was supported by businesses, trade unions, NGOs and the public sector.

- In Spain

The Women's Institute, in association with universities, social partners, NGOs and members of the legal community, has published numerous guides to good practices related to women's rights in the area of professional equality. A guide to good practices to safeguard rights to equal treatment in employment procedures was drawn up in 2004.

2. Monitoring and evaluation of the transposition of European Directives

This section will set out the actions designed to ensure the transposition of European Directives on equal opportunities into national legislation. These actions comprise evaluation of draft legislation, involvement in the drafting process or monitoring of implementation.



▪ **Actions developed by representatives of civil society**

- In Austria

NGOs have exerted pressure on ministers and public opinion in order to influence the drafting of the law transposing Directive 2002/73/EC on implementation of the principle of equal treatment.

- In Belgium

The Council on Equal Opportunities for Women and Men in March 2005 published its opinion No 95 on the drafting of a "gender equality code". These opinions are available at: www.conseildelegalite.be. This council comprises 54 women's organizations, family organizations, employer and trade union organizations and its mission is to advise the Federal Government at its initiative or upon request.

- In Estonia

A civil society organization (the Open Society Institute) has studied the equal opportunity measures that need to be taken as part of the country's accession to the European Union.

- The main task of the EWL is to exert an influence on European institutions when the latter are debating new legislative tools, and to enable its members to act at the national level when the new laws are being adopted and transposed into national legislation. The EWL played an active part, for example, in the adoption of Directive 2002/73/EC on access to employment, vocational training and promotion, and working conditions.

- In France

The French coordinating body of the EWL has played an active part in lobbying in support of Directive 2004/113/EC, which implements the principle of equal treatment of men and women in access to goods and services and the provision of goods and services, particularly prior to its adoption, in collaboration with other associations and institutions.

- In Germany

A network of organizations combating all forms of discrimination has been set up in order to exert pressure on the government to ensure that Directive 2002/73/EC on equal treatment of the sexes is implemented on the national level.

- In Hungary

The women's lobby and NGOs have conducted an evaluation of the European laws on gender equality to be incorporated into national legislation.

- In Latvia

The Council for Gender Equality of the Free Trade Union Federation has been set up to coordinate, consult and promote gender equality by increasing social opportunities for women.



- In Romania

National experts on gender equality and NGOs conduct evaluations of both legislation and practice addressed to the media, public opinion, NGOs and state institutions. A report describes the existing national institutional mechanisms, policies and programmes for gender equality. It contains an appeal to the government to establish a regular system of checks on the way in which principles of equal pay are implemented and proposes that statistical data collected be broken down by sex.

The evaluation report, published by the Centre for Partnership and Equality as part of the programme for equal opportunities in the process of accession to the European Union, shows the specific steps to be taken to ensure that the principles of equal opportunities are appropriately transposed into Romanian legislation and practice.

The Centre for Partnership and Equality carries out monitoring and lobbying activities as part of its Genesis programme in order to initiate and sustain changes in government and parliamentary legislative procedures with a bearing on gender equality.

The government has been lobbied to withdraw its proposed changes in the conditions under which parental leave is available.

▪ **Actions developed by representatives of civil society in collaboration with the authorities**

- In Austria

The social partners collaborated with the authorities during drafting of the law incorporating the European Directives into national legislation.

- In Bulgaria

The elaboration of the draft law on equal opportunities between women and men is discussed in a working group at the Ministry of Labour and Social Policy with the participation of civil society organisations.

- In Estonia

The law on gender equality has been forwarded for comment by women's organizations, which have worked to raise public awareness, compiled reports, questioned the political parties and lobbied members of parliament and the media.

- In France

A study ordered by the Ministry for Labour was issued in 2006 by Mmes Lanquetin and Grévy, two academics, on implementation of the Law of 16 November 2001, which incorporated in French law Directive 97/80/EC on the burden of proof in cases of sexual discrimination.



The study offers a quantitative and qualitative appraisal of the judicial decisions taken in cases of discrimination in France, in relation to international, Community and national norms.

The Law of 16 November 2001 incorporates in French law the notion of indirect discrimination, the modification of the burden of proof, and the concept of life-long professional discrimination. It was preceded by close collaboration with the social partners through the Supreme Council for Professional Equality.

- In Latvia

The women's resource centre Marta (an association coordinating cooperation among women's NGOs and government agencies) has contributed to the preparation of a draft law on gender equality that goes beyond the objectives set in the European Directives.

The ministry of Welfare has created 'gender equality index' and carried out a survey to investigate the views of staff on gender equality in the workplace in all ministries.

The network of women's NGOs (run by the women's resource centre MARTA) is monitoring the implementation of the Directives.

- In Luxembourg

In 2000 the National Women's Council, in collaboration with the Ministry for Women's Rights, published a 'descriptive and comparative study of the situation of men and women in the system of individualization of social and fiscal rights'. This study – designed to be used by policy-makers, unions and women's organizations – took full account of the European Commission Communication and sketched out three possible paths to reform:

- To remain within the logic of marriage and married rights;
- Individualize rights by recognizing the sharing of roles between men and women;
- Individualize rights by recognizing equality.

- In Malta

Representatives of the government, the social partners and the National Women's Council have all cooperated in assimilating the European acquis in the area of gender equality.

3. Promotion of women's involvement in the labour market

This section will identify the actions tending to promote the greater involvement of women in the labour market, particularly those that encourage entrepreneurship among women.

- **Actions developed by representatives of civil society**

The EWL seeks to influence and contribute to European policies on employment (Lisbon Strategy, contributions to spring summits) in order to strengthen the gender equality aspects of these policies and promote women's economic independence and participation in the labour market (See the various contributions on the EWL website).

- In France



The French coordinating body of the EWL took an active part, in 2005 and 2006, in European programmes and policies supporting entrepreneurship among women, by participating in 'employment forums', in the women's enterprise platform of the Entrepreneurship Fair, and by organizing a European conference on *Women and enterprise*.

- In Lithuania

Special measures for promotion of women's entrepreneurship has been applied mainly through the projects of Women's Employment Information Centres. Three years Mentorship project of Kaunas Women's Employment Information Centre together with the Agency of the Promotion of Small and Medium sized business. The project in addition was aimed to reduce vertical and horizontal segregation in the labour market. Main result of the project was increase of number of women in small and medium sized business, especially in non-traditional areas, like repair of boats, timber industry, etc.

Furthermore, a credit line in a larger bank of Lithuania existed until 2004 for women starting their own small and medium sized business.

The women's reintegration to the labour market is promoted especially for elderly women, women after child care leave, as well as vulnerable groups (victims of violence and trafficking).

A project for reintegration to the society and to the labour market of migrant women is held by Kaunas Women's Employment Information Centre and is supported by the European Social Fund.

- In Romania

In 2003 the Centre for Partnership and Equality conducted a survey to identify women's needs for information, education and assistance in the labour market. The Centre also compiled and published an orientation paper on the full participation of women in economic life, accompanied by recommendations on developing public policies to improve the economic and social status of women. These initiatives were addressed to the media, NGOs and local authorities.

In 2005 a range of services (information, training, advice, expertise and promotion) were designed for the women of a specific region interested in developing businesses in the field of rural tourism.

- **Actions developed by representatives of civil society in collaboration with the authorities**

- In Belgium

In September 2005, the three trade union federations signed a gender mainstreaming charter. The preliminary results of this commitment were published in June 2005 on the occasion of a seminar on best trade union practices, organized jointly by the ETUC and the gender equality institute (www.iefh.fgov.be).

- In Cyprus



To encourage entrepreneurship among women, research was carried out in 2001 by the Organization of Business and Professional Women with the financial support of authorities with aim of identifying obstacles to women's advancement as entrepreneurs.

Subsequently, two important actions were developed:

- the setting up in 2002 of Women's Cooperative Bank,(an initiative of 350 women) an independent, non-profit organization that works as a full financial institution which aims at facilitating access of women entrepreneurs to financial resources
 - the operation in 2002 of a scheme by the Ministry of Commerce and Industry which aims through the provision of grants and training on entrepreneurship issues, at encouraging women to undertake self-employed work in selective activities in trade and services.
- In Finland

Guidelines on action plans for gender equality in the workplace, required by the 2005 gender equality reforms, have been drafted, published and distributed by the Ministry of Social Affairs and Health and the social partners. The gender equality legislation requires that an employer must put in place measures promoting gender equality as part of an overall plan for equality between the sexes.

- In France

In the framework of the EQUAL- ESPERE programme a charter was signed on 18th November 2005 between the public authorities and those businesses belonging to the SETT (Association of Temporary Employment Companies).

The Charter sets out the commitments in respect of fighting discrimination at work made by the public employment agencies and the temporary employment sector. It provides for a monitoring committee and establishes a number of common indicators.

The conference resuming the work of the programme within the Economic and Social Council provided an opportunity to present the relevant community texts and the case law of the European Court of Justice.

The law of 9 May 2001 on professional equality provides for social dialogue on the specific measures and a comprehensive approach to equality of men and women in employment (obligatory annual negotiations on professional equality; obligation to include professional equality in the other mandatory areas covered by collective negotiation).

The law was preceded by close collaboration with the social partners through the Supreme Council for Professional Equality.

The gender equality label ("label égalité") has been awarded to 18 businesses with around 130,000 employees and which have introduced exemplary practices in respect of professional equality. This label is awarded by an independent certification body acting on the recommendations of a committee made up of equal numbers of representatives of the administration, employers' organizations and trade unions.

The National Inter-Professional Agreement of 1st March 2004 and the letter on equal representation of 7 July 2004 both served as input to the law on equal pay of 23 March 2006 which envisages an obligation to negotiate measures to close pay gaps by 2010, not-



counting of parental leave in respect of individual training entitlements, the possibility of increasing training grants by 10% when an employee has to incur extra child-care costs in order to take a training course outside working hours.

The partners involved are the government and the employers' organizations.

- In Germany

The federal government and the main players in the economy at the central level (Confederation of German Employers' Associations, German Industry Association, Chamber of Industry and Commerce, Confederation of Small Businesses and Skilled Crafts) reached an agreement in 2001 to improve equal opportunities for women and men in the private sector. An evaluation of the implementation of the agreement is to be conducted every second year.

- In Greece

The General Secretariat for Gender Equality (governmental organization) signed a Memorandum of Cooperation with the Hellenic Network for Corporate Social Responsibility and a Protocol of Cooperation with five big employers' associations of Greece, aiming at the reinforcement of the competitive advantages of all companies through the promotion of equal opportunities for women and men in business enterprises. This involves specific commitments for both sides and acts inevitably as an integral part of the national mechanism for the advancement of women's rights.

The General Secretariat for Gender Equality is implementing the Programs "Integrated Interventions in favour of Women" and "Positive Actions for Equal Opportunities between Women and Men in Small – Medium and Big Enterprises". Both of them belong to the E.U. Operational Program "Employment and Vocational Training" and aim at the support of women's employment, the reconciliation of professional and family life and the advancement of female employees in the hierarchy of business enterprises. Throughout the process of implementation, there is active involvement of local administration, NGOs and professional associations.

- In Luxembourg

The Ministry for Equal Opportunities gives grants to private sector companies investing in measures to increase the rates of female employment, to fight against occupational segregation, to eliminate pay gaps, to promote reconciliation between family life and working life, to address the problem of sexual harassment and to promote gender equality. Companies conducting a survey on the situation of women and men and drafting an action plan are eligible for government financial support for that purpose.

- In the Netherlands

Reference material, financed by the Department of Social Affairs and Employment and the ESF, can be consulted on the Internet by businesses wishing to assess their efforts to break through the 'glass ceiling'.

The glass-ceiling index, developed by the Department of Social Affairs and Employment and a research centre, has been available on the Internet (www.glazenplafondindex.nl/en) since 2003. Businesses can obtain advice on improving



their performance in order to meet the targets of the multiannual emancipation plan (2001-2004).

A women's empowerment tool (www.fempowerment.nl) has been developed by organizations specializing in gender equality and by universities as part of the Equal the glass guide project (2001-2004).

The Department of Social Affairs and Employment – in collaboration with other government departments, local authorities, schools and universities – is running a number of Equal projects: in the Mixed project (2001-2004) a number of instruments to secure a proper balance of the two sexes in the labour force have been developed with and for businesses.

The Glass Wall project (2004-2007) is intended to reduce segregation in the workplace by making better use of women's talents in professions traditionally associated with men.

The Department of Social Affairs and Employment, the Department of Economic Affairs and the Department of Agriculture, Nature and Food Standards are increasing their efforts to encourage the creation of new businesses (new action plan for women's entrepreneurship - 2005).

Enterprises set up by women also enjoy a support network. As part of the ESF/Equal programme (2001-2007), several projects have specialized in promoting entrepreneurship among women.

The Department of Agriculture is running an Equal project on women's entrepreneurship in rural regions.

- In Portugal

Since 2000, the Commission for Equality in Labour and Employment awards the "Equality is Quality" prize to public and private sector companies, co-operatives or associations and other non-profit entities, with exemplary policies in the area of equal opportunities for women and men.

- In Romania

A centre for women's career development has been established. The authorities and NGOs are involved in the project, which is designed for a target group of unemployed women made redundant by the same business and of women, also unemployed, who wish to reorient their careers or develop their own professional activity.

In 2005 and 2006 a community partnership among the Centre for Partnership and Equality, companies, SMEs, state agencies, NGOs and businesses providing services to employers was developed to implement equal opportunity policies in all these organizations. The initiative involves the conducting of research, the development of expertise and the provision of training.

- In Slovenia

The Office for Equal Opportunities helps to raise awareness of gender equality in recruitment by providing information to businesses, unions and newspaper advertising departments.



- In Spain

The Optima programme has been developed by the authorities to promote gender equality in the business world. The companies participating in the programme are recognized as 'partners in equal opportunities for men and women'.

The Women's Institute collaborates with financial agencies, the Ministry of the Economy and women's NGOs in running a technical assistance programme for securing micro-credits to support women's entrepreneurship.

As part of the Caliope project (an Equal project) for equal opportunities in employment policies, the Women's Institute works with unions, employers' organizations, public employment services and the education system to promote an integrated approach to gender equality in various pilot projects in the following areas:

- Encouraging employment;
- Desegregating the labour market;
- Empowerment;
- Creation and financing of women's businesses;
- Collective negotiations;
- Corporate social responsibility.

In addition, authorities, unions and private not-for-profit organizations have developed programmes to promote the use of new technologies by women to facilitate their integration into the labour market.

4. Reducing the pay gap between men and women

This section will identify actions to monitor effective implementation of the legislation guaranteeing equal pay for men and women.

▪ Actions developed by representatives of civil society

- In Belgium

The FGTB trade union and the women socialists' association on 31 March 2005 launched the "Equal Pay Day" with a view to providing information on wage equality (www.equalpayday.be).

The CSC trade union, in conjunction with the KULeuven Hoog Instituut voor Arbeid launched a wage comparison site (www.votresalaire.be).

- In Cyprus

In 2004 the Democratic Labour Confederation published a guide to Equal pay for work of equal value.

- In Lithuania



Together with Women's Issues Information Centre and Women's Centre of Trade Unions Confederation, methodology on assessment of works and duties in private area has been published and training on its application was organized in 2004-2006. Training will continue in 2007-2009.

- In the Netherlands

In 2006 the Joint Industrial Employment Council issued an updated version of its equal pay checklist, designed to ensure that employees doing the same or equivalent work receive the same remuneration. The document is intended to be used by those responsible for defining, implementing and evaluating systems of pay.

▪ **Actions developed by representatives of civil society in collaboration with the authorities**

- In Belgium

As part of an ESF project, the Gender Equality Institute has since the year 2000 been working on the EVA project designed to analyse functions in order to eliminate gender inequality. The project is being carried out in conjunction with the social partners. The training module is available on line on www.iefh.fgov.be.

- In Cyprus

The Democratic Labour Confederation has developed guidelines on introducing equal pay, with funding from the National Department for Women's Rights.

- In Finland

An action plan on equal pay was agreed upon by the government and social partners. It provided, in particular, for the compilation of statistics on gender equality.

The Ministry of Social Affairs and Health has appointed a high-level equal pay committee to monitor implementation of the action plan.

- In Luxembourg

Under the Fifth Community Action Programme on Gender Equality, the Ministry for the Promotion of Women carried out a project entitled "Equal pay, challenge of democratic and economic development" the purpose of which was to exchange best practices and know-how between national and European partners and thus focus attention on the application of legislation on equal pay. This project elicited the participation of political leaders, of employer and employee organisations, of gender equality delegates in private sector companies and of NGOs. A guide giving practical tips to companies on equal pay has been produced.

- In the Netherlands

In 2005 a working group (Werkgroep' Gelijke belonging, dat werkt !) was set up to raise awareness of the importance of equal pay. The group has its own budget and website.



The Joint Industrial Employment Council, the Commission for Equal Treatment and two relevant associations are also involved in the initiative.

- In Spain

In 1999 the Women's Institute – in collaboration with a number of universities – published a Guide to good practices to ensure equal pay, and Tools designed to eliminate discrimination in pay.

In 2003 a study was conducted, as part of the ISOS programme, on 'differences in pay between men and women and job evaluation'.

5. Improving the balance between family and career

This section will identify initiatives promoting child-care services and provision of care for dependants, as well as flexible working arrangements, intended to make it easier to reconcile work and family life.

▪ Actions developed by representatives of civil society

- In May 2006 the EWL launched a campaign on care for dependent individuals and reconciliation of private and professional life. The themes of the campaign are the availability of affordable care services of good quality for dependant persons, child-care provision and the labour market, the situation of immigrant domestic workers, who provide care for dependant persons, and finally the policies of the European Union on care for dependant persons. The EWL has also launched an electronic petition on its website (http://ewl.horus.be/site/form_fr_3.asp).

- In Lithuania

Reconciliation of work and family life became one of the main priorities of EU structural support for the period 2004-2006 mainly by EQUAL and European Social Fund. Activities of the projects of mainly women's NGO's, in the less extent of social partners, were aimed to promotion of flexible working arrangements through training of social partners. Competition on the nomination of Equal Workplace and training aimed to reduce gender stereotypes have been arranged, as well as awareness-raising in the society aimed to encourage men to take paternity leave. Most of these and other activities are to be held until 2009.

- In Slovenia

The social psychology centre of a university social sciences faculty has prepared a research project on paternity, specifically on the issue of paternity leave. It involves two questionnaires, one for women whose partners have taken paternity leave, and one for men taking the leave.

▪ Actions developed by representatives of civil society in collaboration with the authorities

- In Belgium



The "Pères actifs" ('active fathers') project, launched in 2002 in conjunction with the social partners and part-financed by the European Commission, has made it possible to develop tools for raising awareness with regard to paternal leave. Illustrative plays have been organised at the workplace and these are also available on video and DVD; in addition, 300 000 copies of an explanatory guide have been distributed. These tools are available on the Gender Equality Institute's site: www.iefh.fgov.be.

- In Bulgaria

From the beginning of the year 2006, several seminars on reconciliation of work and family life and responsible parenthood have been organised by the Democratic Women's Union together with the Ministry of Labour and Social Policy.

- In France

As part of a day of events (20-01-06) dedicated to the theme Egalité-Parité-Europe, and more particularly to the issue of 'reconciling work and family: observations, innovative practices, lessons learned from transnational projects', the national federation of associations working for social integration ("la fédération nationale des associations d'accueil et de réinsertion sociale") organized exchanges of views among regional partners (Regional Council of Picardy and Social and Economic Regional Council of Picardy), national agencies (Women's Rights and Equality Department and representatives of the EQUAL programme (theme G) for reconciling professional and personal life) and participants from the professions engaged in the field of integration. The participants discussed the problem of reconciling family and work, particularly as it affects parents at risk of poverty. These representatives of civil society were also briefed on the implementation of European Directives, as well as a number of resolutions (including that of 29th June on balanced participation of men and women in work and family life).

- In Germany

The national initiative Local alliances for the family, launched in 2004 by the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth, is designed to bring practical improvements to the lives of families on the local level. With the joint participation of important partners from the business sector, local authorities and associations, practical improvements can be made in reconciling the demands of work and family life by providing better child-care services. These alliances are supported by free access to advice provided by an office financed by the Federal Ministry and the European Social Fund. The main task of the local alliances for the family is to organize flexible child-care services, or to arrange transport schedules, working hours and child-care hours which best suit the needs of the family. Some 330 alliances have signed up to this initiative, which should be continued and expanded.

- In Luxembourg

Under the Fifth Community Action Programme on Gender Equality, the Ministry for the Promotion of Women, in conjunction with the Ministry of Labour and Employment, the social partners, the NGOs and two municipal gender equality departments, undertook a project on parental leave. A public conference provided the platform for a debate arguing for a change in the role of men in private and professional life.

Between 1999 and 2001 the women's departments of two communes have developed a national campaign to provide information on the conditions for securing parental leave.



- In the Netherlands

During the first phase of the EQUAL/ESF projects on reconciling family and professional life and combating the segregation due to gender inequalities (2001-2004), twenty multiannual projects have been co-financed by the Department of Social Affairs and Employment. During the second phase of the Equal/ESF projects (2004-2007), fifteen multiannual projects will be co-financed.

The Department of Social Affairs and Employment is running several Equal projects, including Men taking the lead (2001-2004), a multi-media project on male emancipation.

- In Slovenia

The Office for Equal Opportunities has funded a study – Parents between working life and family life – implemented in collaboration with one of the country's universities. Its purpose was to study the effects of parenthood on the work, employment and career opportunities of both parents, and to evaluate the tendencies assisting parents to reconcile the demands of work and family. It concluded that the allocation of domestic and family responsibilities was still determined by sex.

The Office also initiated a campaign – Daddy, be active! – to raise awareness and educate the public of the need for fathers to play a larger role in the education of their children.

- In Spain

In 2001 the Women's Institute, in collaboration with the unions, published a Guide to good practices in reconciling family and working life. The guide sets out the key points involved in reconciling home and work, including working hours, leave for prenatal check-ups and techniques for preparation for giving birth, allocation of maternity leave, resources, collective negotiations, guaranteed rights, education and training, means of communication and positive actions.

The same guide also details actions, norms and existing measures designed to promote women's access to – and retention of – employment, and to encourage greater participation by men in domestic life. It also introduces legal mechanisms for encouraging men to take advantage of paternity leave and encourages greater flexibility in provision of leave as an ideal way of reconciling work and family life and preventing parents from abandoning the world of employment.

6. Elimination of sexual harassment

This section will identify initiatives developed to raise awareness of the question of sexual harassment in the workplace.

▪ Actions developed by representatives of civil society

- In Finland

All the central organizations of the social partners have prepared, published and distributed common guidelines on good practices intended to eliminate sexual harassment in the workplace.

- In France



The European Association against Violence to Women at Work has organized conferences for unions, relevant associations and judicial institutions on sexual harassment at work, focusing its interventions on prevention.

▪ **Actions developed by representatives of civil society in collaboration with the authorities**

- In Cyprus

The Cyprus Employers and Industrialists Federation published and distributed in 2004 a Code of Practice to Deal with Sexual Harassment at the Workplace with the support of the authorities. Specific seminars were also organized for its presentation.

- In Slovenia

In 2003 the Office for Equal Opportunities organized a conference on sexual harassment for employers, unions, the legal community, human resource officers and NGOs. A prospectus was published and distributed.