



Final seminar report

**Good practice exchange on
public policies combating
discrimination based on racial or
ethnic origin in accessing and
progressing in employment**

Germany, 4TH to 5TH October 2010

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1. Introduction

The seminar participants

Government representatives from Germany, Austria, Cyprus, Denmark, Finland, France, Greece, Latvia, the Netherlands, Norway, Poland, Romania, Slovenia and Sweden took part in the Good Practice Exchange seminar on public policies combating discrimination based on racial or ethnic origin in accessing and progressing in employment. A number of these representatives are also members of the European Commission's Non-discrimination Governmental Expert Group (GEG). Members of the Network of Socio-economic Experts in the Non-discrimination Field also participated. Belinda Pyke (Director: Equality between Men and Women, Action against Discrimination, Civil Society) headed a team from the European Commission. The seminar was hosted by the German Federal Ministry for Family Affairs, Senior Citizens, Women and Youth in Berlin on the 4th -5th October 2010.

The seminar agenda

The seminar was addressed by Maria Böhmer, German Minister of State and Federal Government Commissioner for Migration, Refugees and Integration and Hermann Kues, German Parliamentary Secretary in the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, and Belinda Pyke (European Commission).

Good practice examples were presented from Denmark, Sweden, Germany, Romania, France, the Netherlands and Norway. Inputs were made by Members of the Network of Socio-economic Experts in the Non-discrimination Field from Germany, Ireland, Romania and the United Kingdom.

The purpose of the seminar

In April 2010 the European Commission circulated a request to the members of the Non-discrimination Governmental Expert Group (GEG) for contributions concerning discrimination at the workplace based on the ground of racial or ethnic origin and specifically in relation to good practices in public policies on accessing and progressing in employment. The European Commission invited the GEG members to provide good practice examples from their country in relation to non-discrimination and equality in accessing employment and in progress in employment.

The seminar presentations and debate enabled a deeper examination of the good practice in this field that has been developed by a range of Member States. The seminar allowed an identification of the key elements of this good practice and the factors that enabled the development of this good practice. The conclusions of the seminar provided an input for the fourth Equality Summit which will focus on discrimination in employment and which takes place in Belgium in November 2010.

2. Background

2.1 European Union policy context

The European Union policy context reflects a significant concern about discrimination on the ground of racial or ethnic origin and a strong commitment to advancing equality on this ground. This is evident in European Union legislation, policy making processes and policy positions.

The 'Race' Directive (2000/43/EC) prohibits discrimination on the grounds of racial or ethnic origin in a broad range of fields including employment and occupation, vocational training, social protection, social advantages, education and access to and supply of goods and services.

Article 10 of the European Treaties brings the principle of non-discrimination on the Article 19 grounds, including racial or ethnic origin, into the heart of European Union policy making. This provides the foundation for equality/non-discrimination mainstreaming in all European Union policy making.

The Communication from the Commission 'Europe 2020 – A strategy for smart, sustainable and inclusive growth' COM(2010)2020 includes a target to increase the employment rate of the population aged 20-64 to at least 75% by strategies 'including through the greater involvement of women, older workers and the better integration of migrants in the workforce'. The Communication identifies a flagship initiative 'European Platform against Poverty' which includes a commitment 'to develop a new agenda for migrant's integration to enable them to take full advantage of their potential'.

The European Commission has also developed a specific policy focus on Roma and Traveller groups. The most recent commitments are set out in the Communication 'The social and economic integration of the Roma in Europe' COM(2010)133.

2.2 The employment situation of groups covered by the ground of racial or ethnic origin

The European Commission's 2009 Employment Report states that '*migrants have been disproportionately affected by rising unemployment, especially those migrants originating from outside the EU*'. It found that '*while the unemployment rates for nationals rose by 1.8 percentage points over the last year, those for nationals of other EU countries rose 2.8 percentage points and for third country nationals by an even stronger 5 percentage points*'.

The debate at the seminar recognised that unemployment among migrants from outside the EU is structurally higher than among the indigenous population. It identified issues of rising discrimination and underemployment for groups covered by the ground of racial or ethnic origin.

The seminar debates identified a range of barriers being experienced in the labour market by groups covered by the ground of racial or ethnic origin. Particular attention was given to barriers of language, recognition of qualifications and low educational levels within minority communities. Barriers within the majority community were identified with specific attention given to discrimination and to access to networks for groups covered by the ground of racial or ethnic origin. Structural barriers were also identified in the policies, procedures and practices of institutions and organisations.

2.3 Learning for a strategic response

Three key elements for a strategic response to the labour market situation of people from groups covered by the ground of racial or ethnic origin were debated at the seminar:

- **A planned approach**

A number of the contributors to the seminar highlighted integration plans developed and implemented in relation to the ground of racial or ethnic origin. Others highlighted plans in relation to the integration of Roma people. These national Governmental plans provide a valuable opportunity to integrate the work of the different parts of the public sector in improving the situation of people covered by the ground of racial or ethnic origin, to secure a focus for political commitment to these issues and to achieve the most effective use of the resources available. The governance arrangements for the Europe 2020 strategy could underpin the further development of such a planned approach by national authorities to policies and programmes on accessing and progressing in employment on the ground of racial or ethnic origin.

- **A dual strategy of general provision and targeted provision**

There was wide ranging debate on the importance of a mix of inclusion in general provision and of specifically targeted provision if the labour market situation of people covered by the ground of racial or ethnic origin is to be improved. The institutions providing general services and programmes need to adjust their daily routines and the design of their programmes and services to take account of the practical implications of cultural diversity if their provision is to have an impact on the labour market situation of people covered by the ground of racial and ethnic origin. The importance of providing support to institutions to adapt their provision was emphasized. Targeted provision is needed to address issues and situations that are specific to the diversity of groups covered by the ground of racial or ethnic origin and to enhance

access for these groups to general services and programmes. The danger that targeted provision might stigmatise or segregate groups needs to be countered.

- **Initiatives to eliminate discrimination, adjust for diversity and promote equality**

Good practice starts with eliminating discrimination in employment. The seminar identified the importance of equal treatment legislation and equality bodies in this. It was emphasized that good practice cannot be limited to eliminating discrimination. Good practice needs to include initiatives to adjust for cultural diversity within the policies, practices and procedures of organisations. The contribution of centres of excellence in supporting institutions to make these adjustments was highlighted. Good practice needs to include positive action to advance equality. A broad range of positive action initiatives were presented including specific measures to advantage people from groups covered by the ground of racial or ethnic origin, targets in public sector employment and moderate quotas in public sector employment. Equal treatment legislation with positive duties on employers and equality bodies with a function to promote equality on foot of these duties were also identified as contributing to this wider range of good practice required.

3. Accessing employment

3.1 Good practice presented

- **Denmark**

The National Advisory Unit for Employment of Ethnic Minorities (SEBI) was set up by Government to cooperate with and work in local job centres in developing employment efforts for ethnic minorities. SEBI has an expertise in analyzing and improving the daily routines in the job centres. They emphasise an approach of meeting with staff and management of the job centres in an appreciative manner that places these people in the role of expert. SEBI also collects knowledge on good practice and disseminates this in a realizable and detailed way.

- **Sweden**

The state through the Public Employment Service has overall responsibility. General policies for employment and education provided to the whole population are complemented by special integration measures and directed support to newly arrived migrants when necessary. This focus on newly arrived migrants is in response to the long time lag between migration and entrance into the labour market. Targeted measures include step-in jobs for newly arrived migrants, coaching and mentoring programmes and support for entrepreneurs with a foreign background.

- **Germany**

The National Integration Plan emphasises the economic and social reasons to improve the integration of people from a migrant background into the labour market and sets targets in this area and assigns responsibility. The Federal Employment Agency has responsibility for implementing a joint initiative to improve labour market integration of migrants with respect to both training and employment. The initiative includes programmes aimed directly at people with a migrant background to support their integration in the training and labour market and elements geared towards opening up of existing structures and institutions in terms of intercultural awareness. In one measure education providers can bid to fund strategies to ease transition of young people of migrant background into training and employment. The Government is also introducing an Act on Recognition of Foreign Degrees.

- **Romania**

Employment caravans are part of the action plans developed by the National Employment Agency in cooperation with Roma non-governmental agencies. The employment caravans facilitate direct contact between employers and potential Roma employees along with individualized services to respond to specific needs of Roma people and communities. The National Employment Agency has also run job fairs for Roma and for Roma women in particular to support their employment.

3.2 Learning from the good practice presented and subsequent debate

- **Elements of good practice**

Four key elements of good practice emerged from the presentations and debates. The daily routines within organisations providing programmes and services to the general population need to be adapted to take account of practical implications of the diversity of groups covered by the ground of racial or ethnic origin. *Flexibility* is key. *Early intervention* is necessary to address the time lag between arrival of migrants and their entry into the labour market and to respond to the particular difficulties for migrants re-entering the labour market once becoming unemployed. The pioneer role of *public sector* organisations should be recognized and they need to be encouraged and supported to provide leadership and models in securing labour market integration for people covered by the grounds of racial or ethnic origin. *Outreach* to these people by organisations providing labour market services or specific points of contact play a valuable role in addressing barriers of information, language and trust.

- **Indicators**

The availability of data in relation to the ground of racial or ethnic origin is limited. However, it is useful to establish a small number of strategic indicators so as to measure progress and the impact of interventions. These indicators enable evaluation, provide information on the quality of the intervention and support arguments for continued investment in the intervention in a context of scarce resources.

- **Focus**

Good practice to enable people covered by the ground of racial or ethnic origin to access and progress in employment needs to focus on these people, on their employers, on the majority community and on labour market organisations. Account needs to be taken of the diverse legal statuses, situations, identities and ethnicities of people covered by the ground of racial or ethnic origin. Individual needs have to be met alongside responding to the

barriers and situations that arise from their group membership. The case for good practice in this area needs to be presented to employers and supports for good practice need to be provided. Support has to be built among the majority community for action in this area and stereotypes, myths and discrimination need to be combated. The daily routines of labour market organisations have to be adapted to take account of diversity and their intercultural awareness and capacity have to be developed.

4. Progressing in employment

4.1 Good practice presented

- **The Netherlands**

The National Network for Diversity Management was initiated by the Dutch Ministry of Social Affairs and Employment. It presents diversity as a business case. It involves a small team of experts who have access to a large network of stakeholders and significant national range through their website and publications. It encourages and supports diversity policies within SMEs and to disseminate expertise in this area among SMEs and public sector bodies.

- **France**

The Diversity Label is a tool to tackle discrimination, to improve equal opportunity and to promote diversity within the business processes of human resource management. The label contains 142 requirements and is focused on the state of play of diversity within the company, the diversity policy of the company, the internal communication/education/training within the company, how activities within the company take account of diversity and the evaluation of the diversity approach within the company. The label is granted for five years with an interim evaluation after eighteen months. This is a voluntarist Government policy and is based on the commitment of the social partners.

- **Norway**

Tripartite cooperation is based on a formal agreement between equal partners – Government and social partners – to promote equality and prevent discrimination. A network has been established of a cluster of nine Ministries, eight main employer and employee organisations and the national equality Ombud. The network cooperates to drive forward the action plan to promote equality and prevent ethnic discrimination (2009-2012), to develop guidance and training tools and to carry out co-ordinated awareness campaigns and events. This tripartite cooperation gives a strong legitimacy to further policy making in this area, provides a multiplier function with key roles played by the social partners and ensures measures are better targeted to meet the needs of companies and enterprises.

4.2 Learning from the good practice presented

- **Elements of good practice**

The seminar highlighted the limited focus on developing interventions to support progression in employment. Workplace planning emerged as a key element of good practice. A planned and systematic approach within workplaces included equality/diversity policies, staff training and workplace action plans. Stakeholder participation was identified as another key element, in particular the role of social partners in this field. Mobilising the social partners and supporting them to be drivers for change in this area offered a significant multiplier effect to Government interventions.

- **Expertise centres**

Centres of expertise were highlighted as important drivers for change in this area. Centres of expertise hold specialist expertise on diversity and the management of diversity and on building capacity within organisations in this area. Such centres can be statutory organisations, publicly funded agencies, equality bodies or NGOs. They are not resource intensive but can make a significant impact in addressing skills deficits within organisations in relation to this area.

- **Business case**

The importance of a convincing business case for action on access and progression in employment of people covered by the ground of racial or ethnic origin was emphasised. In some companies this case is based on increased productivity and innovation from diversity, in others this case is based on increased access to a diverse customer base and in some organisations, the police for example, staff diversity can almost be presented as an occupational requirement. It was highlighted that other cases for diversity must also be made including the case that this is the right thing to do and the case based on the benefits of equality for society.

5. Conclusions

KEY LEARNING FROM THE SEMINAR

Why focus on the situation of groups covered by the ground of racial or ethnic origin?

- There are significant problems of unemployment, underemployment and discrimination experienced by these groups. There are also particular problems of time lags for members of these groups to enter/re-enter the labour market.
- There is a high potential in the contribution to be made by these groups in terms of: innovation in the workplace, meeting the need for labour, securing social cohesion through labour market participation and generating savings in the process .
- There is a need to address future issues that will arise from the impact of the economic downturn.

Who to focus on?

- The needs of individual people covered by the grounds of racial or ethnic origin as well as the barriers faced by the different groups of these people.
- The diversity of individuals and of groups covered by the grounds of racial or ethnic origin.
- The need to focus on change within the majority community, the minority communities and institutions.
- The need to focus on a diversity of approaches to mobilising employer and employee organisations and interest groups.

What to focus on?

- General provision
 - Adapt daily routines and work processes within organisations providing labour market services.
 - Combine this adaptation with provision that is targeted on individuals and groups covered by the ground of racial or ethnic origin.

- Planning
 - Engage a complex web of stakeholders in the development and implementation of plans for labour market integration.
 - Ensure the strategic use of limited number indicators to assess progress under these plans.
- Planned and systematic approaches to equality within the workplace
 - There are important examples of good practice evident across the Member States including centres of expertise, legislation to recognise foreign qualifications, diversity label, and legislation on newly arrived persons.
 - Data is important but the lack of data should not be a barrier to action.

MESSAGES TO THE EQUALITY SUMMIT

Political commitment to integration is essential.

- Equality and non-discrimination need to be understood as a factor for economic recovery.
- Political leadership for equality and diversity is important.
- The public sector has a pioneering role to play in labour market integration.
- Positive action to achieve full equality in practice in employment for people covered by the ground of racial or ethnic origin has a key contribution to make.
- Flexibility in the design and delivery labour market services is essential if they are to be of benefit to people covered by the ground of racial or ethnic origin.

The social partners need to be drivers for equality.

- Collective agreements need to reflect a focus on equality, diversity and non-discrimination.
- Social partner organisations can make a key contribution by advocating the business case for equality and diversity and by supporting good practice in this regard within workplaces.

The European Union needs to be a driver for equality.

- Devising and supporting the commitment to a new agenda for migrant's integration under the flagship initiative 'European Platform against Poverty' under Europe 2020.

Address the business case

- There are a variety of business cases to be made for equality.
 - The business case can be made by successful enterprises offering examples of good practice.
 - The business case for equality needs to be combined with the economic and social case.

The importance of centres of expertise.

- Centres of expertise encouraging a focus on the needs of people covered by the ground of racial or ethnic origin.
- Centres of expertise disseminating expertise on good equality practice to a wide range of stakeholders.
- Centres of expertise mobilise a wide range of stakeholders to engage in good equality practice.

Equality bodies have a key contribution to make.

- Ensuring respect for the standard of non-discrimination by enforcing equality legislation.
- Devising and supporting good practice by employers and service providers in promoting equality.