

**EUROPEAN AGREEMENT  
ON EQUAL OPPORTUNITY  
TOTAL GROUP**

Between:

**TOTAL SA** represented by:

Jean-Jacques GUILBAUD,

Director of Human Resources and Communications

Of the first part,

**And the European Trade Union Organisations:**

For the CES

For the CEC

**EMCEF**

**FECCIA**

**FECER**

Mr. Reinhard REIBSCH

Mr. François VINCENT

Mr. Jean CONAN

Of the second part,

Now, therefore, having agreed upon the following:

## PREAMBLE

In the extension of the agreement concerning the European Social Platform dated 22 November 2004 and in accordance with the pledges made, the Total Group General Management and the European Labour Federations have decided to pursue their common course of action with the objective of implementing a social base applicable in all the European entities of the Group.

Aware of the need to privilege, develop and guarantee diversity and equality of treatment, the Total Group General Management and the European Labour Federations restate their attachment to the general principles of non-discrimination and equality of opportunity from recruitment to the end of the professional life of employees working within the different entities of the Group, while also recognizing the place of trade union involvement and private life.

Total Group General Management reminds the important place that these principles have been given especially the creation of the Diversity Council, and its commitments within the framework of the Company Community Responsibility. The objective of this agreement is to confirm the pledges made in these areas and to develop new means that allow guaranteeing a greater diversity and equality of treatment.

The European Labour Federations reiterate the role and responsibilities of the Group's companies in the areas of territorial development, as well as with regard to social aspects such as unemployment in Europe, poverty or discrimination. They feel that this agreement is part of a better implementation of the Group's Societal and Environmental Responsibility (SER), notably through a commitment to an effective and dynamic effort to apply existing standards (collective legislation and agreements of the countries in which the Group is established), and that it must be accompanied by pledges that go beyond standards in terms of equal opportunity.

By equal opportunity, the European Labour Federations intend to devote their efforts to the struggle against any discrimination with regard to recruitment, employment or training, based on race, ethnicity, handicap, age, sex, religious belief or sexual orientation. This agreement, which tackles the issue of non-discrimination, will initially be devoted primarily to women and handicapped persons.

The European Labour Federations take on as their own the report on diversity and equal opportunity as drafted by the European Works Council working group.

The Total Group General Management and the European Labour Federations hereby subscribe to the action framework on equality between men and women, dated 1 March 2005 and validated by the ETUC, the UNICE and the CEEP (\*).

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\* *ETUC: European Trade Union Confederation – UNICE: Union of Industrial and Employer's Confederations of Europe – CEEP: European Centre of Enterprises with Public Participation*

## **Article 1 - Scope of application**

This agreement applies to all legally autonomous entities of the Total Group mentioned in article 1 of the agreement concerning the Total European Works Council (EWC) dated 29 June 2005.

## **Article 2 - Orientations related to recruitment**

### **2-1 - Introduction**

Recruitment is an essential phase in the struggle against discrimination against women and handicapped persons. Recruitment provides an opportunity to welcome women and handicapped people into the working world and to offer them career development prospects. Recruitment must provide everyone with an opportunity to access the various available positions according to one's qualifications and skills.

The notion of skill conveys the individual's ability to display initiative and take on responsibility in the professional situations in which he/she is placed, thereby requiring the usage of the acquired knowledge on the basis of the particular nature of the problems and events that arise. It is also an ability to mobilize networks of participants around given situations, while sharing in the stakes and cooperating on the basis of the said stakes.

The Total Group General Management and the European Labour Federations feel that it is necessary to improve the knowledge regarding the situation and actions undertaken relative to the condition of women and handicapped persons within the Group's companies in Europe.

These matters must be the subject of an annual examination by the European Works Council, or by the adequate national representative bodies, if they exist. To this end, the preparation of an "**annual European social scoreboard**" will be undertaken. It will include, amongst other things, the following data:

- The percentage of women recruited as compared with men: overall data,
  - by country,
  - by category (executives and non-executives),
  - by age bracket based on the data that it will be possible to gather.
- The number of recruited positions or cases of continued employment (with the exception of countries where this inventory could itself be a source of discrimination), and/or sales figures / subsidies corresponding with external payments relative to the handicap,
  - by country.

### **2-2 - Measures implemented before recruitment**

The objectives of these measures are to favour awareness of the values of the Group, starting at secondary school, by presentation and knowledge of its trades and opening possibilities, irrespective of nationality or sex, in order to encourage the best competence and qualifications on all levels that may be available on the work market.

In order to fulfil these objectives, the Total group will carry out actions in the education world in order to favour trade desegregation. It will develop the possibility of organising international student exchanges:

- by encouraging international VIE (\*) for young Europeans of both sexes,
- by dispatching women active in technical or scientific trades as ambassadors to educational institutions,
- by developing cooperation programmes with public authorities and/or educational authorities in order to promote knowledge of the group's needs.

As part of the efforts in favour of young people, for example "trade forums" notably organised by the educational world, the Total Group General Manager undertakes to promote the presence of trade union representatives who are employees of the TOTAL Group, if they are present in the zone in question and are duly mandated by their organisations.

Total group General Management will encourage and facilitate access to training courses for students in all European countries, both in their own country and other European countries, within its different entities and will make sure that the subsidiaries receive them in the best conditions. It also commits itself to welcome within the Central Managements, trainees from all geographic origins thus allowing them to learn the values and function of the Group. Special attention will be given within this framework to the reception of female candidacies.

The TOTAL Group General Management will see to it that all titles of job postings are drafted such as to make it possible for anyone to apply. In particular, the hypothesis of part-time work can be considered. Indeed, this would contribute to improving the balance between professional and personal life. Reflections will therefore be initiated by the social partners in order for the subsidiaries to offer part-time positions, on the basis of the reality of their situations and according to the requests made by the applicants. Social dialogue and negotiation will be the chosen avenues for identifying provisions in this regard.

The TOTAL Group General Management and the European Works Council will review the situation and examine the means to be implemented, while taking into account the specific elements resulting from the constraints of personal life, in order to facilitate trade desegregation and the access of handicapped persons to certain positions.

The TOTAL Group will undertake actions amongst the various associations in order to encourage the hiring of handicapped persons. In time, actions will be initiated with regard to educational circles.

Before any external publication, the management teams of the subsidiaries will look for possible internal candidates.

### **2-3 - Measures implemented for recruitment**

Two aspects will be given special attention in terms of equality of chances: feminisation and internationalisation.

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\* *VIE: international volunteers in companies*

Concerning the measures aiming at favouring feminisation, Total Group General Management commits itself first of all to recruiting women in “Resource Schools and Universities” in proportion to the candidacies received by the Group.

To obtain the best competences on all levels and while integrating diversity, a principle of recruitment in proportion to the number of male and female candidates received has been retained and in proportion with the mixed nature of the target training possibilities, on the basis of the general approach outlined below:

- initial training (diploma or professional experience),
- skills,
- potential.

Under no circumstances will sex, age or any other discriminating characteristic serve as an eliminating criterion.

Moreover, the TOTAL Group Management undertakes that the hiring level will be adequate relative to the position.

In order to facilitate the access of women to technical or scientific positions, an overall objective by country and by branch in terms of recruitment will be studied in order to promote the access of women to positions which are currently not open to them.

Concerning internationalisation, Total group General Management will monitor the diversity of the candidacies and recruitments in terms of nationalities. It will develop a Group recruitment standard (guidelines, criteria, recruitment communication development campaigns, Career internet sites) in order to favour functional and geographic mobility of employees who wish to go abroad and exchanges of employees within all its European entities.

### **Article 3 - Career development orientations**

#### **3-1 - Introduction**

It has been observed that beyond entering the Group, appropriate means must be employed so that the evolution of a career within the company permanently enables evaluating competences of all employees.

In order to promote a follow-up, the TOTAL Group General Management will indicate the actions undertaken and the results obtained in order to participate in the preparation of an annual European social scoreboard, notably including the following criteria:

- The percentage of employees who have received individual annual interviews,
  - by country
  - by category (executives / non-executives according to the available data)
- Male / female seniority in the position, by branch and by country,
- The orientations relative to technical or scientific careers are still to be promoted.

The differences indicated in the Foreword, notably handicaps and part-time employment, must never be an obstacle to the evolution of a career in a compatible position. Only the capacities of the employee should steer the evolution of the career.

### **3-2 - Measures in favour of an equitable career evolution**

In an effort to promote equitable career development, the TOTAL Group General Management and the European Labour Federations ask the national social partners to encourage, through negotiation, an approach that will target, amongst other things, the following principles:

- “Individual interview training” for all employees, intended to help everyone to present him/herself in the best possible light, in particular women and handicapped persons,
- Avoiding any negative career development slowdown as a result of the impact of maternity leave, parental leave or part-time work,
- Developing career possibilities that include temporary periods relative to particular family-related demands (children, young people),
- Improving knowledge about the trades and the access to information in order to allow women to learn about the various existing or future trades, notably through the organisation of internal trade forums as close as possible to the workplace, while adhering to the national legislative frameworks,
- Encouraging women so that they may access higher level positions,
- Helping spouses or partners to find a job in the new region or host country.

## **Article 4 - Orientations regarding mobility**

### **4-1 - Introduction**

Mobility, both professional and geographical, is an axis for the Group’s operation even as it contributes to personal development and to the performances of the teams. The Group Management clearly understands that this mobility must simultaneously take into account the Group’s needs and the specific interests of its employees. Any choices and decisions taken must therefore respect this balance.

The Group must develop mobility in terms of career development. It must also analyse any failings of this mobility with regard to the employees in question, and derive any relevant lessons.

### **4-2 - Mobility**

The Total Group General Management commits itself to implement actions to improve:

- the identification of potentials, especially those of women and foreign nationals, handicapped persons,

- to create a career plan that allows these employees to widen their experience by acquiring skills within the different entities of the Group,
- to assist the employees, insofar as possible, with material means that are suited to the reality of the host country.

The Group will privilege methods that allow giving these persons access to positions in which greater responsibilities can be exercised, in keeping with their skills.

In order to increase diversity, studies and special actions will be carried out on the implementation of the mobility policy. These will be provided to the European Works Council.

## **Article 5 - Orientation regarding the balance between professional and personal life**

### **5-1 - Introduction**

Improving the balance between professional life and personal life will help to improve the satisfaction of employees, to promote equality in the workplace and to promote the company's image and attractiveness.

To successfully support the balance between professional life and personal life, the policies and actions undertaken for this purpose must be suited to the needs of the employees, bearing in mind that these can change over the course of one's life, and that long and/or irregular working hours can hinder the efforts of the employees to reconcile their professional and personal lives.

The needs of the employees and those of the Group's companies do not necessarily coincide. In case of occasional difficulties surrounding the adequacy between the company's needs and those of the employees, the Group General Management and the European trade union federations agree that social dialogue is the preferred response. This dialogue will notably serve to improve the balance between professional life and personal life.

In order to be able to prepare indicators that take into account the actual situation in each of the countries of application of the present agreement, the Total Group General Management and the European trade union federations agree to an interval of 18 months in which to determine the situation regarding the current regulations and practices. At the end of this interval, the parties will meet in order to prepare indicators which, as relevant, may then be integrated into the European social scoreboard.

### **5-2 - Measures to promote balance between professional life and personal life**

To improve the balance between professional life and personal life, the Total Group General Management and the European trade union federations invite the social partners to negotiate, amongst other things, the following axes:

- The availability of a range of different work provisions that allow an adaptation of the working times or organisation of work, including chosen part-time, the search for adapted schedules and occasional telecommuting, with the objective of developing them. These provisions must be considered as means made available in order to ensure the balance between professional and personal life, and not as a penalizing choice.

- The availability of information on the possibilities of part-time work and adapted schedules. This information should also allow parents to decide on a more equitable sharing of their holiday time.
- To examine, when permitted by the establishment's size and geographical location, the possibility of attracting local services.
- To encourage the creation of day care services with the local authorities or the personnel representative bodies.
- To facilitate the post-maternity period (3 first years of the children) both for men and women, without this resulting in brakes on the career development
- To arrange a meeting with the local HR Department before returning to work after maternity or parental leave.

## **Article 6 - Orientation regarding salary parity between men and women**

### **6-1 - Introduction**

In general terms, on a European level, it is clear that improving the qualification level and professional experience of women has helped to reduce the gap between men and women.

The principles of equal treatment in terms of recruiting, promotions and training and of equal pay for work of comparable value have been brought up both on the European and national levels.

Despite an improvement in the qualification level and professional experience of women, it is clear that, in today's Europe, there is still a difference in the salaries of men and women.

These salary differences result from a complex combination of factors: age, family situation and number of children, the results obtained at school and education level, career interruptions, job security, the type of contract, the duration of work and contractual status, public versus private sectors, the position held, the size of the company and the distribution of sexes within the company...

For the TOTAL Group, the Total Group General Management and the European trade union federations agree that the issue of the salaries of men/women is a matter that must be monitored and presented once each year on the European level.

To provide this follow-up, a working group, drawn notably from the European Works Council Liaison Bureau, will be set up. Its role will be, based on information provided by the Group General Management, to examine:

- the evolutions in terms of recruiting, career development, mobility, professional life/personal life balance and of salaries between men and women, and, within 18 months, in terms of trades, if possible;
- the actions taken during the year in order to reduce the possible discrepancies between men and women, by branch and company, and the results obtained.

## **6-2 - Measures encouraging salary parity between men / women**

The Total Group General Management undertakes to carry out actions in order to ensure the consistent evolution of the salaries of men and women. The person's performances, his/her skills, professional experience and qualifications are the criteria that will serve to allow this assessment.

To this end, the Group undertakes, insofar as possible, to identify the salary differences between men and women by branch and by country.

Based on this finding, the Group undertakes to make every effort to absorb the identified differences, in the presence of equal skills, qualifications and performances.

The Total Group General Management undertakes to ensure that maternity leaves can have no consequence on the salary or advancement of female employees and, as a consequence thereof, to ensure that periods of absence due to maternity (maternity leave) are neutralized.

To that end, the individual salary increase of an employee on maternity leave will be at least equal, that year, to the average of the individual salary increases that she obtained during the three previous years.

The Total Group General Management also undertakes that parental educational leaves taken by men can be so taken without consequence to their career development.

## **Article 7 - Orientations regarding access to professional training**

### **7-1 - Introduction**

The access of women to training is a determining element for ensuring that they obtain truly equal treatment in the progress of their career and development of their qualifications.

To measure the impact on the European level, the Group General Management and the European trade union federations agree that the following information is necessary:

- Personnel and training days by branch M / W
- Training days by person and by branch M / W
- Personnel and training days by country M / W
- Training days for the personnel and by country M / W
- Distribution of the days of training by training topics M / W
- Distribution by branch: business line technical training courses M / W
- Distribution by branch: safety training M / W
- Distribution by branch: trade non-technical training courses M / W
- Distribution by topic and by country: business line technical training courses M / W
- Distribution by topic and by country: safety training M / W

## **7-2 - Measures to promote access to professional training**

The Total Group General Management asserts its determination to include, in all management training developed within the Group, awareness raising for the supervisory personnel regarding the stakes and policy of equal opportunity.

The Group General Management undertakes to:

- Take the measures in order to reduce the travel constraints related to training actions.
- Ensure that, after a maternity and/or parental leave, training efforts will be implemented insofar as necessary.

## **Article 8 - Handicapped persons**

### **8-1 - Introduction**

An examination of the various laws in the countries in which the Total Group operates has brought to light the diversity of the regulations and of their application. A pooling of experiences could help to encourage the insertion of handicapped people into the working world. To this end, innovative actions undertaken within the subsidiaries will be brought to the attention of the European Works Council.

### **8-2 - Measures in favour of handicapped persons**

In order to promote the insertion of handicapped persons, the Group General Management will organise, on a regular basis, awareness-raising campaigns on the insertion of handicapped persons.

The Group General Management feels that it must reinforce its policy in this domain. It undertakes to encourage the insertion and training of handicapped people when applying national laws.

## **Article 9 - Annual synopsis (European) on equal opportunity**

An annual synopsis on equal opportunity will be drafted and examined once each year by the European Works Council. This synopsis must allow the European Works Council members to:

- ensure the absence of discrimination in the order of classifications and positions,
- carry out a regular examination of the changes to salaries between men / women by department (evolution by coefficient or classification of the positions),
- draft an annual report on the actions carried out in order to limit horizontal and vertical segregation,
- examine the actions to carry out in order to ensure that periods of maternity leave do not weigh on the evolution of the salaries and careers of women.

The role of the exchanges and of the social dialogue between the European trade union federations and the Management is reiterated, notably with regard to:

- “trade forums”, through involvement in events,
- the orientation of trainees, with a description of the diversity of the trainees,

- the information relative to the measures taken in terms of recruiting, with the presentation of indicators,
- the preparation of an overall objective in order to allow women to access “technical and scientific trade”.

Dialogue is confirmed as the tool for implementing the agreement. As such, a working group has been created in order to monitor the evolution of salary discrepancies and a European social scoreboard is being prepared in order to be able to assess the evolution of the balance between personal life / professional life. The efforts regarding this latter point will begin within 18 months.

The extensions of the actions decided upon by the European Trade Union Federations and by the Total Group General Management may be implemented on the level of the companies, notably in the event of difficulties that might arise with regard to mobility operations.

### **Article 10 - Publicity**

The present agreement will be filed with the Departmental Work and Employment Service to which the TOTAL Head office reports, as well as with the Clerk of the Nanterre Prud’hommes Council and with the European Commission in Brussels (EMPLOYMENT, SOCIAL AFFAIRS AND EQUAL OPPORTUNITY DG).

**Signed in Courbevoie, La Défense**

**On November 21<sup>st</sup>, 2005**

**In 7 original copies**

**For TOTAL SA**

Jean-Jacques GUILBAUD

### **European Trade Union Organisations**

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