

Equal opportunities for women

*Medium-term Community programme
1986-90*

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Preface

The European Community has played a primary role in the past in the promotion of equal opportunities for men and women. Its legislative activity and the first Action Programme 1982-85 have made a significant contribution to the progress achieved in this area at European level. As a result there has been a shift in attitudes towards a more equal participation by men and women in economic and social life.

However, the evaluation of the first Action Programme 1982-85 made it clear that there is a need for continued and more intensive action by the Community in this area, particularly with a view to adapting it in line with economic and social changes and with technological development.

In this context the Commission has submitted a second Action Programme 1986-90 aimed at pur-

suing current initiatives and at responding to new economic and social challenges in the equal treatment area. The second Programme deals with an important number of actions concerning women's employment, particularly those which encourage an equal level of participation in employment linked with new technology. The Commission also proposes actions in favour of a more equal sharing of family responsibilities. Particular significance should be accorded to campaigns for information and increasing awareness aimed at the general public and at specific target groups. The Programme identifies the responsibilities of the different parties involved (the Community, national and regional authorities) and underlines the need for intensive cooperation amongst all concerned.

The new Action Programme is part of and will contribute to the achievement of a people's Europe. The Commission hopes that it will show the way to bring about equality of opportunity in concrete terms in economic, social and cultural life.

Explanatory memorandum

General

1. The Community Action Programme on the Promotion of Equal Opportunities for Women 1982-85¹ has come to an end.

Pursuant to the Council resolution of 12 July 1982 on this subject,² the Commission has taken stock of and assessed the measures taken to implement this Programme at Community and national level.³

The conclusions the Commission has drawn show that, although progress has been made, much remains to be done and that a comprehensive and diversified policy is needed to achieve concrete results in the equal opportunities field.

A consistent policy is all the more important at a time of economic crisis when the most vulnerable categories are particularly affected by technical and social change and unemployment.

2. On several occasions the European Parliament has emphasized the need for a comprehensive, large-scale policy. Its major resolution of 17 January 1984 on the situation of women in Europe⁴ calls on the European institutions and the Member States of the European Community to renew and reinforce action in this field.

3. A similar approach can be observed in work carried out in other areas or by groups particularly concerned by this question.

Thus, the Nairobi Conference, which closed the United Nations Decade for Women, underlined the importance of a comprehensive programme and adopted decisions to this effect.⁵

The International Labour Organization (ILO) has also taken action in this field (Conventions, etc.) and in November 1984 adopted a resolution on this subject. The OECD has likewise been active in this area and in its recent report on the role of women in the economy⁶ also calls for a multi-faceted coherent policy.

The Council of Europe is also pursuing action in the legal sphere (European Social Charter) and of a practical nature (positive action, increasing awareness, role of the media, etc.).

4. Lastly, various social and occupational groups have worked to the same end. For example, the European Trade Union Confederation, the European Youth Forum, the family associations which make up the Confederation of Family Organizations in the European Community (Coface) and a variety of women's organizations.

5. Despite the limitations of the 1982-85 Programme and of its actual application, particularly at national level, it is generally acknowledged as having had a very positive and stimulating effect on the development of action to promote equal opportunities for women.

The short implementation period made it possible to launch many actions which must be followed up, to put forward proposals which must be adopted, to finance research, studies and surveys.

6. This is the background against which the Commission is proposing a new medium-term programme (five years) designed to:

- consolidate rights under Community law, particularly by improving the application of existing provisions and adopting the proposals under examination;
- follow-up and develop action launched under the 1982-85 Action Programme, in particular the networks for contacts and exchanges which represent a new form of social dialogue in this area, and which have made a very positive contribution;
- intensify efforts to involve all those concerned through a broader dialogue and a consciousness-raising campaign aimed at the people involved and at a wider target public;
- develop and intensify support for specific actions, in particular those intended to develop women's employment;
- develop and adopt such action, in particular with regard to the most vulnerable and/or disadvantaged categories;

¹ Supplement 1/82 — Bull. EC.

² OJ C 186, 21.7.1982.

³ Bull. EC 11-1985, point 2.1.81.

⁴ OJ C 46, 20.2.1984.

⁵ See document on *Forward-looking Strategies* adopted by consensus at the Conference cited above.

⁶ *The Integration of Women in the Economy*, OECD, 1985.

- examine the situation in the new Member States of the Community.

The details of the proposed actions will be defined, case by case, during the period of application of this programme according to specific guidelines.

The Commission's concern is to highlight ways of realizing equal opportunities in economic, social and cultural life. The Commission firmly believes that this objective may be achieved without imposing any unreasonable burden on industry or on small and medium-sized enterprises in particular.

7. This programme is concerned only with actions within the Community. Needless to say, the Commission is also actively pursuing measures for women, initiated in the context of its development programme pursuant to provisions specifically aimed at the full integration of women into the development process (Article 123, Third Lomé Convention).

8. This programme includes actions to be carried out at various levels. The report on the implementation of the 1982-85 Action Programme showed that although sustained efforts had been made, much remained to be done, particularly with regard to the incorporation by the Member States of Community proposals into their national laws and practice. There will have to be a clear definition of the role and responsibilities of the various parties concerned (Community, national, regional and local authorities, social and occupational groups – in particular the two sides of industry – and equal opportunities bodies) together with greater concertation between the latter at Community level on actions and policies pursued in this area.

9. The programme can only be realized if it is supported by the political will of all parties, particularly by the Member States. This will should be demonstrated both by the adoption of the directives proposed in the context of the previous programme, and by a commitment to implement the present programme along the lines laid down in the attached draft resolution.

10. This programme comes under the heading of the development of a 'people's Europe': the Community has played a vital role in promoting equal opportunities for women. Its activities should be developed in a broader context adapted to political, social, cultural and technological changes in the Community.

The need for a multi-faceted policy

11. First of all, the improved application of existing provisions remains one of the Commission's principal responsibilities.

There are still a number of shortcomings as regards the incorporation into national law of the existing equal opportunities directives; needless to say, the Commission as guardian of the Treaties is taking appropriate action.

The main problem, however, arises in connection with the application in practice of national legislation implementing Community law.

The work of the independent expert group set up by the Commission, together with the Conference on 'Equality in law between men and women in the European Community' held at Louvain-la-Neuve in May 1985,¹ has shown that a number of difficulties exist as regards the interpretation of situations that are sometimes difficult to assess objectively, and that there is an inadequate knowledge of both Community and national legislation.

This has resulted in a low rate of recourse to the courts of potential claimants, which is further aggravated by procedural difficulties and costs and by a fear of dismissal, particularly in view of the present economic situation.

A comparative analysis of this subject demonstrated the significance of the burden of proof, and the need for a body able to initiate and take charge of proceedings before the courts.

12. Policy to promote equal opportunities cannot be effective unless it tackles problems at the root. For this reason, action in the area of education and training is fundamental, particularly with regard to their adaptation to economic and social change. At Community level, a number of decisions and guidelines concerning principles have been adopted in these areas. In addition, the experience of operations carried out by the European Social Fund and the European Centre for the Development of Vocational Training (Cedefop) provide significant material for consideration regarding the continuation and development of action in this field.

¹ Bull. EC 5-1985, point 2.1.50.

13. Although the aim of the Council Directive of 9 February 1976¹ is to implement the principle of equal treatment, particularly with regard to employment — i.e. to all jobs or posts, whatever the sector of activity, and to all levels of the occupational hierarchy — women remain largely confined to traditional occupations at fairly low levels.

It is by no means evident that economic and social changes and policies adopted have improved the position of women. The continuing rise in the unemployment rate of women gives particular cause for concern.

In view of the principle of equal treatment recognized by the Council and demographic considerations related to manpower requirements, it is therefore necessary to intensify, diversify and render coherent the actions taken to promote equal opportunities in this area.

14. The consequences of the introduction and extension of new technologies deserve special attention. They could constitute an historic opportunity for women to respond to this challenge on an equal footing. In the present circumstances, however, there is a danger that they could give rise to increased segregation on the labour market to the disadvantage of women. This stems partly from inadequate training — often due to the low interest in the area mainly caused by traditional views about the roles of men and women — and partly from the fact that women are generally employed in the positions which are most likely to change in content or be phased out. This means that special efforts must be made on women's behalf, over and above the general measures intended to benefit men and women equally.

15. These traditional stereotypes often underlie social protection and, in particular, social security. In addition, budgetary constraints have led countries to restrict or limit benefits, sometimes in a manner contrary to the principle of equality (for example, by favouring 'heads of family' or 'heads of households', which leads to indirect discrimination against women).

The Commission is seriously concerned about this situation, which could lead to the incorrect application of the Council Directive of 19 December 1978

on equal treatment in social security matters.² Certain areas are excluded from the field of application of this Directive (for example, survivors' pensions) and Member States are allowed to exclude others (e.g. retirement age). Significant problems have now arisen in these areas in particular: it is therefore important to include these areas in Community legislation on equal opportunities.

Existing provisions and practices relating to the protection of maternity do not always guarantee adequate protection or job security, and they are also in need of a special effort.

16. A *sine qua non* for the promotion of true equality at work is the sharing of family and occupational responsibilities, particularly the development of adequate child-minding facilities and a review of social infrastructures in general. In the same area, the development of parental leave and leave for family reasons and the reorganization of working time call for an open and positive approach in connection with the promotion of equality at work, a better quality of life and the campaign against unemployment.

17. Finally, the development of more systematic action to increase awareness in order to encourage a change of attitude is vital if the promotion of equal opportunities is not to be limited to the adoption of legislation, the concrete implementation of which is often limited or to policy declarations which have no practical impact.

The positive aspects of the value of equality at work and in society should be highlighted, and this calls for large-scale action targeted at various sectors of the public; equal opportunities concern society as a whole.

Coordination between the activities of the Commission and Member States' activities should be improved: information on Community action is still inadequate.³

¹ OJ L 39, 14.2.1976.

² OJ L 6, 10.1.1979.

³ See survey on the *Situation of European women in paid employment*, 1984.

Actions to be undertaken

Improved application of existing provisions

Action by the Member States

18. (a) The Member States should ensure better information and publicity about legislation on equal treatment, for example:

- by increasing the training and awareness of the legal profession (seminars, symposia, etc.) and of lawyers, those responsible for social affairs, staff, labour inspectors, etc.;
- by supporting and encouraging the social partners, particularly in connection with their training programmes.

(b) The Member States should develop follow-up mechanisms and prepare provisions on equal opportunities, particularly by:

- a review of the composition and operating procedures of existing committees and bodies in the light of a comparison of their experiences, so as to enable them to provide the motivating force behind the drafting, institution and follow-up of equal opportunities policies, including recourse to the courts;
- the development of structures at regional and local level;
- the support for associations and groups promoting equal opportunities and information about them to those sections of the public concerned;
- a review of the provisions relating to the burden of proof, to ensure that persons subject to discrimination will not be required to undertake a task which is often impossible.

Commission action

19. (a) Using the network of independent experts monitoring the application of the equal opportunities Directives, the Commission will continue and intensify work on the *de jure* and *de facto* application of the existing Directives in terms of legislation, case law, collective agreements and

particularly significant *de facto* discriminatory situations.

The Commission will look into any measures that may be required in the light of information and suggestions provided by the experts, particularly in the context of its duties as guardian of the Treaties. It will disseminate the results of these experts' endeavours in order to stimulate ideas at Community level and in the Member States, especially on complex concepts such as indirect discrimination.

(b) The Commission will encourage and support measures adopted by the Member States to train, increase the awareness of, inform and advise all sectors of the public concerned, in particular the legal profession, in the context, for example, of national or regional conferences or seminars organized in the wake of the European Conference in Louvain-la-Neuve in May 1985.¹

(c) The Commission will put forward a Community legal instrument on the principle of the reversal of the burden of proof applying to all equal opportunities measures.

(d) The Commission will relaunch the discussion, notably with the social partners, with a view to giving practical effect to the principle of equal pay, particularly in connection with occupational classifications and the notion of work of equal value in the context of its suggestions for a social dialogue at Community level.

Education and training

Action by the Member States

20. (a) On the basis of the guidelines laid down in the resolution of 3 June 1985² containing an action programme on equal opportunities for boys and girls in education, the Member States should develop a general frame of reference for action at national level. It should be systematic, comprehensive and consistent, covering all areas and agents in the education process, and would in particular necessitate:

¹ Bull. EC 5-1985, point 2.1.50.

² OJ C 166, 5.7.1985.

- action to increase the awareness of all parties in the education process, particularly by way of information campaigns and the collection and dissemination of practical examples designed to achieve equal opportunities;
- action to integrate education and vocational guidance in the curriculum for all pupils;
- action to open up the world of education to the world of work;
- the promotion of entry-level and in-service training for teachers on the theory and practice of equal opportunities teaching;
- the reinforcement of coeducation practices in mixed schools;
- the introduction of measures to ensure a balanced distribution of posts held by men and women at all levels of education (as regards both subject matter and the level of post);
- the elimination of sex-related stereotypes from all educational material (books, exercises, methods of assessment, guidance material).

(b) With respect to training, the Member States should:

- organize campaigns to promote the diversification of occupational choices, including new types of employment, with the support of all the media;
- assess all experience gained in terms of both placement and innovation;
- adapt curricula to take account of problems specific to women;
- provide more adequate guidance;
- provide the material and social facilities needed to enable women to take training courses (child-minding centres, arrangement of timetables, etc.);
- promote low-cost and more flexible training arrangements (decentralized, mobile, staggered timetable, etc.);
- develop adequate expert and advisory facilities on equal opportunities (e.g. equal treatment counsellors, expert networks, etc.) at all appropriate levels (schools, training bodies, national, regional and local authorities, educational and vocational guidance);
- encourage by every means available (information, increasing awareness, setting up networks,

etc.) wider use of the opportunities offered by the European Social Fund to promote equal opportunities.

(c) The Member States should implement the recommendations on education and training by the expert group on the diversification of vocational choices.¹

These relate to the entire educational process, from pre-school to third-level education, including adult education and training outside the school system *per se*.

Commission action

21. In the context of its measures to bring about equal opportunities in education and training, the Commission will carry out in particular the following actions:

(a) pursuant to the resolution of 3 June 1985¹ the Commission will support – within its budgetary limits – certain measures by the Member States to implement these activities, in particular:

- the introduction of innovative action programmes,
- the collection of practical examples and the preparation of practical recommendations;

(b) the Commission will organize seminars, meetings, study visits, etc. to bring together the various parties involved in the education process;

(c) the Commission will set up a group of national experts (representatives of the Ministries of Education, equal opportunities committees or bodies, and other experts) to be responsible for implementing the action programme established by the resolution of 3 June 1985;¹

(d) with the groups of advisors on equality in education and training set up in 1982,² the Commission will pursue the promotion of integrated programmes for the diversification of occupational choices;

(e) in the context of the second action programme on the transition of young people from education to

¹ Group created under action B 11 of the 1982-85 Action Programme. Report prepared by Mrs Sullerot, coordinator of the group, October 1984.

² OJ C 166, 5.7.1985.

working life,¹ the Commission will continue to carry out experiments on equal opportunities for boys and girls, for example promotion of non-sexist education material, training for non-traditional occupations, and the participation of girls of immigrant families in cultural and educational activities; it will organize the dissemination of examples of successful experiments already completed at national and Community level.

(f) Cedefop will pursue the following actions in line with its previous activities relating to:

- network of equal treatment training counsellors;
- network of projects concerning training in new technologies, particularly with a view to career advancement;
- training self-employed women, and will evaluate them with a view to developing guidelines for action;

(g) the Commission will support Member States' activities referred to under point 20 (b) with a view to making wider use of the opportunities offered by the European Social Fund in this field;

(h) the Commission will undertake a study to ascertain whether handicapped girls have access to the same opportunities and the same standard of education and vocational training as handicapped boys;

(i) on the basis of the results and assessment of the above actions, the Commission will propose Community guidelines on vocational training for women.

Employment

Actions by the Member States

22. (a) The Member States should improve the quantitative and qualitative data required for the assessment of specific aspects of women's employment (statistics,² determination of appropriate indicators to analyse the development of women's employment, qualitative analyses, sample surveys, etc.) and carry out a more systematic analysis of the coherence between overall actions in respect of employment and economic and social policy in general, and of specific actions for women, with particular attention to the development of the so-called 'insecure' forms of employment.

(b) Comprehensive and specific measures³ should be adopted to promote women's employment and desegregation in employment, particularly through positive action.

(c) Action should be concentrated on certain areas:

- the public sector as an employer should be seen to set an example;⁴
- quantitative and qualitative improvement of women's participation in decision-making⁵ by means of appropriate measures ('opening-up' of political parties, drawing up electoral rolls, encouragement of both sides of industry, active participation by women in government, etc.);
- the new technologies (through positive action in training, guidance, increasing awareness and recruitment) to avoid increased segregation of women's employment in this sector, and to enable women to respond to technological challenge on an equal footing;
- promotion of local employment initiatives; these are particularly important for women's employment because they make it possible to respond to certain specific aspects of women's employment and to deal with certain aspects of the promotion of equal opportunities (greater participation in management, the opportunity of finding local employment, more flexible organization of work and advantageous pay conditions) by adopting measures to ensure equal access for women to setting up new undertakings (in particular credit facilities) and positive actions (training, information, setting up) designed to promote women's initiatives in this field.

(d) There should be specific measures to deal with the problems of the most disadvantaged,⁶ for example: single-parent families and single women, migrant women, women whose jobs are threatened by the introduction of new technologies, mentally or physically handicapped women, women wishing

¹ OJ C 193, 28.7.1982.

² A statistical breakdown by sex is not available in a number of areas.

³ In line with existing directives, recommendations and resolutions.

⁴ See resolution of 12 July 1982: OJ C 193, 28.7.1982.

⁵ See research on this subject carried out by the Commission in 1984 (V/1811/83).

⁶ In this connection, see the findings of the sample survey carried out by the Commission on Women in Paid Employment, 1984 (V/1240/84).

to return to the labour market after a career break and women who are unemployed or threatened with unemployment at the end of a period of occupational activity, and women working in self-employed occupations, including agriculture.¹

(e) The necessary measures should be taken to remove the statutory and administrative provisions which are contrary to the principle of equal treatment and which can no longer be justified on the grounds of their original protective purpose.² The social partners should similarly be invited to make the appropriate changes to collective agreements of the same nature.

(f) Tax discrimination should be examined with a view to arriving at a neutral system which does not act as a disincentive, particularly with regard to the taxation of the earnings of married women. The Memorandum of 19 December 1984³ from the Commission to the Council on this matter should serve as a basis for a more detailed examination.

(g) The social protection of home-workers and procedures for their integration into economic and social life should be reexamined with a view to improving participation by these workers in the production process and life in society.

Commission action

23. (a) The work of the expert group on the indicators on women's employment and their analysis will be continued and will stress:

- the improvement and harmonization of statistics (in conjunction with the Statistical Office);
- data relating to specific categories;
- improved coherence between economic and social policies, particularly employment policies on the one hand and measures aimed at advancing women's employment on the other, with better integration of these data in existing information systems – Mutual Information System on Employment Policies in Europe (Misep), European Network for Information Exchange on Local Employment Initiatives (Elise), etc. ;
- the reinforcement of links with the Commission's other activities.

(b) The Commission will organize sample surveys to supplement available data, with particular reference to subjects difficult to assess statistically.

(c) The Commission will organize an exchange of information and experience in respect of:

- measures to combat unemployment;⁴
- positive action for women, both through the Advisory Committee on Equal Opportunities and through groups of experts, with a view to carrying out a systematic analysis and assessment of the actions initiated.

(d) The Commission will present to the Council, the Member States, the two sides of industry, and potential promoters of positive actions, a Code of Practice⁵ designed to assist and inform them on the often complex implementation of such action.

(e) The Commission will support and encourage positive action in various sectors with a view to the desegregation of employment and better use of human resources, especially in the following areas:

- the public sector (following the studies and the action carried out with the European Institute of Public Administration in Maastricht) and in the context of its own personnel policy;⁶
- the banking sector (follow-up to the pilot scheme initiated in 1980);
- the industrial sector: development of the action launched in six Member States⁷ with the help of two industrial management consultants, and its extension to the other Member States;
- the cooperative sector;⁸
- local employment initiatives for women: as well as continuing and developing a policy to support the launch of such initiatives and studies designed to improve the understanding of specific problems of job creation for women, the Commission intends to carry out systematic action in liaison with the

¹ Proposal for a Council Directive on the application of the principle of equal treatment as between men and women engaged in an activity, including agriculture, in a self-employed capacity, and on the protection of self-employed women during pregnancy and motherhood of 15 March 1984: OJ C 113, 27.4.1984.

² Within the meaning of Article 3(2) of the Council Directive of 9 February 1976: OJ L 39, 14.2.1976.

³ Bull. EC 12-1984, point 2.1.97.

⁴ Under the Council resolution of 7 June 1984: OJ C 161, 21.6.1984.

⁵ Examples may be found in certain Member States and certain third countries.

⁶ See Annex.

⁷ Belgium, Germany, France, Italy, Netherlands, United Kingdom.

⁸ In response to the study carried out in 1985 (V/55/86).

overall promotion programme of local employment initiatives,¹ notably by setting up at Community level a network for the exchange of information, experiences and stimuli so as to develop more coherent and systematic activity in this field;

- the media.²

(f) Guidelines for Community actions relating to certain categories³ with special problems will be proposed:

- single-parent families and single women;
- immigrant women;
- women wishing to return to the labour market after a career break;
- physically and mentally handicapped women;
- women in self-employed occupations, including agriculture: the proposal for a directive relating to them will provide an initial legislative response to their problems.

(g) The Commission will ensure that Article 3(2)(b) of the Council Directive of 9 February 1976 is applied, and will submit in this context (following the study carried out in 1982/83) a report on the revision of protective legislation for women, so as to achieve a more even mix in employment; the problems of night work in particular will be examined, because the ban on night work for women only often has a very negative impact on women's employment, for example in the new technologies.⁴

(h) To promote greater neutrality of taxation systems in their impact on women's work, on the basis of the Memorandum which it put before the Council in 1984,⁵ the Commission intends to organize discussions with the representatives concerned in the Member States⁶ in order to draw up Community guidelines on this matter.

(i) When the results of the study on home-working by women and young people are available, the Commission will decide whether Community guidelines are appropriate in this area.

New technologies

Action by the Member States

The Member States should:

24. (a) produce employment statistics on the new technologies that clearly distinguish the number of women workers in the field and the levels they have reached in comparison with male workers, and should develop a qualitative analysis of the question;

(b) encourage the preparation of handbooks containing equal opportunities recommendations regarding schemes to introduce new technologies in education, training and employment;

(c) encourage applications by, and recruitment of, women for jobs using new technologies;⁷

(d) develop pilot schemes for training women in new technologies;

(e) encourage the institutes, groups and other organizations which disseminate knowledge and exchange experience and information about the impact of new technologies on women's training and employment, and increase awareness of such matters among the groups concerned;

(f) develop measures to increase awareness (prizes, brochures, seminars, information campaigns, etc.);

(g) encourage and develop networks of persons involved, and organize action research in schools;

(h) introduce girls and boys to new technologies at the end of primary school and in all schools;

(i) encourage, including the provision of financial incentives, firms setting up training courses in new technologies;

(j) provide for modules within training courses enabling women to take greater advantages of the opportunities offered (preliminary training, upgrading, etc.);

(k) analyse the impact of new technology on women's health.

¹ OJ C 161, 21.6.1984.

² See points 30 and 31 below.

³ In response to studies carried out in these fields and the sample survey on European Women in Paid Employment, 1984.

⁴ A number of Member States have already denounced ILO Convention 89 on this topic. The others should follow shortly.

⁵ Bull. EC 12-1984, point 2.1.97.

⁶ A seminar is to be held on this topic in the United Kingdom early in 1986.

⁷ See Council resolution of 7 June 1984 on action to combat unemployment amongst women: OJ C 161, 21.6.1984.

Commission action

25. (a) In the context of implementing the Council resolution concerning vocational training measures relating to new information technologies¹ and of the resolution of the Council and of the Ministers for Education meeting within the Council on measures relating to the introduction of new information on technology in education² and the related work programmes which it has adopted, the Commission³ will give particular attention to the question of equal treatment.

(b) In connection with education and on the basis of the resolution on equal opportunities for girls and boys in education,⁴ the Commission will support experiments and operations to improve girls' access to courses in new technologies, and will support action research in this field.

(c) The Commission will endeavour to expand the number of innovative measures affecting women workers in the field of vocational training, and aimed at

- facilitating the reintegration of women into the labour market in jobs with good prospects, or
- safeguarding their employment when it is threatened by industrial restructuring.

In this context the Commission will focus attention on vocational training operations to promote the upward mobility of women in sectors using new technologies (information technology, office electronics and robotics).

(d) In the framework of the ESF, applications will be encouraged for vocational training or recruitment to additional jobs for women in occupations in which they are under-represented (which often implies the use of new technologies).⁵

(e) On the basis of studies which it has carried out,⁶ the Commission will encourage round-table discussions in each Member State with the parties concerned (governments, both sides of industry, training and placement bodies, etc.) to examine how the recommendations made in these studies may be put into practice. The Commission will assess these encounters and any follow-up.

(f) The Commission will carry out studies on the 'impact on women's employment of collective agreements relating to new technologies'.⁷ It should lead to consideration being given to the effects of new technologies on women and the drafting of appropriate provisions in collective agreements.

The Commission will initiate discussion on this question with the two sides of industry on the basis of the findings of these studies.

(g) On the basis of studies under way,⁸ the Commission will lay down guidelines for action on tele-commuting and women's employment.

(h) The Commission will organize research and meetings on the impact of new technologies on the distribution of working time and leisure time.

(i) The Commission will analyse the effect of the introduction of new technologies on women's health and safety at work.

(j) On the basis of the results and assessment of the above actions, the Commission will propose Community guidelines in respect of the impact of new technologies on women's employment.

Social protection and social security

Actions by the Member States

The Member States should:

26. (a) draw up measures to reform social security budgets so that they do not have a discriminatory effect as regards women, as laid down in the Council Directive of 19 December 1978 on the progressive implementation of the principle of equal treatment for men and women in matters of social security⁹ and the proposal for a Directive on equal treatment in occupational social security schemes;¹⁰

(b) promote the gradual acquisition by women of individual rights so as to eliminate indirect discrimination;

¹ OJ C 166, 25.6.1983.

² OJ C 256, 24.9.1983.

³ Bull. EC 4-1983, point 2.1.57; Bull. EC 1-1985, point 2.1.22.

⁴ OJ C 166, 5.7.1985.

⁵ See also points 20 and 21.

⁶ With particular reference to 'Office automation and work for women' and 'Vocational training, new technologies and women's employment'.

⁷ The first study has been started.

⁸ FAST study by the European Centre for the Development of Vocational Training.

⁹ OJ L 6, 10.1.1979.

¹⁰ OJ C 134, 21.5.1983.

(c) reinforce provisions for the protection of pregnancy and maternity to provide adequate protection and eliminate discriminatory effects on recruitment and career advancement.

Commission action

27. (a) The Commission will ensure that Member States respect in their measures on budgetary reform the obligations laid down by the Council Directive of 19 December 1978 to eliminate or avoid any direct or indirect discrimination on the grounds of sex.

(b) On the basis of the study¹ carried out on areas not covered by this Directive, the Commission will pursue its preparatory work on a proposal for a new legal instrument to supplement in particular the existing provisions in the areas in question with a view to a progressive individualization of rights.

(c) The Commission will continue its effort to abolish indirect discrimination, particularly in the case of a spouse's derived rights.

(d) In line with the recommendations of the study on 'the protection of working women during pregnancy and motherhood in the Member States of the Community', the Commission will define guidelines for Community action.

Sharing of family and occupational responsibilities

Action by the Member States

28. (a) Starting with the education system and then on a permanent basis, Member States should carry out action to increase awareness with a view to changing attitudes and promote the growing trend, especially among young people, to accept a more equal sharing of family, occupational and social responsibilities, with regard both to couples and to society in general.

(b) The Member States should rapidly adopt the Commission proposal for a Directive on parental leave and leave for family reasons² and proceed to implement its provisions.

(c) The Member States should look into various ways of improving child-minding facilities in the light of a comparative analysis made by the Commission³ showing that although the prevailing eco-

nomic situation seems to have caused some Member States to reduce public child-minding facilities, this was not true of other countries which have given a degree of priority to improving the situation, including the promotion of alternative child-minding facilities.

(d) Initiatives should be drawn up in respect of the reorganization of working time to promote equal opportunities (for example, by encouraging flexible working hours, the possibility of a system of leave credits spread over a long period, compensation for arduous work in the form of more free time, a review of mobility policies, and a more balanced development of part-time work that will avoid segregation of employment).

(e) The Member States should seek solutions that will help to harmonize the operations of public and private services (including school hours) and occupational activities.

(f) Solutions should be sought for the specific difficulties of groups particularly affected by these problems (single-parent families, persons whose work place is far from home, etc.).

(g) There should be an examination of ways of taking account of the diverse aspirations expressed by women, and increasingly by young parents, with regard to their working, family and social lives, so that the upbringing of children in particular and family activities in general⁴ may be better appreciated.

Commission action

29. (a) On the basis of the conclusions of the survey on day-care facilities and services for children under the age of three in the European Community, and the recommendations made by the Conferences held in Bonn in 1984 and Rome in 1985,⁵ the Commission will ensure that devel-

¹ The implementation of equal treatment between men and women in matters of social security for benefits not covered by the Directive of 19 December 1978 (V/1261/1/84 final).

² OJ C 333, 9.12.1983; OJ C 316, 27.11.1984.

³ Day-care facilities and services for children under the age of three in the European Community (V/1784/83).

⁴ There are various Commission surveys and analyses that can provide useful reference points in this respect.

⁵ Organized jointly by the Commission, the German Government and the Italian Presidency, bringing together representatives of the Ministries concerned (social affairs, health, education and women's rights), equal opportunity bodies and independent experts.

opments in day-care facilities are followed up by an expert network.

(b) The Commission will propose recommendations for action in the field of day-care facilities along three lines (equal opportunities for children, freedom of choice for parents as regards family, social and occupational responsibilities, demographic impact).

(c) An analysis will be made of infrastructure problems other than those strictly related to day-care facilities (transport, opening hours of public and private services, alternative models) and their impact on women's employment, particularly of young women, in conjunction with their demographic impact.

(d) The Commission will carry out studies on:

- assistance for elderly and handicapped persons, etc. to find ways of easing the burden of the family (and on women in particular) responsible for their care, and developing employment in this field;
- the situation of older women and activities that could meet their needs;

and will propose possible courses of action in this respect.

(e) A study will be made of courses of action to meet the specific needs of certain categories,¹ with a view to establishing Community guidelines.

(f) In its work on the reorganization of working time, the Commission will continue to keep in mind the promotion of equal opportunities.

Increasing awareness — changing attitudes

Action by the Member States

30. (a) More systematic and carefully targeted large-scale information campaigns should be carried out. They should be aimed at decision-makers, individuals and the various groups concerned,² those active in politics and in the social, occupational and educational fields, while increasing media involvement.

(b) Equal treatment should figure as a permanent topic in information and awareness campaigns with a broader scope, for example in connection with

occupational choices, job creation, the activities of associations, etc.

Commission action

31. (a) The Commission will continue and expand its traditional information activities with regard to women (publications, seminars, booklets, audiovisual presentations, meetings with women's associations and movements, etc.) adjusted in the light of changing needs to ensure that they reach a broader public.

(b) Contacts and exchanges will be developed with other groups whose activities have an impact on the promotion of equal treatment (family associations, youth forum, consumer groups, organizations combating poverty, parents associations, etc.).

(c) The Commission will organize specific follow-up to the conference on equality in law of men and women in the Community,³ attended by representatives of the legal professions, particularly by the promotion of national and regional seminars.

(d) The field of action with regard to the media will be enlarged following the recommendations of the seminar on women in television held in Brussels in June 1985⁴ by:

- establishing a committee composed of representatives of television channels responsible for stimulating positive action in their organizations;
- encouraging and supporting meetings at national level;
- carrying out similar analysis of the situation in the other media with a view to developing action in regard to all the media.

(e) Action will be developed in connection with the choice of branches of secondary education, and the distribution of tasks between boys and girls, mainly in cooperation with parents' associations.

(f) More systematic information activities will be conducted with the two sides of industry in conjunction with Member States in order to promote broader consideration of the question of equal

¹ See also points 22 and 23 above.

² Namely youth organizations, family associations, consumer groups, etc.

³ Bull. EC 5-1985, point 2.1.50.

⁴ Bull. EC 6-1985, point 2.1.76.

opportunities in such activities, for example collective bargaining, particularly when this affects the restructuring and reorganization of working time and the introduction of new technologies.

Improvement of Community concertation

32. The development of legislation and Community policy has led the Commission to establish mechanisms for the exchange of experience, information and to encourage Community and national action.

The Advisory Committee on Equal Opportunities for Women and Men was set up in 1981¹ and performs a key role in advising the Commission on the formulation of its equal opportunities policy and in promoting a continuous exchange. Over the course of 1986, the Commission will modify the rules of procedure of the Committee in line with new procedures relating to advisory committees. This exchange will be supplemented and expanded in a number of specific areas by a variety of networks of advisers and experts.

The social partners have a fundamental role to play in putting into practice a variety of actions established or initiated at Community level. The dialogue with the various movements and associations concerned by the problem should also be developed in a more organized way.

33. The Commission will maintain and develop its contact mechanisms.

It hopes to promote closer cooperation with government representatives on this subject, by holding regular meetings to exchange information on current and proposed policy, particularly as regards the application of instruments and undertakings at Community level, and to carry out an assessment.

At the end of the period specified for implementing this programme, a meeting of all those concerned

will be held (Advisory Committee, government representatives, the two sides of industry and members of the contact and exchange network) in order to review progress, evaluate action and consider future prospects.

Conclusion

Community action, which sets an example and provides a stimulus in this area — one of the important components of the 'People's Europe' — should be intensified.

For its part, the Commission will continue to carry out its tasks of proposing and encouraging, safeguarding acquired rights, and concertation.

The Member States have a very special responsibility in implementing and developing actions already initiated and those included in the present programme. A regular exchange of experience and greater concertation will enable action to become more sustained and developed.

Far from inducing a retreat or blocking progress, the present economic situation should encourage the development of innovatory ideas and initiatives in the context of current social and technological change. Dialogue between all those involved in this field is essential if consistency in action is to be achieved.

Substantial progress in the field of equal treatment in practice is possible only if the Community as a whole comes to feel responsible for dealing with the problem.

The Community has accepted the challenge of a 'People's Europe': the promotion of equal opportunities between men and women is one way of meeting that challenge.

¹ OJ L 20, 28.1.1982.

Adoption of a new Community medium-term programme to promote equal opportunities for women

Draft Council resolution

The Council of the European Communities,

Having regard to the Treaties establishing the European Communities,

Having regard to the draft Commission resolution,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas in order to promote equal opportunities for women, various actions have been undertaken at Community level, in particular the adoption by the Council of Directives 75/117/EEC, 76/207/EEC and 79/7/EEC on equal treatment for men and women;¹

Whereas this basis will be reinforced by the forthcoming adoption of proposals for legislation presented by the Commission to the Council;²

Whereas the 1982-85 action programme and the commitments entered into in this connection³ and those adopted in certain related areas⁴ constitute positive contributions to the promotion of equal opportunities;

Whereas efforts under way should be intensified and developed with a view to achieving genuine equality so that women can approach social, technological and occupational change on an equal footing with men;

Whereas the European Parliament has frequently reiterated the need for a comprehensive wide-ranging policy to promote equal opportunities for women,

Has adopted this resolution:

The Council:

1. Recalls its undertakings concerning the promotion of equal opportunities for women;⁵

2. Underlines the need to adopt in the near future the proposals for Directives presented by the Commission designed to supplement Community equal treatment provisions,

3. Confirms the need to develop and intensify action at Community and national level through a systematic and coherent wide-ranging policy designed to eliminate *de facto* inequalities likely to multiply in a period of economic crisis and to promote equality of opportunity,

4. Undertakes to support the Commission communication concerning a new medium-term Community programme on equal opportunities for women (1986-90),

5. Invites the Member States to implement the measures contained in the Commission communication entitled 'Equal opportunities for women –

¹ Council Directive of 10 February 1975 on the application of the principle of equal pay for men and women (OJ L 45, 19.2.1975).

Council Directive of 9 February 1976 on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions (OJ L 39, 14.1.1976).

Council Directive of 19 December 1978 on the progressive implementation of the principle of equal treatment for men and women in matters of social security (OJ L 6, 10.1.1979).

² Proposal for a Council Directive on parental leave and leave for family reasons (OJ C 333, 9.12.1983; OJ C 316, 27.11.1984).

Proposal for a Council Directive on the application of the principle of equal treatment as between men and women engaged in an activity, including agriculture, in a self-employed capacity, and on the protection of self-employed women during pregnancy and motherhood (OJ C 113, 27.4.1984).

Proposal for a Council Directive on the implementation of the principle of equal treatment for men and women in occupational social security schemes (OJ C 134, 21.5.1983).

³ Particularly: . Council resolution concerning the promotion of equal opportunities for women (OJ C 186, 12.7.1982); . Council resolution on action to combat unemployment amongst women (OJ C 161, 21.6.1984); . Council recommendation on the promotion of positive action for women (OJ L 331, 19.12.1984).

⁴ Particularly: . Resolution of the Council and the Ministers for Education meeting within the Council containing an action programme on equal opportunities for girls and boys in education (OJ C 166, 5.7.1985); . Council resolution on the promotion of employment for young people (OJ C 29, 4.2.1985); . Council resolution concerning vocational training measures relating to new information technologies (OJ C 166, 25.6.1983); . Council resolution concerning vocational training policies in the European Community in the 1980s (OJ C 193, 20.7.1983); . Resolution of the Council and the Ministers for Education meeting within the Council of measures relating to the introduction of new information technologies in education (OJ C 156, 24.9.1983).

⁵ See p. 6, footnotes 1, 5 and 6.

Medium-term Community Programme 1986-90', and in particular to:

- improve the application of existing equal treatment measures, particularly through the systematic provision of information, the development of suitable mechanisms to ensure follow-up and the preparation of provisions on equal treatment, and the review of provisions relating to the burden of proof;
- develop comprehensive and coordinated action in respect of education and training to promote the diversification of vocational choices to include sectors and trades of the future, in particular those concerned with new technologies;
- adopt adequate measures to increase the participation of women in jobs linked to the introduction of new technologies, with a view to promoting an even mix and responding to the resulting changes;
- adopt a policy for the systematic promotion of an even mix in employment at all levels, particularly through the development of positive action in all fields,¹ the revision of protective legislation which is no longer justified, and the search for specific solutions for the most disadvantaged categories;
- review social protection and social security provisions taking into account the changing place of women in employment, particularly by ensuring the gradual individualization of rights;
- develop measures to promote the sharing of family and occupational responsibilities through actions to increase awareness, steps to reorganize working time, the positive development of the

social infrastructure, particularly child-minding facilities, and adequate solutions for groups and persons in particular need;

- launch or stimulate wide-ranging information campaigns to increase awareness in a more systematic way designed to highlight the positive aspects of equality with a view to promoting a change in attitudes, particularly by involving the media and by aiming at a variety of target groups in order to reach all those in political, social, trade and educational circles,

6. Undertakes to ensure coherence between specific actions to promote equal opportunities and overall economic and social policy, at Community and national level,

7. Decides to organize more systematic concertation of policies and actions with the Member States on equal treatment, and requests the Commission to organize such concertation with the cooperation of all the bodies concerned (mainly national authorities, equal treatment bodies and committees, the two sides of industry, etc.),

8. Requests the Commission to prepare a progress report and assessment of the implementation of this programme by 31 December 1990, and accordingly invites the Member States to forward the necessary information to the Commission before 1 January 1990.

¹ See Council recommendation of 13 December 1984: OJ L 331, 19.12.1984.

Continuation and strengthening of positive action at the level of Commission staff policy

Justification for a further action programme

1. Although the specific measures contained in Annex II to the New Action Programme 1982-85 did not enable the Commission to achieve the desired improvements as regards equality in practice between men and women in its employ, they nevertheless made a large number of officials at all level aware of the problem and of the long way still to go before equal treatment becomes a reality.

2. The specific measures that have been applied led to the transformation of the former Committee for Equality for Men and Women into the joint Committee on Equal Opportunities for Women and Men (Copec), and made it possible to lay the foundations for an overall strategy for a positive action programme integrated into the context of staff policy.

3. The implementation of this programme must also set up an example in this area at Community level, within the meaning of the Council recommendation of 13 December 1984 on the promotion of positive action for women.¹

The new context

1. Following a proposal from the Copec, the Commission recently decided to commission a study from three independent experts. The results are expected for the end of 1986 and will constitute the diagnosis and the guidelines for a positive action programme to be implemented over the next few years.

2. Continuing the action programme for 1982-85, the new programme will also include

positive actions in the following areas:

- recruitment
- training
- career advancement
- conditions of employment and
- social infrastructure.

It will mean pinpointing the realistic goals to be attained among specific target groups within clear time limits.

3. Specific measures under way in the same sectors of personnel policy will be continued during the diagnosis phase and, if necessary, will be supplemented in the light of information acquired over the course of the study.

4. In the light of the diagnosis, the Commission will study ways of adjusting its internal structures with a view to implementing the positive action programme.

5. The Commission continues to regard it as an important goal of its personnel management, to ensure that its workforce can make the best possible use of their potential.

The achievement of equal opportunities is an essential objective in this context as the Commission regards it as its task to set a positive example for the Member States so that equal opportunities become an accepted part of everyday life for all Community citizens.

The experience acquired during positive actions encouraged by the Commission in the industrial and service sectors has shown that making the most of women's potential has had significant results. In the medium term, it must be the Commission's objective to ensure that its internal personnel policy corresponds with the whole range of instruments already existing or proposed by it at Community level. This includes the sharing of occupational and family responsibilities between men and women on the basis of genuine equality of opportunity.

6. The Commission plans to evaluate and disseminate the results obtained at the end of the period covered by the action programme.

¹ OJ L 331, 19.12.1984.

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There has been a general shift in attitudes in the Community towards more equal participation by men and women in working life. Nevertheless, the Community must continue and step up its efforts in this field and adapt them to economic and social changes and technological developments.

The Commission is therefore proposing to the Council a second action programme 1986-90 as part of its work on a People's Europe.