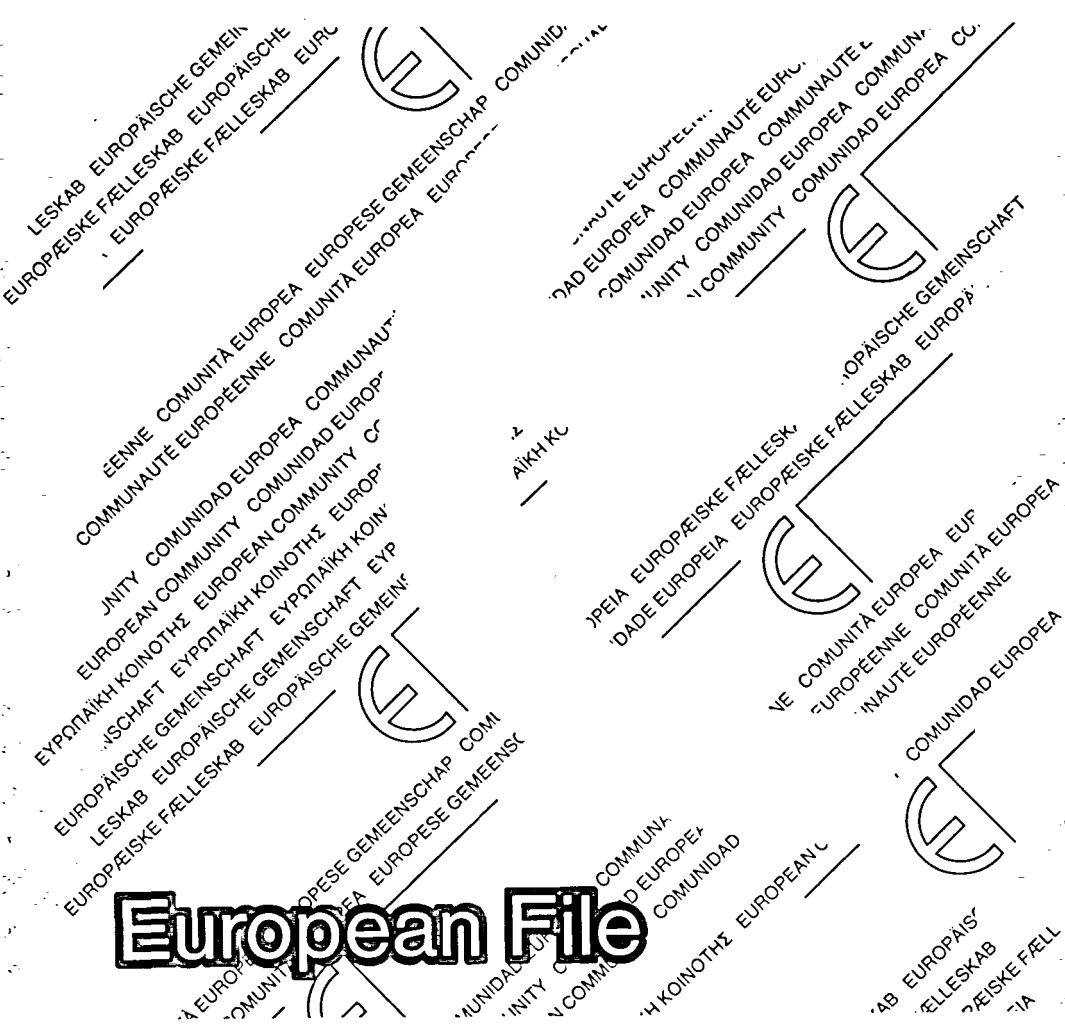


Equal opportunities for women



European File

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10/87
May 1987

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Since the beginning of the 1970s there has been a net growth in the overall working population of the European Community countries, due mainly to the entry of more women to the labour market. Today 55% of women aged between 14 and 59 either have a job or are looking for one. This has come about not simply because women wish to increase their income, but also because they want to exercise more independence. Of the Community's estimated total working population of 140 million, some 52 million are women. Of these, 71% are in services, 21% in industry and 8% in agriculture.¹

Though more and more women are working, there are still proportionately more of them than men in the dole queues of Europe: 42% of the Community's unemployed are women. Underlying causes are: training that is often ill-suited to economic needs and to the development of new technologies, and the economic crisis and its consequences which particularly affect people in the most vulnerable categories.

84% of part-time workers are women. However, this type of work does not always carry the same protection as full-time employment. Above all it rarely leads to promotion or increased responsibility within the company.

Women's employment raises other problems, which are difficult to illustrate with figures. It is clear none the less that much remains to be done to achieve equality with men, whether in regard to schooling, training, salary, social security or the sharing of occupational or family responsibilities.

The reasons for Community action

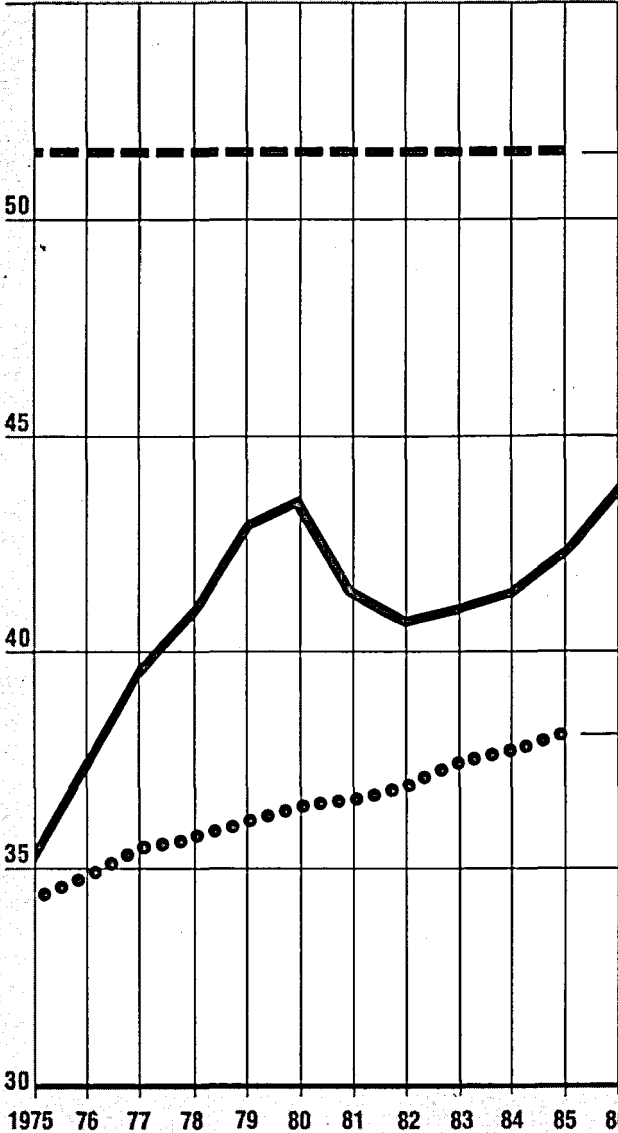
There are multiple grounds for Community action in favour of working women:

- It is a continuing aim of the Community to improve the living and working conditions of its citizens. With this in mind, Article 119 of the Treaty of Rome stipulates that 'each Member State shall (. . .) ensure (. . .) the application of the principle that men and women should receive equal pay for equal work'. Originally the prime concern was to avoid distortions of competition caused by differences in some countries between men's and women's pay, but as time went by social considerations took over.
- At their Paris summit meeting in 1972 the Heads of State or Government decided to develop a European social policy.
- In 1974, the Council of Ministers of the Community adopted a social action programme proposed by the European Commission. This provided in particular for action to ensure equality between men and women in access to jobs and training, in working conditions and in pay.

¹ This file replaces our No 4/84.

Proportion of women in the European Community*

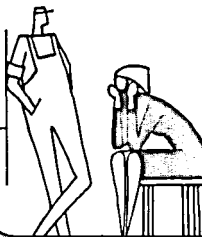
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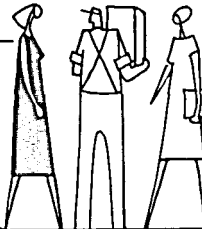
as % of
total population



as % of
unemployed



as % of
working population



* Twelve member countries.
Source: Eurostat.

- The European Parliament too showed a keen interest in women's problems. It set up an *ad hoc* commission of inquiry on the situation of women in Europe, which in 1984 became a permanent committee on women's rights.

Within this context, the European Commission has drawn up different programmes in favour of women. A memorandum on equality of treatment between male and female workers was submitted in February 1975. There followed a first action programme (1982-85) to promote equal opportunities. This ambitious programme appreciably enlarged the role and policy of the Community in this area. As part of the programme an Advisory Committee on Equal Opportunities was established, to assist the Commission in implementing its measures in favour of women.

In December 1985 the Commission submitted a second medium-term programme for 1986-90, which was approved by the Council of Ministers in July 1986. It falls within the framework of the development of the 'People's Europe': the Community's bid to give Europe a human face. The programme has two main objectives: to consolidate the Community's achievements to date and to promote real change by means of a concrete and pragmatic approach. Thus it takes into account the specific problems of various categories of women, it emphasizes positive exemplary action to eliminate extra-legal discriminatory factors in a number of fields of activity, and it identifies clearly the responsibilities of all parties concerned in the Community. All this is worked out in a logical path leading from school to the general development of attitudes, taking in employment problems, new technology, social security and the sharing of family and occupational responsibilities.

Equality in education and training

Equality of opportunity begins at school. It is still too common for young girls to fall victim to prejudice and close off the multiple career possibilities that are increasingly open to them.

In the 1975 memorandum it was proposed to encourage true equality of opportunity for girls and women, by means of action focusing on different stages of life: school age, start of working life, return to work, etc. The 1982-85 programme put the emphasis on ways of spreading information and diversifying the choices available in school and work, including familiarity with new technologies. The Community supported a series of pilot projects and exchanges of experience in the different Member States.

Several activities are taking place at the moment:

- In the field of education, in June 1985 the ministers responsible initiated a programme for equal opportunities, which gave rise to numerous national activities supported by the Community. They were mainly concerned with training those in charge of education and increasing their awareness,

getting a better mix of men and women in teaching jobs, improving career guidance and eliminating the stereotypes still to be found in educational material.

- In vocational training, there are several Community resolutions that urge Member States to intensify their activity to promote equal opportunities. The European Centre for the Development of Vocational Training (Cedefop) is increasing its research and promotional activity. Studies are being carried out to prepare recommendations that can be applied to certain categories of persons (migrants, handicapped women, women looking for a job after giving up work for a time, etc.). Lastly, the Community encourages national authorities to avail more of the possibilities offered by the European Social Fund (ESF). This fund co-finances numerous programmes for training, re-employment and first-time employment, that are open without discrimination to men and women. It also helps finance specific training programmes for women, particularly for non-traditional occupations. In all more than a million women, most of them under 25 years old, benefited from ESF aid in 1985, to the tune of 38% of the Fund's resources, or about 800 million ECU.¹

In the light of the results of all these activities, the European Commission will propose new Community training guidelines to promote even further the fair distribution of employment between the sexes.

Equality at work

Working conditions for women vary from one country to another, but, in differing degrees, the same characteristics are to be found everywhere: vocational guidance and training often insufficient or unsuitable; excessive influence of family responsibilities (marriage, motherhood) on the course of women's careers; women workers being concentrated in certain sectors and certain job categories that are often more vulnerable, less highly qualified, lower-paid and with fewer promotion prospects.

The Community has already taken various steps to improve the situation:

- To eliminate inequality in women's pay, the Community took as its basis Article 119 of the Treaty of Rome, which stipulates that ' "pay" means the ordinary basic or minimum wage or salary and any other consideration, whether in cash or in kind, which the worker receives, directly or indirectly, in respect of his employment from his employer. Equal pay without discrimination based on sex means: (a) that pay for the same work at piece rates shall be calculated on the basis of the same unit of measurement; (b) that pay for work at time rates shall be the same for the same job.' On

¹ 1 ECU (European currency unit) = about £ 0.70, £Ir 0.80 or US \$ 1.1 (at exchange rates current on 3 April 1987).

this basis in February 1975 the ministers adopted a Community directive obliging Member States to revise their laws so as to exclude all discrimination on grounds of sex, particularly in systems of occupational classification. Under the directive all workers believing themselves to be victims of discrimination must have the right and the possibility to take their case to a tribunal, and be protected against any wrongful dismissal if they do so.

- To end other forms of discrimination, the ministers adopted a directive in February 1976 obliging Member States to ensure equal treatment in regard to working conditions and access to employment, training and promotion. By 'equal treatment' the directive means the absence of all discrimination based on sex or marital or family status. Here too the European Commission provided for individuals to be able to have recourse to justice without putting their jobs at risk. The Commission itself has also brought Member States who were in default before the European Court of Justice. This right of recourse to the law is important: it formally affords legal protection to the worker in an area which, in most cases, was not covered by national legislation. Any person believing themselves to be wronged can lodge a complaint with the national tribunal or other competent body. In the event of a dispute over the interpretation of Community law, it is for the European Court of Justice to settle the question.
- So far all the directives mentioned apply to salaried workers, but a new one, adopted at the end of 1986 and applicable between now and 1989 (1991 in some cases), orders the elimination of direct or indirect discrimination against independent women workers (including agricultural workers). This measure also includes provisions in relation to maternity and to social security.
- In the 1982-85 action programme these legal arrangements were complemented by a strengthening of individual rights and a number of positive measures. These measures had the aim of improving the position of women in regard to employment, and consisted in particular of programmes to promote women in certain industrial sectors, in banks, the public service, the media, etc. Other important aspects of this policy: better public information on the positive aspects of a change in attitudes; the creation on the ground of the conditions for a better integration of men's and women's professional, family and social lives; diversification of vocational choices and training for girls and women, as well as other measures to promote an even mix of men and women in employment.

Today the situation still gives cause for concern. Women workers continue to be heavily concentrated in certain sectors. They are also particularly vulnerable to current economic and social changes: unemployment, the increase in precarious or flexible forms of employment, etc. The 1986-90 programme therefore gives priority to promoting employment of women. The essential aims are:

- To improve the quantitative and qualitative data so that the specific qualities of female employment can be better grasped.
- To ensure consistency between overall employment policies and measures specifically aimed at women.
- To eliminate outdated protective legislation in regard, for instance, to night work.
- To develop positive action in companies in various sectors.
- To support local employment initiatives, which are of special interest to women, who sometimes encounter particular difficulties, notably when it comes to obtaining credit.
- To encourage Member States to review their tax systems to lessen the disincentive for married women working.

The programme also provides for specific measures for certain categories of people who come up against particular problems: women who are alone or who have charge of single-parent families, immigrant women, handicapped women, women working in the home, etc.

Equality in the face of new technology

Women are often poorly prepared to seize the opportunities that can be offered to them by new technology, although it has a considerable influence on much female employment (modern office equipment, for example). The programme for 1986-90 provides for a series of actions intended to facilitate the drawing up of overall Community guidelines.

- Education and training: from primary school onwards, girls should have the fullest access to new technology. Vocational training, with the help of the European Social Fund, should encourage access by women to positions in the new technology sectors.
- Employment and working conditions: high level recruitment of women and their vertical mobility should be encouraged. The impact of tele-computing and other new technology on health and safety at work should be studied, as should the division of time between work and leisure. The social partners should also be encouraged to have more regard to the consequences of new technology for female employment.
- Information and awareness-building: besides the round-table discussions organized by the Commission there could be other initiatives: seminars, brochures, etc.

Equality in social security and social protection

Reliance on traditional concepts such as 'head of family' or 'household' has led to discrimination, which has often been increased by budgetary constraints that limit certain benefits. Such discrimination is forbidden by European law.

- Article 119 of the Treaty of Rome stipulates that equal pay for men and women applies not only to salary but also to 'any other consideration, whether in cash or in kind, which the worker receives directly or indirectly, in respect of his employment from his employer'.
- A Community directive adopted in December 1978 makes illegal, since the end of 1984, discrimination in statutory social security schemes covering risks of illness, disability, old age, accidents at work, occupational illness, unemployment and family allowances. Under another directive, adopted in July 1986, discrimination in occupational social security schemes must be eliminated before 1993.

The Commission will continue to see that these legal measures are complied with. Its programme also commits it to extend the scope of the 1978 directive into such areas as retirement age, bereaved spouses' pensions, family allowances, etc. It will strive to ensure more adequate protection for pregnancy and maternity, particularly as regards equal opportunities for employment and careers.

Sharing responsibilities and developing attitudes

Achieving true equality of opportunities involves:

- A better sharing of family and occupational responsibilities. The 1986-90 programme provides for awareness-building activity as well as a number of measures dealing with parental leave, development of child-minding facilities, improvement of social infrastructure (transport, timetables of public and private services), reorganization of working time, etc.
- New progress in developing attitudes. The programme provides for widespread information campaigns aimed not only at women, but also at the less-convinced sections of the public. These actions will be carried out in cooperation with various groups: women's groups, of course, but also associations of families, parents, young people and consumers, as well as the social partners, television organizations, etc.

Fuller enforcement of Community law

We have seen how the Community has already adopted several legal measures to promote equal opportunities. It is still necessary to see that they are properly

translated into national law, correctly interpreted and applied in practice, with individuals being able to have recourse to the law as intended. The programme for 1986-90 provides for:

- The drafting of a legal instrument to make recourse to the courts easier, by reversing the burden of proof: in future it would be for the employer to prove that he is not practising discrimination.
- Better information and awareness-building activity. Colloquia, seminars, etc. will help to improve the training of those who must apply the law. The social partners will also be encouraged to resume discussion of problems such as occupational classification.
- The development of mechanisms for comparing experiences and for stimulating and monitoring action at Community and national level. The working of the Advisory Committee on Equal Opportunities will be adapted, and the work of the group of independent experts that follows the application of equality directives will be intensified.

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The European Community is a driving force in the implementation of the programme for equal opportunities. For this work it has two specialized services:

- The Women's Employment and Equality Office, set up within the Directorate-General for Employment and Social Affairs, is responsible for drawing up and implementing Community policy. It drafts the Commission's proposals and monitors the application of existing law, as well as seeing that equality problems are taken into account in other Community policies. The Office also promotes concrete activities (such as positive action in companies) and organizes or supports action to promote equal opportunities in practice: studies and research projects, seminars, meetings, local job-creation initiatives, etc. It maintains an active dialogue with the social partners and with the contact and exchange networks set up by the Commission. Finally, it represents the Commission in international fora dealing with women's problems.
- The women's information service, within the Directorate-General for Information, Communication and Culture, maintains constant contact with women's groups, associations and movements and informs them about Community activities that could be of interest to them. The service's work includes supporting the organization of seminars and conferences, providing information for women's magazines and publishing various special studies and the bi-monthly bulletin *Women of Europe*, which appears in nine languages.

The key role of the Commission should not obscure the responsibilities of the other parties whose action and political will are necessary if the Community programme is to be successfully carried out: political and legal authorities at national, regional and local level; social and professional organizations; those responsible at national level for equal opportunities, etc. The 1986-90 programme clearly identifies these partners in the work and the role they have to play; thus highlighting the need for improved concertation all round. To facilitate this, the Commission intends to develop the existing contact mechanisms as well as dialogue with government representatives, women's associations, the social partners and other interested groups ■

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