

E Equinet
European network
of equality bodies



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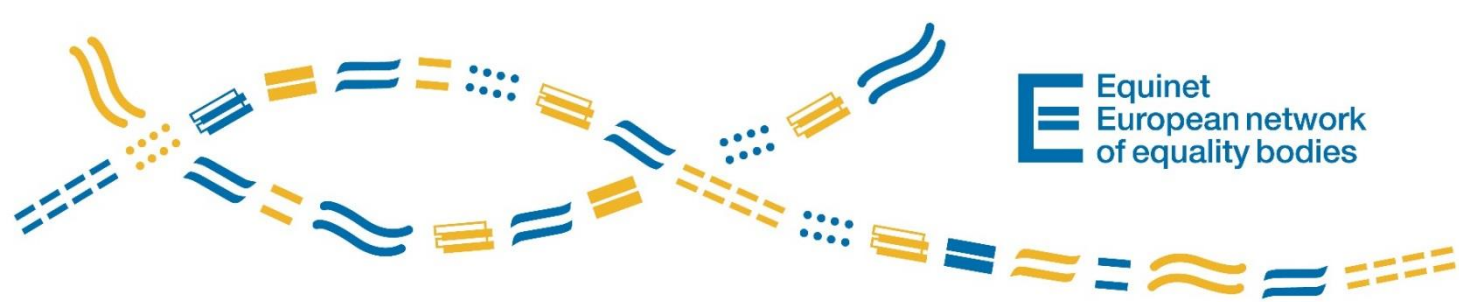
EQUINET

EUROPEAN NETWORK OF EQUALITY BODIES

Learnings from equality bodies' promotion and policy work, from Equinet *Perspective*

Mari-Liis Sepper, Equinet Board Member, Gender Equality and Equal
Treatment Commissioner, Estonia

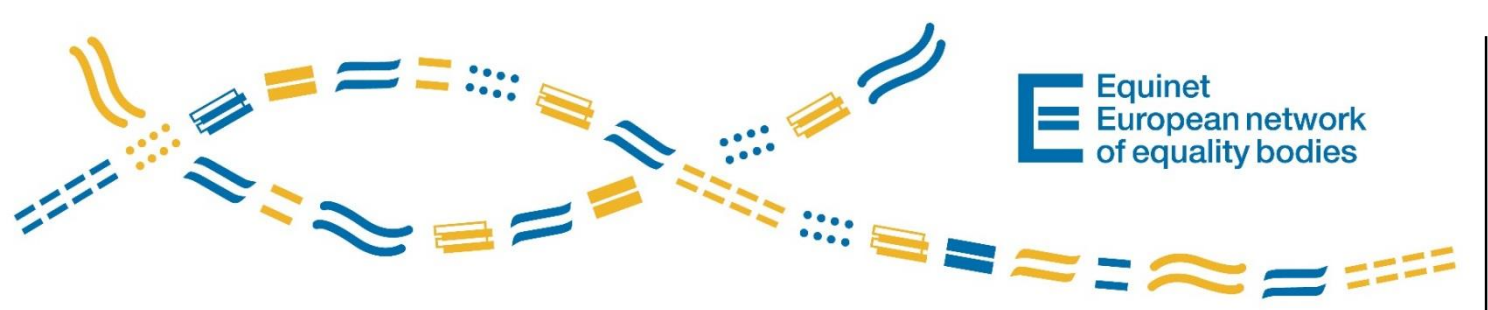
Equinet Conference Taking Action for Gender Equality, 23 March, 2015



Key findings of Equinet Perspective on the work of equality bodies in promoting and supporting gender mainstreaming

Structural inequality
and lack of priority for
gender equality

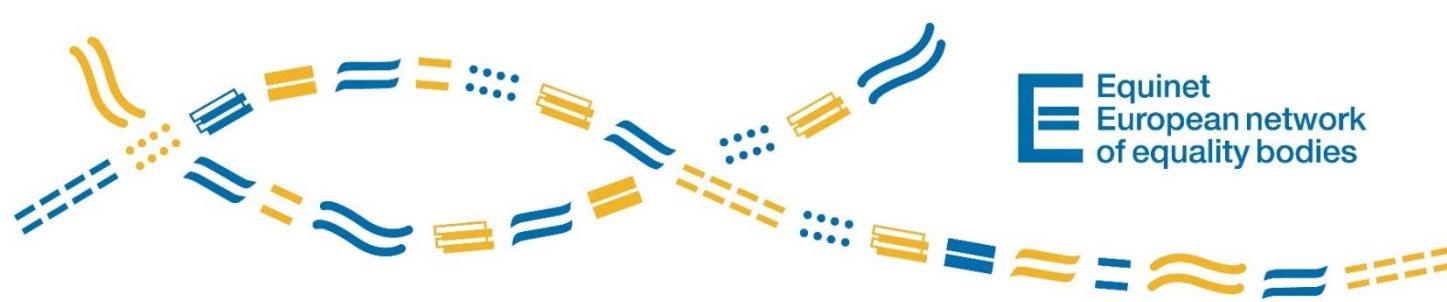
Gender mainstreaming,
budgeting and positive
duties



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Equality bodies work on gender mainstreaming

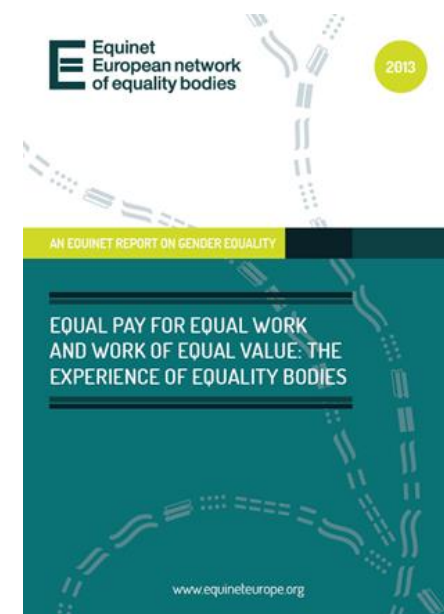
- Gender mainstreaming in organisations
 - Supporting employers
 - *Equal pay*
 - *Work Life Balance*
 - Supporting other institutions
 - Barriers
- Gender Mainstreaming in policy-making
- Gender mainstreaming within equality bodies

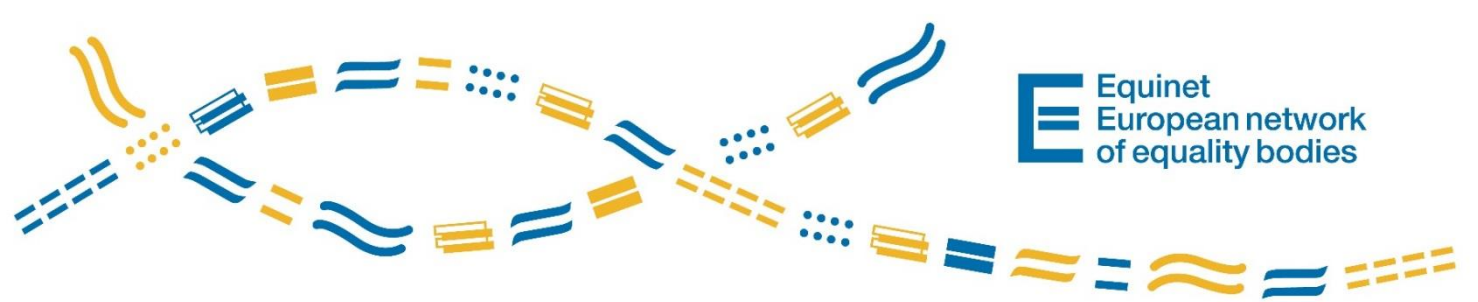


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Supporting Employers - Equal pay

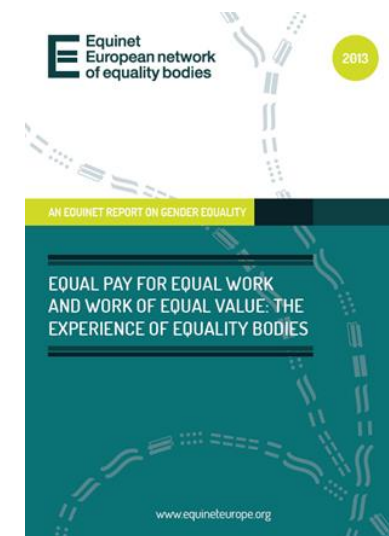
- 12 equality bodies (out of 26) report supporting gender mainstreaming with employers including a particular focus on equal pay
- Equality bodies identify this gender mainstreaming approach to equal pay as a measure of the difficulty in taking and winning cases on equal pay for equal work and work of equal value.

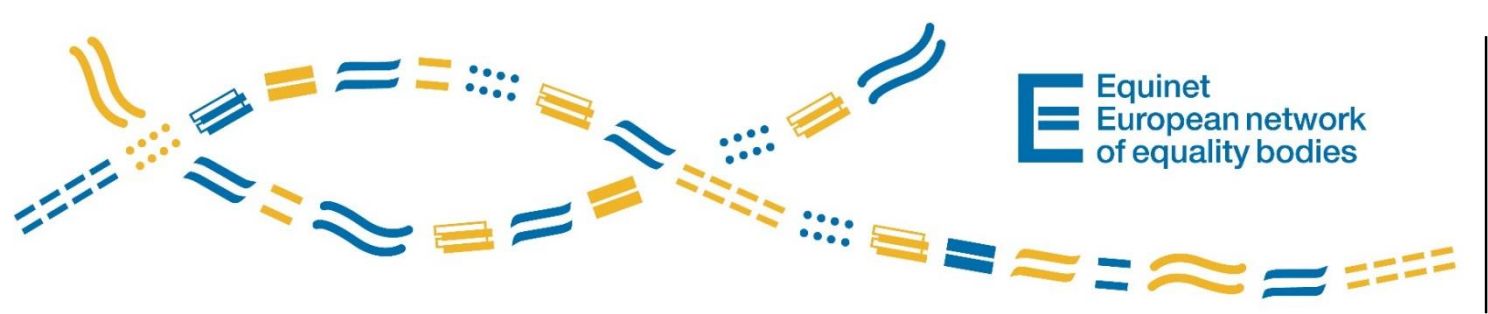




Equal Pay – Work of Equality Bodies (1)

- The importance of positive duties on employers:
 - Equal pay is one focus in the work of the *Equality Ombudsman* in Sweden in relation to the **active measures required by law** of employers and educational establishments.
 - **This work stands out for being based on a legal duty on employers and educational establishments to prevent discrimination.**
 - This is a duty to **discover, remedy and prevent** unfair gender differences.
 - It is supported and monitored by the *Equality Ombudsman*: gender gaps are surveyed, training is provided, and examples are offered on how organisations might pursue a more systematic approach.

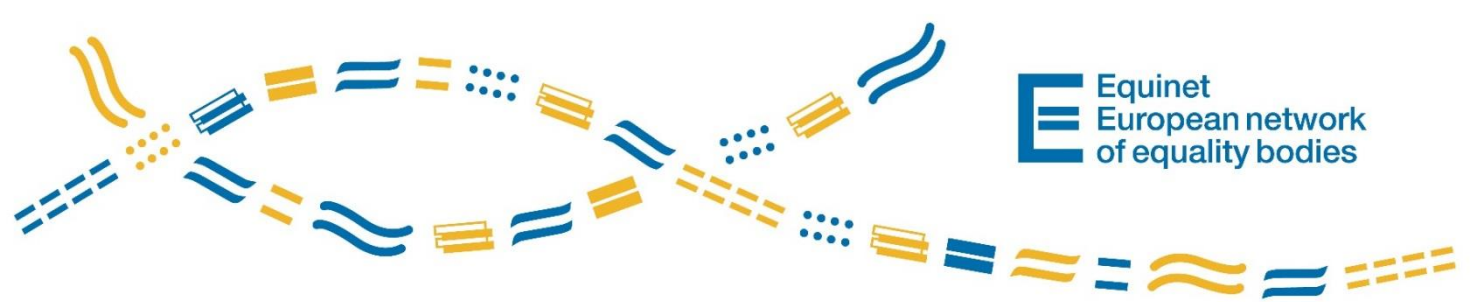




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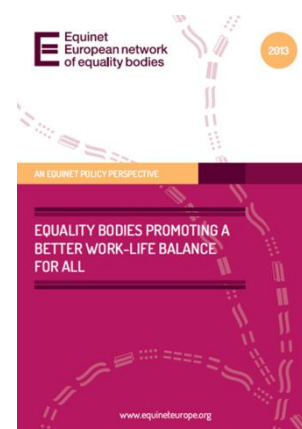
Equal Pay – Work of Equality Bodies (2)

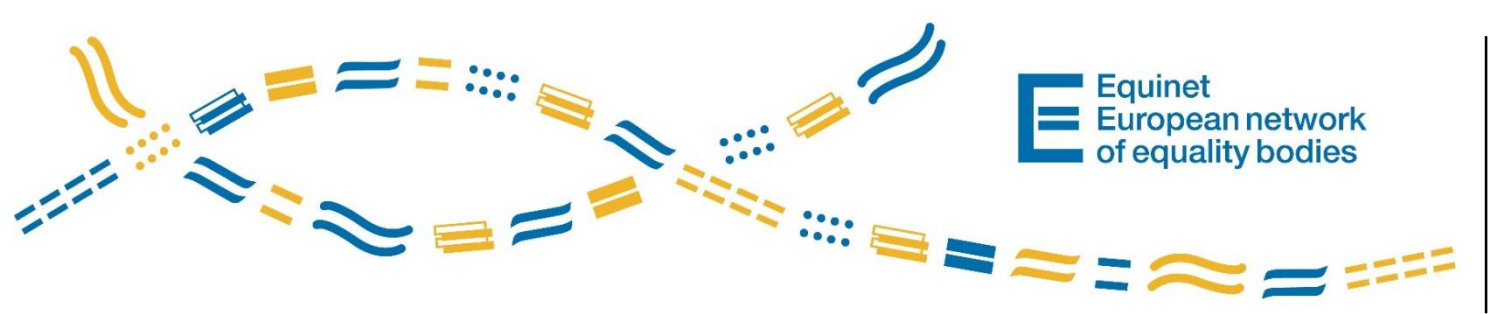
- The ***Federal Anti Discrimination Agency (FADA)*** in Germany encourages employers to use an expert evaluation programme for their pay system. This programme assists in identifying contributory factors to a pay gap in the organisation and the measures to counter this.
- The ***Ombud for Equal Treatment*** in Austria contributed to the adoption of legislation on transparency of pay whereby companies have to report internally within the company, on the average salaries of men and women in different positions and at different pay levels.
- The ***Defender of Rights*** in France has produced a guide on job evaluation with a focus on equality between women and men.
- The ***Netherlands Institute for Human Rights*** conducted an investigation into equal pay between men and women in general hospitals. The investigation revealed that the average salary of women in all of the investigated job categories was lower than that of men. Similar research is planned by the Institute in the insurance sector and in universities of applied sciences.



Work-Life Balance – Work of Equality Bodies (1)

- Work-life balance has also been a particular focus in this work of supporting employers
- The importance of positive duties on employers:
 - The Equality Ombudsman in Sweden monitors the prohibition of less favourable treatment in the Parental Leave Act. This can lead to a claim for damages. The supervision of the implementation by employers of required active measures also include measures to enable both women and men employees to combine employment and parenthood.

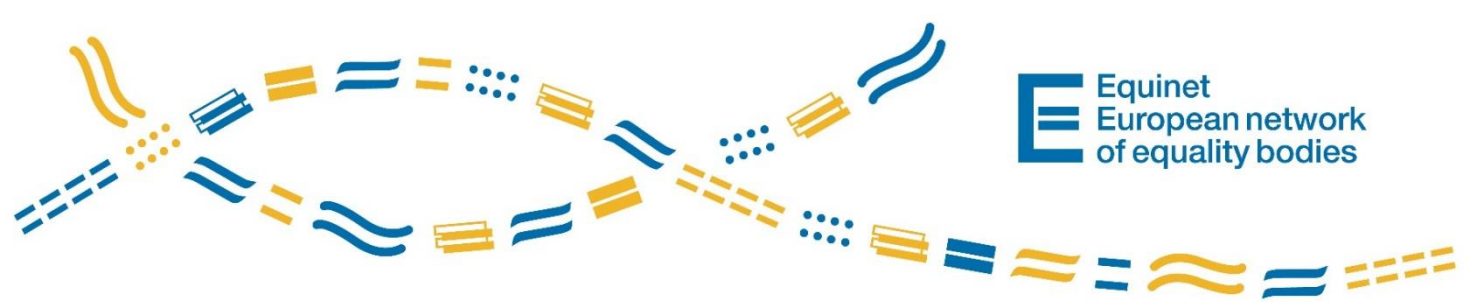




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Work-Life Balance – Work of Equality Bodies (2)

- The *Equality Commission for Northern Ireland* encourages employers to audit their policies and to develop equality action plans. It has developed a template policy for employers on flexible working and conducts training sessions on this for employers.
- The *Irish Human Rights and Equality Commission* has a programme of supports for businesses to mainstream practices that support work-life balance.
- The *National Equality Council* in Italy has an Observatory and Database on good practices with a particular focus on work-life balance.

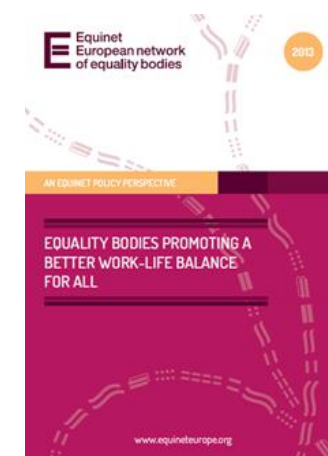


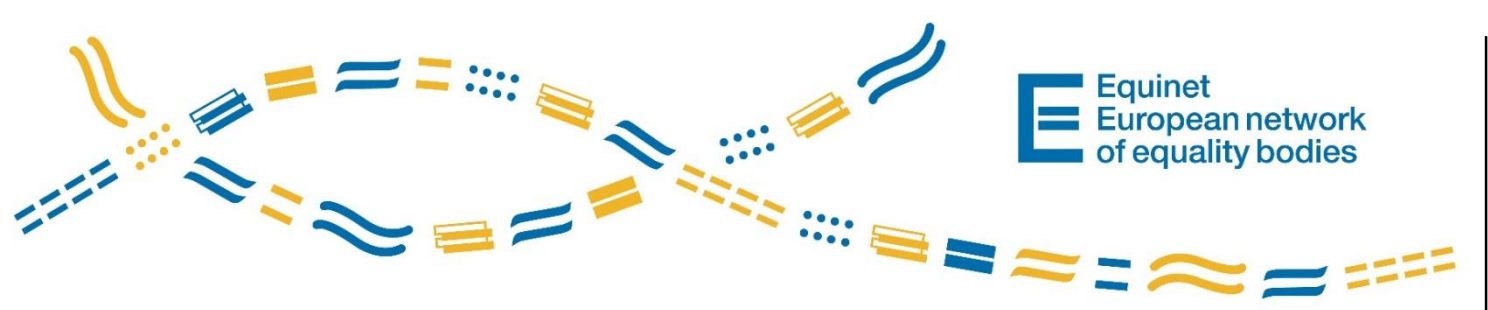
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Going Beyond

Different issues:

- Gender specific assignments of jobs. Target: public employment services.
- Health and safety at work
- Gender stereotypes in communications of public services. Targets: communicators in the public sector
- Gender-based violence. Target: police
- Sexual harassment. Target: police
- Recruitment. Targets: employers, trade unions, NGOs

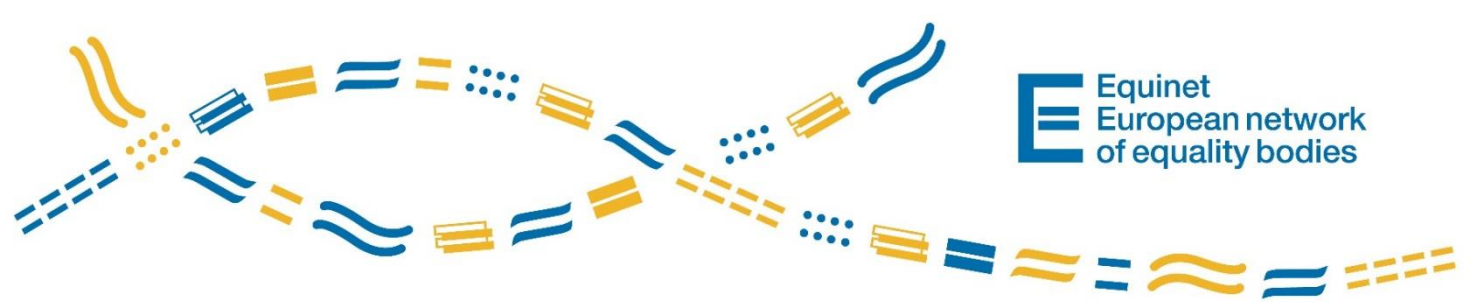




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Barriers

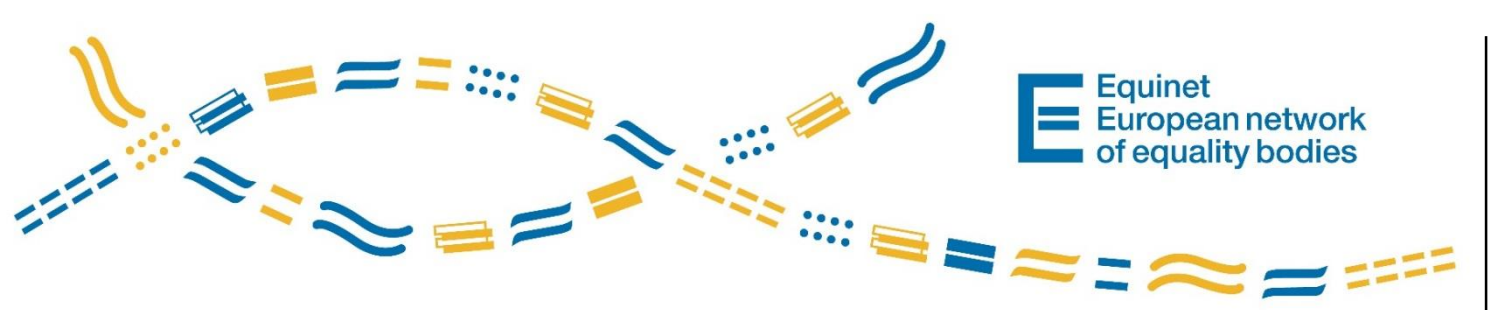
- Lack of employers' interest in absence of positive duties
- Resource intensive for equality bodies



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Gender Mainstreaming in Policy-Making: The Work of Equality Bodies in Presence of Positive Duties

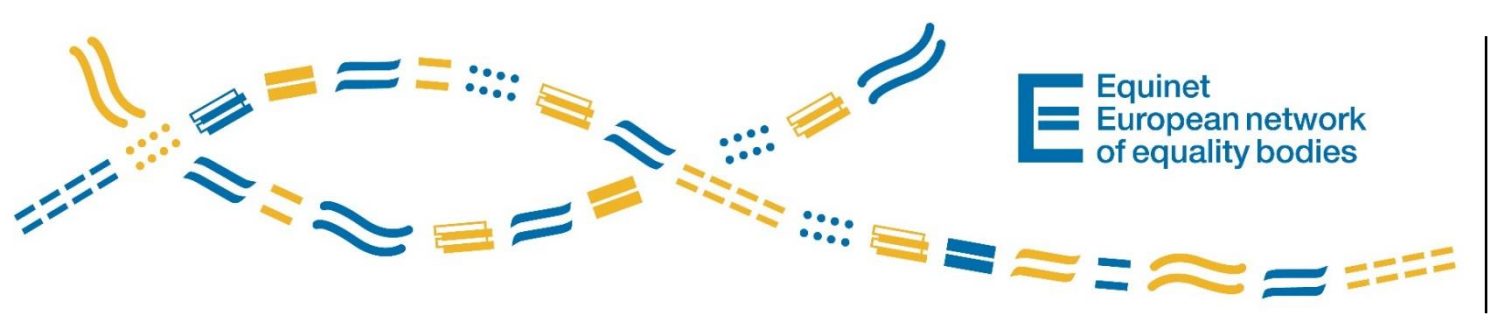
- Enabled by the inclusion in equal treatment legislation of positive duties on public bodies to have due regard to equality, including gender equality, in carrying out their functions
- The *Equality and Human Rights Commission* in Great Britain and the *Equality Commission for Northern Ireland* play a number of roles in supporting the implementation of this type of public sector duty, including:
 - Guidance on how to meet the requirements of the duty
 - Actions monitoring the implementation of the duty
 - Encouraging public authorities to make gender equality central to decision-making in public policies



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Gender Mainstreaming in Policy-Making: The Work of Equality Bodies

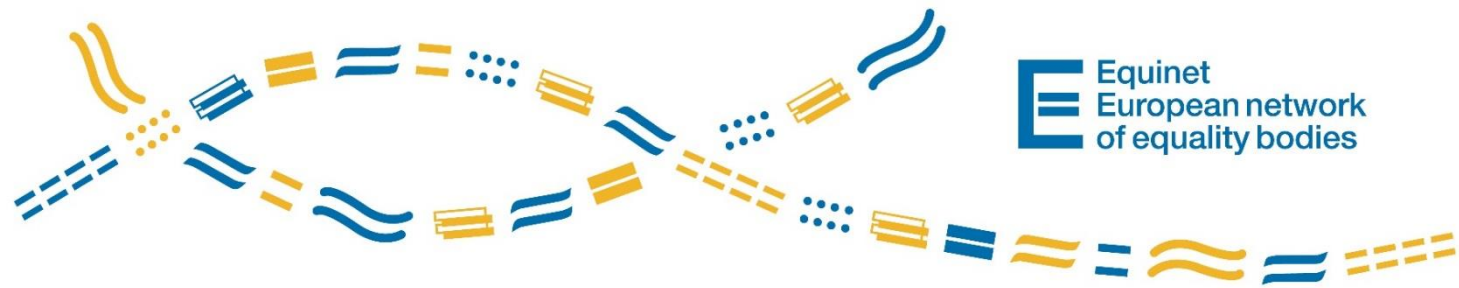
- The *National Commission for the Promotion of Equality* in Malta reports extensive work on gender mainstreaming. This includes training and giving feedback on national policies. It has increased commitment to gender mainstreaming.
- The *Danish Institute for Human Rights* has supported gender mainstreaming through monitoring Bills going through Parliament, conducting research on gender disaggregated statistics, and publishing an annual status report on key human rights issues including gender equality. It has run a conference on gender mainstreaming for municipalities.
- The *Commission for Citizenship and Gender Equality* in Portugal has supported gender mainstreaming at all levels of the public administration in particular through promoting the adoption of plans for gender equality in these organisations.
- The *Institute for Equality of Women and Men* in Belgium has conducted research to support gender mainstreaming.
- Approaches to policy-making that seek to be 'gender neutral' are noted as a barrier in this field. Gender neutral policy-making fails to take account of real differences in situations and experiences of women and men. It creates the conditions for institutional discrimination and a basis for indirect discrimination.



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Gender mainstreaming within equality bodies

- Three equality bodies with a multi-ground agenda also report gender mainstreaming within their own work:
 - *Danish Institute for Human Rights*
 - *Equality Ombudsman in Sweden*
 - *Netherlands Institute for Human Rights*

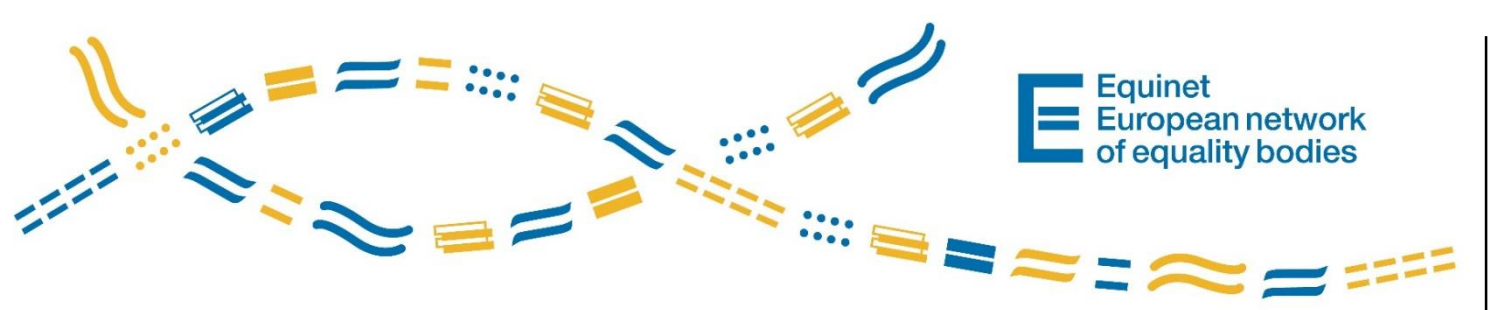


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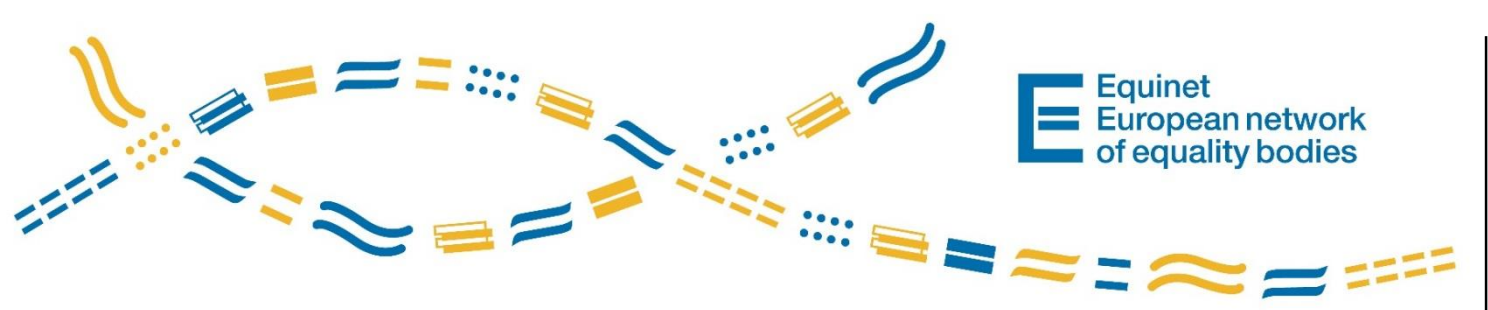
New priorities and areas
for further development:



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Consider Austerity and the Crisis

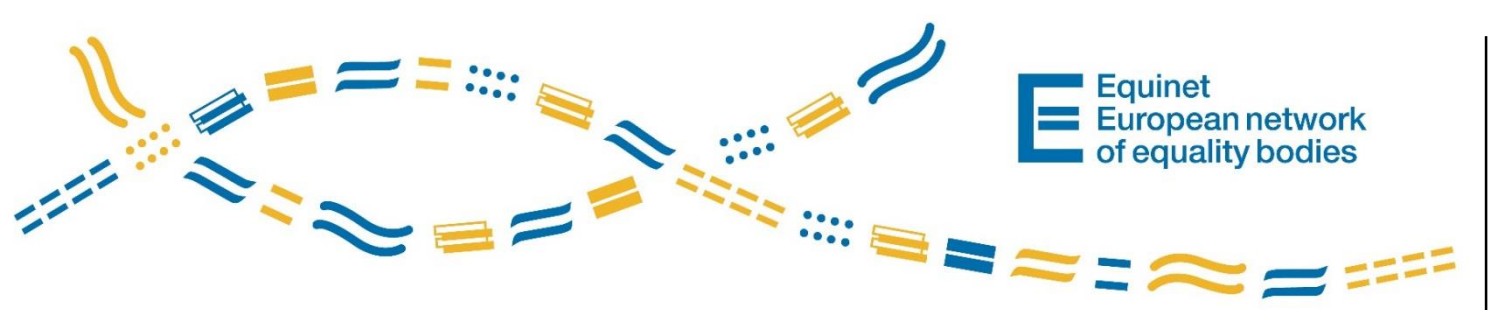
- Negative impact of the economic and financial crises and of austerity policies on the work of progressing gender equality are noted by most equality bodies.
- Today's challenges:
 - to stimulate a new priority for gender equality
 - to engage with the impact of austerity policies, reversing the increased caring responsibilities on women as a result of austerity policies
- Women living in poverty should be a particular focus given the impact of austerity on poverty and on women in particular.



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Equality mainstreaming gender equality policies to address the diversity of women

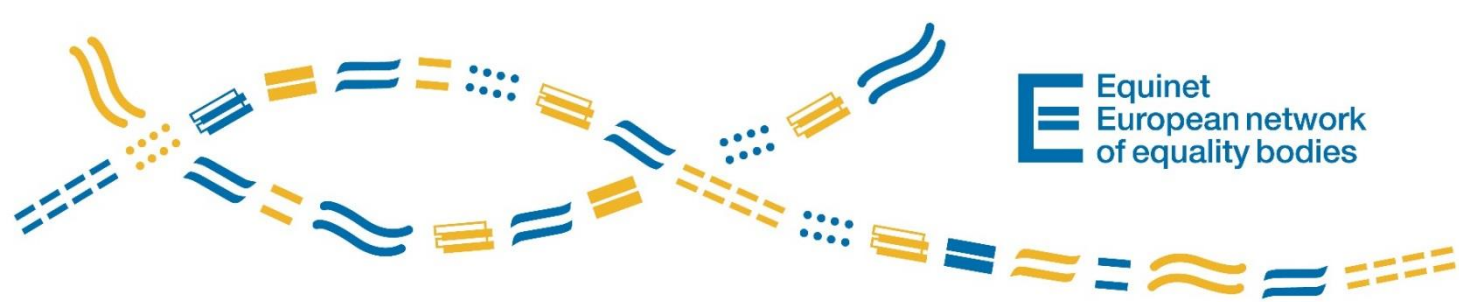
- Importance of intersectionality
- Network to address the different situations and experiences of different groups of women.



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Gender Mainstreaming as a Priority

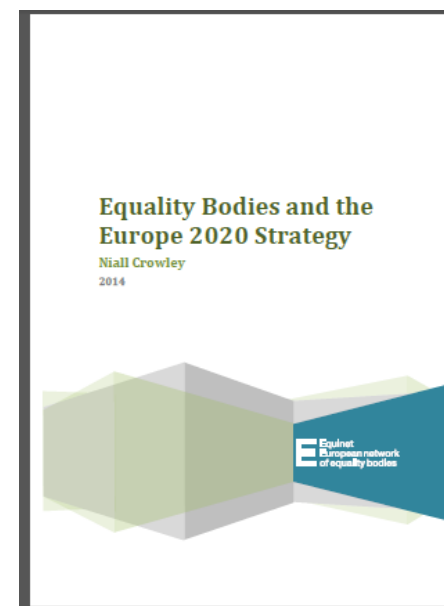
- Gender mainstreaming and gender budgeting in policy-making and in policy implementation.
- In the practices of organisations

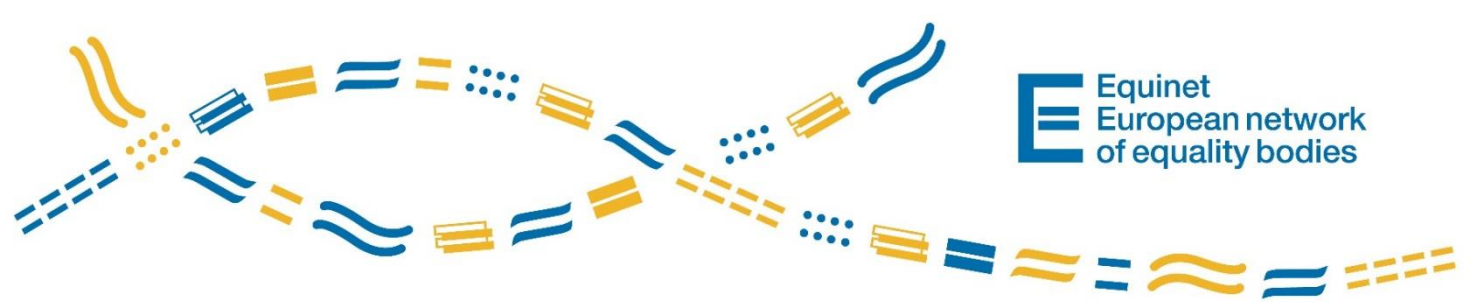


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Gender Mainstreaming in Europe2020

- Inclusive growth defined in terms that include the achievement of full equality in practice across discrimination grounds
- Dual strategy of mainstreaming and targeting groups experiencing inequality
- Achieving equality and eliminating discrimination horizontal goal

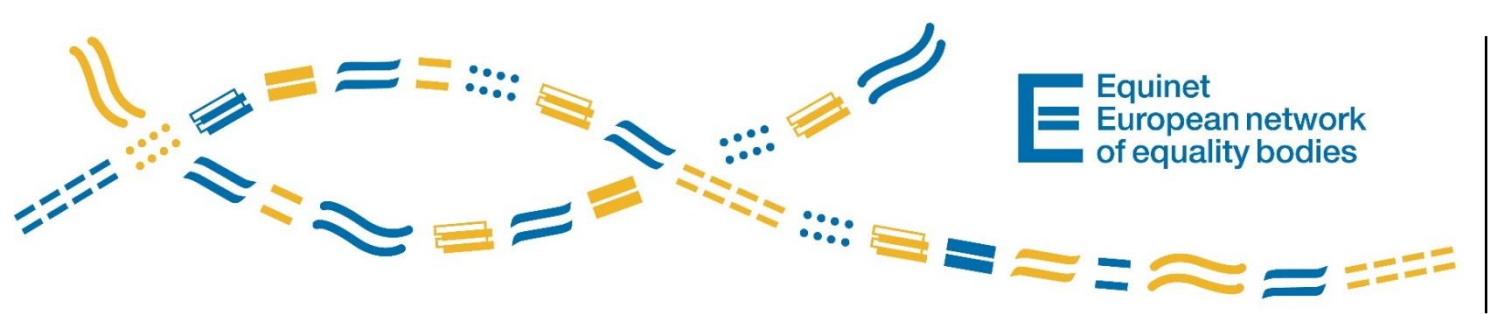




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Inequality in the Labour Market: Tackle the Structures

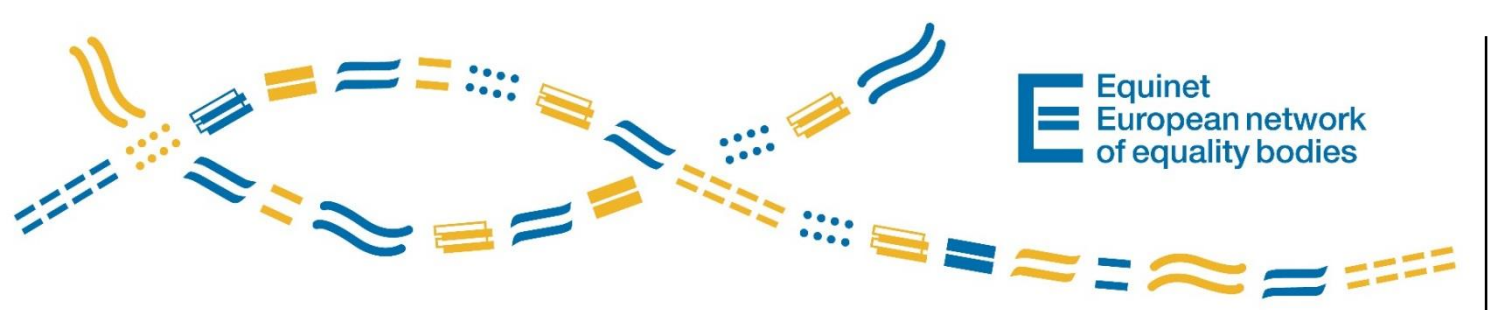
- Persistence of segregation and unequal pay, as well as resistance to change.
- Understand the underlying mechanisms at structural and institutional level
- Create consensus on priority of tackling these structures



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Infrastructure for Gender Equality

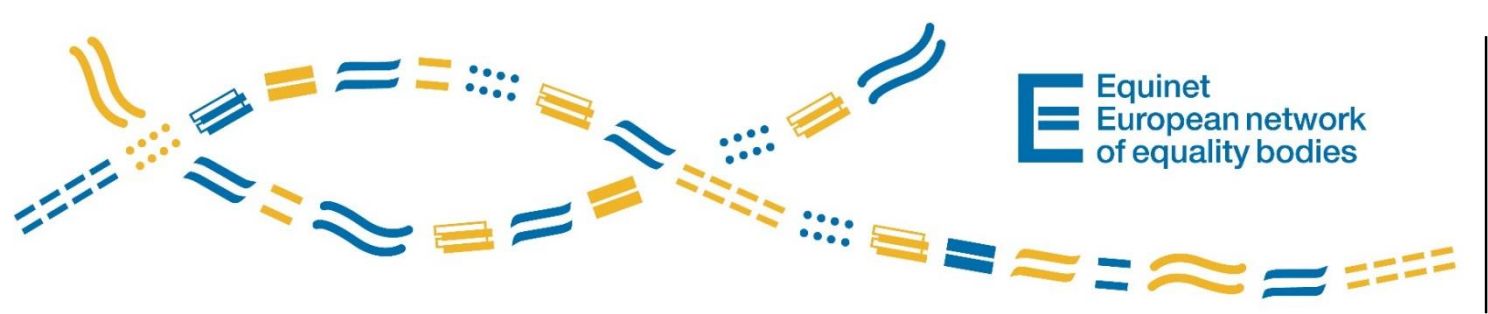
- Equality bodies as stakeholders: inclusion and ownership
- Standards for equality bodies
- Resources for gender equality work
- Positive duties to promote equality and combat discrimination
 - For duty bearers
 - Employers: including equality action plans
 - Providers of goods and services
 - Educational institutions
 - For policy-makers
- Positive actions



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Equality Bodies as Stakeholders

- Ownership and inclusion
- EU standards for equality bodies independence and effectiveness including resources and powers
- Support to equality bodies - information and funding



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Positive Duties on Policy-Makers and Private Institutions

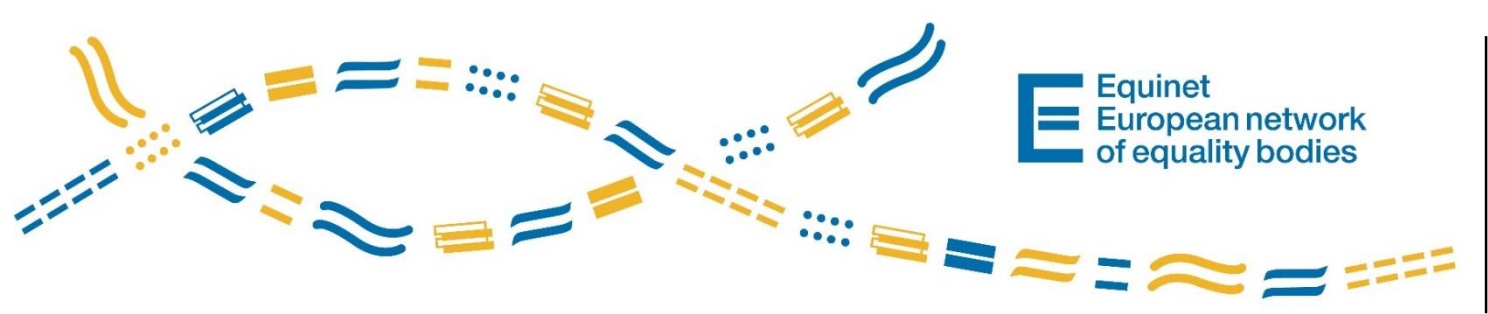
- **Equality statutory duties: positive duties on public bodies to promote equality**
- Measures in equal treatment legislation that require public bodies to have due regard to gender equality in carrying out their functions are a key stimulus to effective gender mainstreaming in policy-making, programme design, budgets and plans.

For example, the UK and Ireland - positive duties on public bodies to have due regard to equality, including gender equality, in carrying out their functions

- **Positive duties to promote equality and combat discrimination on employers, providers of goods and services and educational institutions**

For example, Swedish legal duty on employers and educational establishments to prevent discrimination: duty to discover, remedy and prevent unfair gender differences. It is supported and monitored by the equality body.

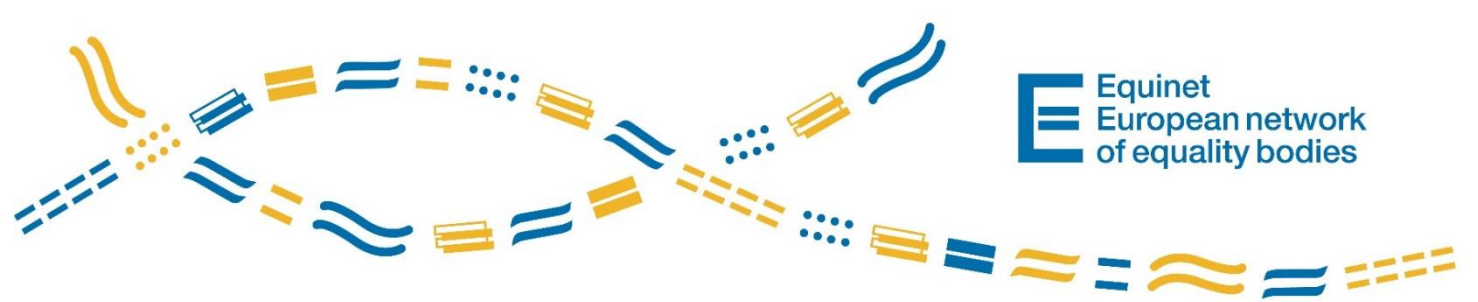
- It includes measures in equal treatment legislation that require equality action plans
- These measures need to be more broadly implemented across the EU and Member States and could be promoted and supported from the European level.



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Positive Actions:

- Positive action is crucial to prevent or compensate for disadvantages linked to the protected characteristic in order to achieve full equality in practice
- Further clarification and a broader interpretation is required as to when such measures can be used and to what extent in order to facilitate a greater take up of positive action measures



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Contact

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