



EQUINET SEMINAR

WORK-LIFE BALANCE AND PREGNANCY RELATED DISCRIMINATION

1-2 July 2015, Nordic Hotel Forum, Tallinn



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Equinet warmly thanks the chairs, speakers and participants for having contributed to the success of this event.

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EQUINET & SEMINAR

BACKGROUND

Equinet is the **European Network of Equality Bodies**, a membership organisation bringing together [42 equality bodies](#) from 32 European countries including all EU Members States.

Equality bodies are public organisations assisting victims of discrimination, monitoring and reporting on discrimination issues, and promoting equality. They are legally required to do so in relation to one, some or all the grounds of discrimination covered by European Union law – **gender, race and ethnicity, age, sexual orientation, religion or belief, and disability**.

Equinet promotes equality in Europe through supporting and enabling the work of national equality bodies. It supports equality bodies to be independent and effective as valuable catalysts for more equal societies.

Equinet's Seminar '**Work-Life Balance and Pregnancy Related Discrimination**' follows Equinet's Perspective 'Equality Bodies Promoting a Better Work-Life Balance For All' issued in 2013. The seminar drew its focus from the work of equality bodies and Equinet related to work-life balance and pregnancy/parenthood-related discrimination. Its objectives were:

- To **facilitate exchange of knowledge** and working experiences between equality bodies in relation to work-life balance and pregnancy/parenthood-related discrimination.
- To **share examples of good practices** and successful methods for addressing pregnancy related discrimination and absence of work-life balance measures, **but also of policy and legal challenges**.
- To **advance strategic thinking** among the representatives of national equality bodies on how to improve their work on the issue and how to collaborate with national stakeholders in order to achieve legal and policy developments.
- To **inform** participants about current changes in the legislative and policy frameworks dealing with pregnancy-related discrimination, gender discrimination in the workplace and work-life balance at European level

SEMINAR AGENDA

DAY 1 – WEDNESDAY, 1 JULY 2015

12.30 – **Registration and Welcome Lunch**
13.30

13.30 – **OPENING SESSION**
14.40

Opening Address

13.30 – **Evelyn Collins** – Chair of Equinet and Chief Executive of the Equality Commission for Northern Ireland
13.50

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

13.50 - **The work of Equality Bodies – findings from Equinet Perspective**
14.20 **Niall Crowley**, Equinet Board Advisor

14.20 – **Questions & Answers**
14.40

SESSION 1 – DISCRIMINATION

14.40 – **This session focuses on the existing EU legal framework and the work of equality bodies to combat discrimination on the basis of pregnancy and parenthood, and on promoting a legal framework supporting equality and work-life balance.**
16.30

Chair: Evelyn Collins – Chair of Equinet and Chief Executive of the Equality Commission for Northern Ireland

14.40 – **EU legislation and foreseeable changes** **Andreas Stein**, European Commission, Head of Unit, Equal Treatment Legislation, DG Justice
15.10

15.10 – **Pregnancy related discrimination – combining litigation with research and communication** **Quinn Roache**, Equality and Human Rights Commission, Great Britain
15.35

15.35- **Pregnancy related discrimination – combining litigation with awareness raising** **Liesbet Stevens**, Institute for Equality of Women and Men, Belgium
16.00

16.00 – 16.30	Questions & Answers – Discussion
16.30 – 16.50	Coffee break

16.50-18.30	SESSION 2 – WORKSHOPS: DISCRIMINATION
	This session aims at discussing equality bodies’ strategies to successfully implement and improve the existing legislation, including on leave arrangements, on pregnancy and parenthood related discrimination and on flexible working arrangements

No rotation is foreseen between groups, but you may change room during the workshop.

Hosts of the workshops:

- Combating pregnancy related discrimination in Norway – campaign and survey , **Cathrine Sørli** and **Knut Oftung**, *Equality and Anti-Discrimination Ombud, Norway*
- Pregnancy and Maternity discrimination - Challenges and Opportunities , **Quinn Roache**, *Equality and Human Rights Commission, Great Britain*

19.10-22.00	SOCIAL EVENT: BOAT TOUR & DINNER
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**DAY 2 – THURSDAY, 2 JULY
2015**

09.30-10.50	SESSION 3 – PROMOTING CHANGE
	This session looks at cultural change towards supporting work-life balance. <i>Chair: Anne Gaspard – Director of Equinet Secretariat</i>

09.30 – 09.50	Shaping public policy on childcare to promote work-life balance	Darren McKinstry , Equality Commission for Northern Ireland
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9.50 – 10.10	Communicating change	Ana Curado and Anita Sares , Commission for Equality in Labour and Employment – Portugal
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10.10 – 10.30	Women and men as equal partners and equal carers	Mary Collins , European Women’s Lobby
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10.30 – 10.50	Questions & Answers – Discussion	
10.50 – 11.10	Coffee break	
11.10 – 12.30	SESSION 4 – WORKSHOPS: PROMOTING CHANGE This session outlines equality bodies’ strategies to promote a cultural change towards supporting work-life balance.	
	<p><i>No rotation is foreseen between groups, but you may change room during the workshop.</i></p> <p>Hosts of the workshops:</p> <ul style="list-style-type: none"> • Promoting change in Estonia: from stable kindergarten place allocations to an increase in female bargaining power - Mr Karmo Kroos, Ms Kaire Pöder and Ms Triin Laur, <i>Tallinn University</i> • Work-life balance in Serbia – An urgent need for change - Kosana Beker, <i>Commission for Protection of Equality in Serbia</i>, • Zero working hours per week. Finnish experiences on tackling discrimination based on pregnancy and family leave - Päivi Ojanperä and Jussi Aaltonen, <i>Ombudsman for Equality between Women and Men, Finland</i> 	
12.30 – 13.30	Lunch Break	
13.30 – 14.50	SESSION 5 – WORKPLACE PRACTICE This session aims at discussing how the work of equality bodies can support workplace practices which enable work life balance <i>Chair: Theresa Hammer, Moderator of Equinet Gender Equality Working Group, Austrian Ombud for Equal Treatment</i>	
13.30 – 13.55	Providing equality marks and supporting teleworking	Renee Laiviera , National Commission for the Promotion of Equality, Malta
13.55 – 14.20	Discrimination: the hidden traps for working parents	Agnes Uhreczky , COFACE Confederation of Family Organisations in the EU
14.20 – 14.50	Questions & Answers – Discussion	
14.50 -15.10	Coffee break	

SESSION 6 – WORKSHOPS: WORKPLACE PRACTICE

15.10 –
16.30

This session aims to discuss equality bodies' strategies to successfully support workplace practices which enable work life balance

No rotation is foreseen between groups, but you may change room during the workshop.

Hosts of the workshops:

- Family Friendly Measures at the Workplace – Benefits and Challenges - **Renee Laiviera**, *National Commission for the Promotion of Equality, Malta*,
- **Agnes Uherezky**, *COFACE Confederation of Family Organisations in the EU*
- Equality Body's Social Research As a Part of the Work-Life Balance Support Strategy, **Paula Nowek**, *Human Rights Defender of Poland*

16.30 –
17.00

CLOSING SESSION

Anne Gaspard – Executive Director, Equinet Secretariat

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

SEMINAR SUMMARY



OPENING ADDRESS



Evelyn Collins, Chair of Equinet and Chief Executive of the Equality Commission



for Northern Ireland, opened the Seminar by introducing the previous work of Equinet and of equality bodies on work-life balance and pregnancy related discrimination. She stressed the important development of Equinet's working group on gender equality that produced the perspective [Equality Bodies Promoting a Better Work-Life Balance for All](#), which serves as a basis for the programme of the

Seminar. On this note she also highlighted the broader framework of work on gender equality, in particular Equinet's Perspective [The Persistence of Discrimination, Harassment and Inequality for Women](#), prepared to inform the development of the new [European Commission's Strategy for Equality between Men and Women](#). She concluded

by pointing to the role of equality bodies in supporting work-life balance and eliminating pregnancy related discrimination.

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

addressed the participants of the Seminar giving an introduction to the topic of work-life balance and pregnancy related discrimination from the perspective of her professional involvement in the topic and by outlining the developments related to the topic in the Estonian and European context. She stressed that the legal and



policy developments concerning reconciliation of work and family life and prevention of discrimination based on grounds of pregnancy and/or parenthood are central to the work on gender equality on the national and European level. She gave reasons for the relevance and importance of the Seminar's topic by pointing to the disadvantaged position of women that continues to prevail in contemporary Estonia and Europe. Although she has witnessed important developments in the last ten years since the adoption of new legislation in Estonia, especially in relation to the increase in addressing the issue of pregnancy related discrimination in court rulings, she pointed to the need for substantial work that still needs to be done by equality bodies in tackling gender and parenthood based discrimination in employment. She concluded that the variety of the Seminar's programme can represent an important source of knowledge to the equality bodies on how to bring cultural change in relation to work-life balance and pregnancy related discrimination and therefore in relation to gender equality in general.

SETTING THE SCENCE – The work of equality bodies. Findings from the Equinet Perspective



Niall Crowley, Equinet Board Advisor, presented the findings of [Equinet's Perspective Equality Bodies Promoting a Better Work-Life Balance for All](#). He stressed that in light of the findings of Equinet's Perspective and other research work, including the most recent Gender Equality Index by the European Institute for Gender Equality, 'caring' equality and the unequal division of care responsibilities remain important issues that develop slowly. He presented the work done by equality bodies in bringing individual, institutional and social change in the field of work-life balance and pregnancy/parenthood related discrimination. Drawing from Equinet's research, he listed the most represented actions being used by equality bodies in addressing the issues of work-life balance and pregnancy related discrimination: litigation, supporting good practices and promoting role-model employers, facilitating the cooperation between different actors, research work, communication work and policy work. He also touched upon the barriers that are preventing equality bodies from fully achieving the realisation of goals in terms of better work-life balance and prevention of pregnancy/parenthood related discrimination. These include the underreporting of cases of discrimination, the limited resources given to equality bodies, and the difficulty of getting the attention of employers and other social partners. Following the presentation, questions were raised on what actions could bring positive change in the field of work-life balance and pregnancy related discrimination. Niall Crowley identified stronger policy focus on the topic, bigger critical mass of cases and a values-based approach in relation to tackling gender stereotypes as one of important levers of change. ([See presentation here](#)).

SESSION 1 – Discrimination



Session 1 gathered speakers who gave an overview of the existing EU legal framework and the work of equality bodies to implement it. They presented the work of equality bodies through examples of strategies that combine litigation with research and communication. The session was chaired by Evelyn Collins, Chair of Equinet and Chief Executive of the Equality Commission for Northern Ireland.



by structural obstacles in Member States. In this aspect, the work of equality bodies can

Andreas Stein, Head of the Unit on Equal Treatment Legislation of the European Commission, presented EU legislation related to work-life balance and pregnancy related discrimination. In relation to pregnancy related discrimination, Andreas Stein stated that from the EU legal perspective, a comprehensive legal framework is already in place. EU Equal Treatment Legislation provides for a good level of protection, but its implementation is challenged

come into play with important work including awareness-raising and litigation. He informed the audience on recent developments, namely the withdrawal of the pending proposal for a new Maternity Leave Directive. After giving an overview of developments related to the proposal since 2008, he stressed the importance of equality bodies' contribution to informing the new proposals that the European Commission will present, following broad consultations, on work-life balance, that may also include paternity leave, carers leave, childcare services or flexible working arrangements. Furthermore, he ensured that the European Commission's commitment to ensure work-life balance and protection for pregnant workers remains intact. He underlined that broad consultations will take place and that it is not to be excluded that social partners might be asked to help develop new legislation, as in the case of parental leave.

Quinn Roache from the Equality and Human Rights Commission in Great Britain [presented their research on pregnancy and maternity discrimination in the workplace.](#)

He highlighted the fact that, although Great Britain has a comprehensive legislative framework in place when it comes to prevention of maternity and pregnancy related discrimination, high levels of discrimination are still present in the social reality, which



constituted the need for the survey. The survey was conducted among 3.500 women and 3.000 employers with the aim to make comparisons between the experiences/perceptions of women and experiences/perceptions of employers. He concluded by listing the follow-up to the survey that will be used as tools for achieving positive change: on-line advice guidance, toolkit for employers, on-line training sources, taskforces, recommendation report and social media campaign. ([See presentation here](#)).



Liesbet Stevens from the Belgian Institute for Equality of Women and Men

presented how the litigation work of the Belgian Institute for Equality of Women and Men is being used to raise awareness about the issues of work-life balance and pregnancy related discrimination. Drawing from the cases of complaints addressed to her Institute, she first outlined a description of situations in which pregnancy discrimination occurs.

She continued by highlighting the findings from the survey that was carried out by the Belgium Institute for Equality of Women and Men in 2010, in which 75% of women respondents reported at least one form of negative experience at the workplace in relation to their pregnancy. She also stressed the fact that between 30% and 50% of discrimination cases in the field of employment that are being examined by the Institute fall within the scope of pregnancy discrimination and that in this year, the Institute received 42 complaints connected to the pregnancy discrimination. When touching upon the obstacles that the Institute is facing when conducting its work on pregnancy discrimination litigation and awareness-raising, she highlighted the problem of underreporting, the lack of information about possible sanctions and amounts of compensation available to clients that result in unwillingness to file a complaint, and a short time period (1 year) given to file a complaint in Belgium. She concluded by giving concrete examples from her litigation work.

The questions that were addressed to the presenters from the audience touched upon the discrimination of fathers and the Parental Leave Directive, the Working Time Directive, and the level of pay of statutory leaves.

SESSION 2 – Workshops: Discrimination



Session 2 was comprised of two workshops that were hosted by Equinet Members. In the workshops, participants discussed examples of strategies carried out by equality bodies with the aim to implement and improve the existing legislation related to pregnancy and parenthood related discrimination. The aim of the workshops was to encourage participants to exchange ideas and knowledge that could be implemented in their countries by their equality bodies in order to achieve better work-life balance and protection against pregnancy and parenthood related discrimination. One workshop was hosted by **Cathrine Sørli** and **Knut Oftung** from the **Equality and Anti-Discrimination Ombud in Norway** and looked at a campaign and survey strategies for combating pregnancy related discrimination in Norway ([See presentation here](#)). The other workshop drew from the research work of the **Equality and Human Rights Commission in Great Britain** on Pregnancy and Maternity discrimination and it was hosted by **Quinn Roache** and **Rosie Wallbank**. ([See presentation here](#)).

SESSION 3 – Promoting Change



Session 3 gathered speakers who presented the communication work that contributes to raising awareness and promoting cultural change on national and European levels. The Session was chaired by **Anne Gaspard**, Executive Director of Equinet’s Secretariat.

Darren McKinstry from the **Equality Commission for Northern Ireland** presented the public policy context related to childcare in Northern Ireland and the Commission’s work to strengthen childcare policies. Darren McKinstry first pointed to the limitations of policies regulating childcare in Northern Ireland, where availability of public childcare services is limited and working families often rely on childcare provided by the private sector with substantially high costs. He further explained that although EU policies, such as the Europe 2020 Strategy and Gender



Equality Strategy 2010 – 2015, indicate that the field of childcare needs to be accessible on a full-time basis and that equal participation of women and men in the labour market needs to be ensured, Northern Ireland doesn't have a policy strategy that would fully cover childcare services. Furthermore, references to childcare in the 'Programme for Government' for the period 2012 – 2015, and the policy document from 2012 called 'Towards a Childcare Strategy' do not substantively focus on configuring childcare to also facilitate the economic participation of parents. Therefore the existing policy framework related to childcare in Northern Ireland only focuses on the child but not on care or the economic participation of parents. Based on the findings of the research 'Maximising Economic Participation' from the Employment Research Institute, he highlighted the fact that better work-life balance can only be achieved if in addition to accessible childcare services, there is also a good system of maternity and paternity leaves and stronger norms for encouraging economic participation of mothers. He concluded by giving recommendations on which childcare-related policies could bring positive cultural change in the field of work-life balance: wider supply of childcare services, equality of access to childcare, focus on employability of parents as well as on childcare, challenging gender stereotyping in parenting, and developing national childcare strategies. ([See presentation here](#)).



Ana Curado and Anita Sares from the Portuguese Commission for Equality in Labour and Employment presented public campaigns that were used as tool to communicate change in the field of work-life balance and pregnancy related discrimination in Portugal. They first outlined the legal context related to work-life balance in Portugal, highlighting the latest Parental Leave Reform that introduced shared parental leave, part-time

work entitlement and flexible working arrangements. The effect of positive measures introduced by the new legislation was that pre-school childcare enrolment in Portugal raised to 65% in the last years and that more fathers have started to take parental leave. Ana Curado and Anita Sares continued with the presentation of the public campaigns produced by the Portuguese Commission for Equality in Labour and Employment: a national campaign for the promotion of shared parental leave, a video campaign promoting the use of parental leave among fathers, and a campaign to promote better work-life balance called 'Time to have time'. ([See presentation here](#)).

Mary Collins from the European Women's Lobby

intervened on the current socio-political situation for work-life balance and pregnancy related discrimination in Europe. She outlined recommendations needed for solving issues in this field. She raised her concern that today we are facing stagnation in advancing gender equality as can be seen in the recent



[Gender Equality Index](#) produced by the European Institute for Gender Equality. In her opinion, we are also facing the paradox of a growth-driven paradigm where there is an increase in the number of women workers on the one hand, but on the other hand we are lacking legal and policy measures that regulate this field. She also stressed that on the socio-political level, we are faced with anti-feminist backlash and conservative discourses challenging equality. In the context of policy developments, she expressed disappointment on the European Commission's decision to withdraw the proposal for the new Maternity Leave Directive as it included the complete horizontal approach to the issue of care. On that note she presented the public campaign of European Women's Lobby 'Deliver Now' that called for the adoption of the new Maternity Leave Directive.

She concluded by presenting principles that should guide future developments in the field of work-life balance and she gave recommendations to equality bodies on how to better tackle issues related to work-life balance and pregnancy related discrimination. ([See presentation here](#)). Under policy guidelines she listed:

- equal pay for caring men and women,
- to increase men's participation in care,
- to take into account different forms of families and different forms of discrimination,
- to introduce different forms of statutory leave,
- and accessibility of care services.

Under recommendations to the work of equality bodies she listed:

- monitoring of legislation,
- work on awareness-raising,
- supporting women who wish to bring their discrimination cases to court,
- keeping gender equality in a central focus of their work,
- collaboration with EIGE in developing their gender equality index in the area of intersecting inequalities,
- and to collaborate with European Semester Member State's Officer in order to better ensure equality mainstreaming in EU policies related to work-life balance.

SESSION 4 – Workshops: Promoting Change



Session 4 was comprised of three workshops hosted by Equinet Members and partners. The aim of the workshops was to exchange knowledge and good practices among the equality bodies in order to encourage developments in the work of equality bodies and potentially to achieve positive changes in their countries. The Session was comprised of the following workshops:

- Promoting change in Estonia: from stable kindergarten place allocations to an increase in female bargaining power - **Mr Karmo Kroos, Ms Kaire Põder and Ms Triin Laur, Tallinn University** ([See presentation here](#)).
- Work-life balance in Serbia – An urgent need for change - **Kosana Beker, Commission for Protection of Equality in Serbia,**
- Zero working hours per week. Finnish experiences on tackling discrimination based on pregnancy and family leave - **Päivi Ojanperä and Jussi Aaltonen, Ombudsman for Equality between Women and Men, Finland**

SESSION 5 – Workplace Practice



Session 5 gathered speakers who discussed the workplace practices which enable work-life balance and about the role of equality bodies and civil society organisations in promoting better work-life practices among employers. The Session was chaired by **Theresa Hammer, Moderator of Equinet Gender Equality Working Group, Austrian Ombud for Equal Treatment.**



Renee Laiviera from the National Commission for the Promotion of Equality in Malta presented the work of the Maltese equality body in promoting work-life balance practices among employers in Malta, where there is still a low participation of women in the labour market, although there is a highly accessible childcare system in place. She then gave an overview of the initiative called the 'Equality Mark' that was put forward by the of Equality and that represents a

Maltese National Commission for the Promotion

certification given to employers who set measures for ensuring better work-life balance for their employees. She explained the necessary requirements employers need to achieve in order to attain the certification:

- the measures in place need to go beyond requirements that are mandatory by the law,
- measures need to include clear policies against discrimination based on any kind of personal ground and against sexual harassment,
- protection of equality in recruitment procedures needs to be ensured, equal pay for equal value needs to be given to all employees,
- there must be an Equality Representative or Equality Committee established,
- equality in providing services needs to be ensured.

She continued by giving a description of the assessment process for the Equality Mark carried out by the Maltese equality body. She concluded with a presentation of the National Commission for the Promotion of Equality's work in supporting teleworking, in the context of which they published a research study (2006) gathering experiences with teleworking from employers and employees. ([See presentation here](#)).

Agnes Uhreczky from Confederation of Family Organisations in the EU (COFACE) presented COFACE's work on promoting better work-life balance, in particular their initiative '2014 – A Year of Reconciling Work and Family Life in Europe'. During the year, they produced the publication [European Reconciliation Package](#) that gives an overview of work-life balance issues in Europe and offers recommendations on how to tackle them. She highlighted some key challenges that are part of broader socio-political context in connection to work-life balance:



that are part of broader socio-political context in connection to work-life balance:

- prejudices in understanding work-life balance as exclusively 'women issue',
- narrow professional norms,
- 'hyper-parenting',
- the myth of high costs for work-life balance measures,
- developing of policies that should take into account individual needs of every employer.

When addressing the question about what is the role of national equality bodies in advancing change connected to work-life balance she suggested that equality bodies could serve as a link between national authorities and employers. ([See presentation here](#)).

SESSION 6 – Workshops: Workplace Practice



Session 6 was comprised of three workshops hosted by Equinet Members and partners. The workshops aimed at exchange of knowledge and expertise among equality bodies on the topic of strategies that could be carried out by the equality bodies in order to ensure good workplace practices. The Session was comprised of the following workshops:

- Family Friendly Measures at the Workplace – Benefits and Challenges - **Renee Laiviera, National Commission for the Promotion of Equality, Malta,**
- Discrimination: the hidden traps for working parents - **Agnis Uhreczky, COFACE Confederation of Family Organisations in the EU**
- Equality Body's Social Research As a Part of the Work-Life Balance Support Strategy - **Paula Nowek, Human Rights Defender of Poland** ([See presentation here](#)).

CLOSING SESSION



Anne Gaspard, Executive Director of Equinet Secretariat, started the closing of the Seminar by giving some final remarks summarizing the issues raised during the presentations and workshops. She touched upon the fact of gender inequality that still exists in Europe today and stressed the need to strengthen the future

work of equality bodies across EU on the issues of work-life balance and pregnancy related discrimination. She continued by highlighting the future work of Equinet and Equinet's Members on the topic of work-life balance and pregnancy related discrimination:

- Dissemination of Equinet's Perspective on work-life balance to inform the future work of the European Commission,
- Publish a Handbook on 'How to build a case on equal pay for equal work and work of equal value' that will be produced by Equinet's working group on gender equality.

She concluded by giving acknowledgments to the Seminar's host, Equinet's Estonian Member, the Gender Equality and Equal Treatment Commissioner, and to the Seminar's speakers, participants, and members of Equinet's Board and Secretariat.





Mari-Liis Sepper, Gender Equality and equal Treatment Commissioner in Estonia and Equinet's Board Member, closed the Seminar by sharing her final thoughts on the discussions raised during the presentations and workshops. She pointed out to the challenging political and economic context in Europe, which demands that equality bodies rethink their previous and future work on work-life

balance, pregnancy related discrimination and gender equality in general with the aim to achieve cultural change.

Speakers' presentations are available by clicking on [this link](#).

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Equinet is an international non-profit organisation (AISBL)