

Equal opportunity for working women

European File

Four women out of every ten in the European Community between the ages of 14 and 59 have a job or are actively in search of one. Given the pressure of the economic crisis and women's desire for independence, this proportion is continually on the increase.

Out of a total working population estimated today at 100 million, women account for 38 million. For the Community as a whole 65% of the female working population is to be found, on average, in the service sector, 28% in industry and 7% in agriculture.

As well as in offices and factories, women can be found in the dole queues more often than men, given their relative strength in the work force: 43% of jobless Europeans are women, often victims of the fact that their vocational training is not suited to the needs of the economic system.

Amongst women in paid employment, only one in four has been able to find part-time work to help strike a balance between family life and a career. But part-time work rarely helps obtain promotion or increased responsibility within a company.

Female labour also poses other problems which are difficult to represent in a few simple figures. Equality in education and vocational training, equal pay, equal treatment over social security: there are many goals to be achieved which is a polite way of saying that there is still a large gap in these areas between principles and reality.

A Community problem

How could the European Community not be concerned with the position of women at work whilst its ambition is constantly to improve the living and working conditions of both its male and female citizens?

- Article 119 of the Treaty of Rome which founded the European Economic Community stipulated in 1957 that 'Each Member State... maintain the application of the principle that men and women should receive equal pay for equal work'.
- As a result of the October 1972 Paris Summit of the Community's Heads of State and Government, the European Commission proposed to the Council of Ministers a Social Action Programme aiming to 'bring about a situation in which equality between men and women obtains in the labour market throughout the Community, through the improvement of economic and psychological conditions, and of the social and educational infrastructure'.
- In January 1974, the Ministers of the Nine expressed their political will to adopt the necessary measures and, in particular, 'to undertake actions for the purpose of achieving equality between men and women as regards access to employment and vocational training and advancement and as regards working conditions including pay'.
- In February 1975, to stimulate the implementation of these objectives, the European Commission sent the Nine a memorandum, after wide consultation, concerning equal treatment between men and women workers in the areas which have been mentioned above. It amounted to a Community 'programme' to benefit women workers.

Equal pay

Devoted to equal pay for men and women, Article 119 of the Treaty of Rome is precise: '... 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:

- that pay for the same job at piece rates shall be calculated on the basis of the same unit of measurement;
- that pay for work at time rates shall be the same rate for the same job.'

In reality, the egalitarian desires of the authors of the Treaty of Rome had economic origins: it was to ensure that free competition between Community countries would not be distorted by the employment of women at lower rates than men for the same job...

Over the years, however, social needs have taken the initiative from economic considerations. In February 1975, the Nine adopted a directive which ensures the concrete implementation of the principle of equal pay. This directive requires States to amend their laws so that:

- all discrimination based on sex be excluded, particularly in the job classification system;
- any worker who considers himself or herself a victim of discrimination has the right and the possibility of redress through judicial process;
- any worker who engages in such a procedure should be protected from dismissal as a reaction to his or her complaint.

The 'right of recourse to judicial process' is important. The female worker who feels she has a grievance can make a complaint to the courts or other competent national organizations. She can even turn to the European Court of Justice. This latter added support in giving its judgment in the case of a Belgian air hostess who believed she was being discriminated against in relation to her male colleagues. On this occasion, the Court decided that Article 119 was binding and that the prohibition of discrimination covers all such discrimination, whether direct or indirect. Discrimination must be eliminated not only in action by public authorities but also in all collective agreements as well as individual contracts. In addition, court cases won by women workers in the future could give rise to compensation, backdated to the date of the decision of the European Court of Justice (April 1976!).

Today there is still a lot of work to be done. The European Commission stated in January 1979 that 'the principle of equal pay has not been completely realized in any Community country'. For example, in all manufacturing industries the gap between the pay of male and female workers is one quarter of the gross average earnings; the Commission has announced its intention to bring those States not in conformity before the European Court of Justice.

Equality over work

Of course the work situation for women varies from one country to another. In varying degrees, however, the same main characteristics are found everywhere:

- vocational training and guidance for girls and women has some serious deficiencies: limited choice, preference for shorter courses offering lower qualifications and fewer opportunities, little use of the possibilities for subsequent education;
- family responsibilities (marriage, motherhood) influence a woman's career development whether an employer's fear of the possibility of a woman leaving her job is justified or not;
- female labour is concentrated most often in a limited number of sectors and professional categories — generally the least qualified, worst paid and with limited

promotion prospects. Typical examples are textiles, certain process industries and the service sector, particularly distribution.

To change this situation and create greater opportunities, we must develop policies which influence not only organizational structures but also the men and women in general and employers and women workers in particular.

In its memorandum on equal treatment for male and female workers, the European Commission proposes the following objectives:

- eliminate discrimination in the law;
- encourage all action which will put an end to the all too frequent disequilibrium in employment, promotion opportunities and working conditions;
- upgrading jobs in the sectors staffed mainly by women, for example by changing job classifications and expanding career prospects;
- re-examining recruitment conditions and in particular upper age limitations for access to certain posts.

Concerning working conditions, the Commission's memorandum recommends:

- careful attention to safety measures, in particular for pregnant women;
- a ban on dismissal on grounds of pregnancy and generalization of legally approved maternity leave combined with compensation for 100% of the effective earned income;
- the introduction of more flexible working hours to allow for female workers' family responsibilities;
- for part-time male and female workers, the guarantee of earnings and social advantages proportional to their working time as well as possibilities for promotion in accordance with their experience and qualifications.

Marking their willingness for action in this field, the Nine adopted a directive in 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'. The sense of 'equal treatment' in the directive is very broad and covers 'the absence of all discrimination on grounds of sex, marital status, family status'. Governments have been invited to weed out any discriminatory measures contained in their laws and regulations. As in the case of equal pay, workers have the right to turn to the courts without risk of losing their jobs.

Equality at school

Whether women work in factories, offices or in the home, their lot is often determined by education, vocational training and guidance. But even today girls suffer

prejudice and discrimination of all kinds in these sectors which induce misconceptions about the real job opportunities open to them and the ways of making use of those possibilities.

In its memorandum on equal treatment for male and female workers the European Commission has proposed that the Nine undertake certain measures affecting different stages of life:

- at school age: first of all, by improving equality of opportunity for boys and girls in general education, by extending co-education, by assuring non-discriminatory educational guidance, by making teachers themselves more sensitive to these issues;
- the entry into the world of work: by ensuring unrestricted information and guidance, to provide girls with details on a large range of careers and put them on their guard against jobs with no future;
- when returning to work after a break: by encouraging the vocational guidance and training services to consider individual interests and capacity without distinction on grounds of sex or marital status; by making training courses and apprenticeships easily accessible for both men and women and at all levels of further education and higher education; by creating special opportunities for re-training and refresher courses for women who have stopped work for an extended period of time.

Composed of representatives from the Nine and from the European Commission and required to coordinate and implement Community education policy, the Education Committee has undertaken a revealing study on the barriers still hindering equal opportunity in secondary education. Ministers are quite aware of this and have called for special action to 'ensure equal educational opportunities for girls'. Concerning the delicate transition from school to working life, a pilot project undertaken in Denmark is specially designed for young girls.

Equal treatment in social security

Numerous differences exist between men and women in the field of social security, both in the public statutory systems and in private schemes or resulting from employment agreements. The principle distinction is to be found in the traditional idea of the family, in which the father is regarded as the family breadwinner and the mother as the keeper of the home. From this results discrimination against women and in particular those who have dependents.

Following a proposal from the European Commission, the Nine adopted in December 1978 a directive on the 'gradual implementation of the principle of equal treatment for men and women as regards social security'. Within a period of six years, the Nine should eliminate all discrimination existing in the statutory social security systems that cover risks of sickness, invalidity, old age, accidents at work, occupational illnesses and unemployment. The directive applies to the working

population including self-employed workers and those whose work has been interrupted through illness, accident or involuntary unemployment; to persons seeking jobs; invalid workers; those in retirement.

European Social Fund action

Created by the Treaty of Rome which founded the European Economic Community, the European Social Fund is one of the instruments of the Community's employment policy. Men and women have access — without discrimination — to all of the operations subsidized by the Social Fund. However, to help resolve certain problems specific to women in the job market, the European Social Fund has been authorized since 1 January 1978, to finance vocational training operations directed towards women:

- who are over 25 years of age (women under 25 benefit under programmes aimed at young people);
- who have lost their job or wish to go back to work after a break;
- who do not have professional qualifications or whose training is inadequate.

To deal with problems specific to women, the actions supported by the European Social Fund must necessarily comprise preparation for working life or encouragement to move into new areas of work and facilitate entry into jobs and working life in general. Requests to the European Social Fund for aid were at first slow in coming, but they are now beginning to increase in number. In 1978, 12 000 women benefited under interventions from the Social Fund to a total amount of 7.7 million European units of account,¹ which rose to 18 million in 1979.

Priority is accorded to operations which have sure outlets as well as non-traditional training actions conducted in sectors where women are habitually under-represented.

The European Social Fund has set aside special funds for research or pilot projects which can serve as models for other operations or which can provide guidance for public authorities on improving their own efforts.

The Bureau for questions about women's employment

European directives set out the objectives which Member States should translate into their national legislation. To pursue and stimulate the effective implementation of these measures, a Bureau for questions affecting women's employment has been set up by the European Commission within its Directorate-General for Social Affairs.

The Bureau coordinates activities relating to women at work being developed by the different departments in the Commission or by Community organizations such as

¹ 1 EUA = about £ 0.62 or Ir. £ 0.68 (at exchange rates current on 3 March 1980).

the European Centre for the Development of Vocational Training in Berlin. Pay, social security, family policies, European Social Fund interventions: the Bureau is always at the centre of operations and is often the driving force. It utilizes the legal means available to the Community; it strives for the optimal utilization of financial resources available; it tries to influence thinking and behaviour.

Changing behaviour: without this, all action would be virtually in vain. This is why the Bureau takes pains to inform women of the results which can be achieved if they wisely use the means at their disposal which are currently too little utilized. Women should not only be informed of their rights but also be prepared to use them. With this in mind the European Commission has produced a film entitled 'Equal Chances, Equal Opportunities' which informs European women of ways of changing their lives and which tries to combat fixed ideas about job choice.



In areas such as the treatment of women and the employment of women — as in other areas — the Community wishes to respond to the needs of European society. To better explain Community action to the main parties concerned, the information services of the European Commission are extending their regular contacts with the press and women's organizations. This on-going dialogue also helps European women put across their points of view, their interests and their aspirations. Whilst a great deal remains to be done to accomplish this, the objective is clearly defined: to create a society and Community which is more just and more humane ■



The contents of this publication do not necessarily reflect the official views
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