



Promoting Gender Balance for Europe's Professional Women

1. INTRODUCTION

Today the 25 European Union countries have approximately 223 million men and 234 million women as citizens. At the first EU Summit of the 21st century, all member states committed themselves to basing Europe's growth and development on these men and women, their skills and their capacity for innovation. This can only be achieved if women and men have equal opportunities to contribute to their particular society and economy. Thus the various agencies of the European Union (EU) and stakeholders like EUROCADRES continue to drive this agenda forward through legislation, Framework Agreements and the spread of best practice.

EUROCADRES – The Council of European Professional and Managerial Staff – brings together trade unionists from across Europe who collectively represent over 5 million professionals. It has considerable experience of working with, and on behalf of, professional and managerial staff in general and, through its professional women's network – FEMANET – professional and managerial women in particular. As part of EUROCADRES's mission to reach out to and involve as many professional and managerial women as possible, it has produced the following synopsis of the key European Institutions, Legislation and Agreements. These underpin some of the innovative approaches to achieving genuinely equal opportunities at work and at home that you may see in your own country. We also invite you to share our aims and to help us achieve them.

2. EUROPE AND YOU

“Europe” or the **European Union** is, in reality, a complex structure of inter-dependent bodies. The European Union is neither a federation, like the United States, nor an organisation for co-operation between governments, like the United Nations. The 25 countries that make up the EU all remain independent sovereign nations and they pool some of their sovereignty in order to gain a strength and world influence that none of them could have on their own. What this means in practice is that each Member country delegates some of their decision-making powers to the joint European Institutions they have created, so that decisions on specific matters of interest to them all can be made jointly and democratically at the European level.

Amongst the issues that the countries have decided should best be dealt with at the European level are measures which create and implement for you the legal right to equality and not to be discriminated against in a whole range of work-related areas. Your country then has the duty to incorporate these rights into its own domestic laws and provide sanctions against anyone who denies them.

As the European Commission states on its Gender Equality website:

The principle of equal treatment of men and women has been enshrined in the EC Treaties since the establishment of the European Economic Community in 1957. It has been implemented in a number of fields by EU legislation over the past 30 years, and developed in extensive case law by the European Court of Justice. The Commission monitors the application of this legislation and, where appropriate, proposes new legislation. More detailed information on European legislation concerning gender equality can be found at http://europa.eu.int/comm/employment_social/gender_equality/legislation/index_en.html

Directives

It has traditionally been the case across Europe and across the decades that even when women worked, full- or part-time, they were still the only or main carer in the household. This was seen as increasingly untenable for modern, human-rights-based societies, and in 1996 the EU enacted a Directive to establish minimum requirements in respect of parental leave and unforeseeable absence from work, as an important means of reconciling professional and family responsibilities and promoting equal opportunities and treatment for women and men. If necessary, your country's laws will (or, in the case of the accession countries, will shortly) have been amended to ensure that these requirements are met.

The Equal Pay Directive is a good example of how a European law, or Directive, was introduced to directly affect women's rights at work. Subsequently the European courts continued to see that it was implemented properly. Introduced some 30 years ago (1975), this Directive clearly defined that the "principle of equal pay" outlined in the EU Treaty required, in law, the elimination of all gender discrimination which affected any aspect of pay and conditions for work determined to be of equal value. It went on to specify what Member States had to do to implement this. Even now, some 30 years after the introduction of the Equal Pay Directive, legal arguments are still continuing as to exactly how it should be implemented. For example, in May 2004, the European Court of Justice ruled that, in a particular Member country, its national requirement that full time and part time teachers are obliged to work the same number of overtime hours before being paid overtime, was unlawful if it could be shown that it impacted significantly more heavily on women teachers employed part-time.¹

All EU decisions and procedures are based on the **Treaties**, which are agreed by all the EU countries. These are the authority for the various legislation that gives you, amongst other things, the right not to be discriminated against because you are a woman – of any age -, a mother, or a part-time worker and which give you, and your partner if applicable, the right to maternity/paternity and parental leave.

Bodies

The key bodies that play a part in developing, confirming and ensuring the full implementation of agreed policies in the gender equality field are:

- **The European Parliament** which currently consists of 732 members from all 25 EU countries who have been elected by the citizens of the European Union.
- **The Council of the European Union** which, together with the European Parliament, is the EU's main decision-making body. It represents all the Member States and its meetings are attended by one Minister from each of the EU countries.
- **The European Commission** which is independent of all the national governments and has a prime responsibility for initiating policies. It is also effectively the "civil service" or "administration" of the EU. Its job is to represent and uphold the interests of the EU as a whole. It manages the day-to-day business of the European Union by implementing its policies, running its programmes and spending its funds.
- **The Court of Justice of the European Communities**, which is made up of 25 Judges and 8 Advocates-General, is responsible for ensuring that European legislation is effectively and lawfully implemented in all Member countries.
- **The Economic and Social Committee** which is an advisory body representing the wide range of interest groups – including trade unions - that collectively make up today's civil society. It presents their views and defends their interests in policy discussions with the Commission, the Council and the European Parliament. It must be consulted before decisions are taken on economic and social policies, including all issues relating to gender and equality in the labour market.

¹ Judgement of the Court (First Chamber) of 27 May 2004. Edeltraud Elsner-Lakeberg v Land Nordrhein-Westfalen.

The EU also recognises a number of **Social Partners**, including EUROCADRES. These are separate, independent organisations which represent different groups with a direct involvement in Europe's economic and social life, including the European trade unions' and employers' organisations. On issues that directly affect such Social Partners alone, such as gender equality at work or in getting work, they can directly negotiate **Agreements** and **Recommendations**, without going through the various EU institutions described above. These agreements are then taken forward in each member country by its trade union and employer organisations working together in their own domestic setting. Most recently the views of professional and managerial women in the EUROCADRES FEMANET Network helped determine the position of the European Trades Union Confederation (ETUC) when they negotiated and agreed a Framework of Actions on Gender Equality with the employers' organisations. See Section 4 below for more details of this Framework.

3. FEMANET AND YOU

FEMANET is a Europe-wide network of female managers, with membership open to any woman member or official of the trade unions that are represented by EUROCADRES (details at www.eurocadres.org). It is very active in promoting the involvement and role of women in economic decision-making and, since 2001, has launched two key EU-funded projects to support this. The first concentrated on 'Closing the gender gap in management – what works?' and further information is available at www.eurocadres.org/en/

FEMANET's latest project looked at the strategies women managers could adopt – either individually or collectively - to achieve and establish an equal contribution to economic decision-making in all areas of their lives. It concentrated on three topics:

- Work/life balance
- Legislation and negotiations
- Company culture

Taking each in turn, FEMANET's main findings and recommendations are:

Work/life balance

Underpinning all FEMANET's considerations of work/life balance, at all levels, is that it is – and must be – an issue for both men and women. A non-discriminatory society can only be based on shared responsibilities, opportunities and resources for both sexes. In particular, policy-makers must be aware that policies and measures that are meant to help improve work/life balance can, indirectly, lead to discrimination against women. If certain measures and choices are (almost) exclusively taken up by women employees – for example term-time contracts or part-time working - this could lead to segregation within employment and then to discrimination against those using the measures. In addition:

- ➔ Lifelong learning is important for everyone to progress. In the work/life balance context, the relevant parties need to address the issues of access, venue, leave, costs and equality.
- ➔ The relevant organisations need to provide information on the consequences of work/life balance decisions, such as part-time working, on career progression e.g. labour rights, pension rights, career paths, etc.
- ➔ Pressure must be brought on governments to implement European legislation in a way that makes it a real option for both men and women. For example, for parental leave, there is a much more significant uptake of parental leave amongst men in Sweden where 80% pay is available during this leave compared with some other countries e.g. the UK, where income loss is so very significant that it is financially almost impossible for the main earner to take the leave
- ➔ Continued efforts must be made to ensure that equal pay is a genuine feature of European working life and all parties must continue to drive for satisfactory solutions.
- ➔ When such solutions – and any others affecting work/life balance – are negotiated, the relevant parties should aim to have a fair gender balance amongst those conducting the negotiations on all sides.
- ➔ Within the workplace, discussions should take place to ensure that work activities – including meetings at the highest level – take place during regular working hours. Similarly, at times of family responsibilities (eg when children are young or elderly/sick relations need care), it should be made possible for both men and women to make horizontal career moves or to work in positions that require fewer business trips away from home.
- ➔ In order to be truly representative of their members, Europe's trade unions should ensure that their own activities provide more information and reflect an awareness of work/life balance issues.



Legislation and negotiations

FEMANET considered the issue of legislation, negotiation and agreements on equality at work and recommends the following:

- ➔ Make it a legal requirement for all employers to issue annual equality reports covering gender, statistics and issues such as recruitment, career progression, pay, working time and professional training. Through the Social Partners in each employer, generate action plans based on these equality reports to ensure continued progress to full equality and, if the reports reflect on-going progress, the trade unions should support and assist the employer in these efforts. If the reports or the actions are not forthcoming, the trade unions should initiate legal or other sanctions.
- ➔ Trade unions involved in negotiations with employers should ensure that their negotiating teams proportionately reflect the number of women in the workforce and ensure, by organising their own activities appropriately, that these women can be fully involved in the negotiations and union life in general.
- ➔ Promote gender mainstreaming in all negotiations and encourage the adoption of different models of negotiation, for example, ones that foster more co-operative and less aggressive cultures amongst employees.
- ➔ Tackle the gender pay gap at enterprise level, for example by establishing a fund to make up for differences.

Company culture

This working group put together ‘**The FEMANET Kit for Successful Women**’, which you should have received together with this folder. If you would like to order an additional copy, please send a message to sat@eurocadres.org.

4. THE WAY FORWARD – FRAMEWORK OF ACTIONS ON GENDER EQUALITY

Gender equality in getting access to work, and then in the workplace itself, are subjects which the highest level of EU agreement – the Lisbon Agenda – and the EU legislative framework have confirmed as essential pillars of progress for the 457 million EU citizens and, in particular its 234 million women.

Because work-related gender equality issues are matters which – within the established European and National parameters – are the sole concern of employers and employees (potential and actual), they are excellent candidates for direct negotiation between the Social Partners. In this case the partners are the European-level employer and employee representative organisations and they have agreed on a Framework of Actions designed to embed gender equality into all management policies and decisions and to do so in a way which recognises both employer and employee needs. These needs will vary over time: for example, for employees according to their economic, personal and domestic circumstances and for employers according to the dynamics of the labour market and the market for their products or services.

The resulting **Framework of Actions on Gender Equality** has focussed on the importance of promoting women in decision-making. FEMANET believes it is such an important aspect of embedding gender equality into all management policies and decisions that we reproduce below the full text on this key area from the Framework:

“Promoting women in decision-making”

1. The number of women in decision-making positions in all spheres of society is growing, notably as a result of increased participation of women in the labour market and their success in higher education. However, only 30% of managers are women, only 10% of members of boards of directors are women, and only 3% of CEO’s or equivalent positions are taken by women². Social partners have a clear responsibility to ensure that the overall working environment supports a more balanced participation of women and men in decision-making.

² EC database on women in decision making: http://europa.eu.int/comm/employment_social/women_men_stats

2. Companies who have successfully encouraged women's participation at managerial level report that they did so as part of their efforts to achieve a high performance workplace by taking initiatives to release women's untapped potential. Promoting women in decision-making positions is an investment for a more productive, innovative and stimulating working environment and better economic performance. It also contributes to bringing about improvements for women in workplaces and on the labour market in general.

3. European social partners believe that the following elements are key to improve women participation at all levels within enterprises.

➔ Promoting competence-based gender neutral recruitment in enterprises. Examples of **practical tools** to do so include:

- Putting in place transparent and gender neutral recruitment, selection and promotion criteria;
- Checking that the recruitment of women is proportionate to the number of female applications for the job and review results on a regular basis.

➔ Retaining women in enterprises, to avoid loss of competence. Examples of **practical tools** to do so include:

- Discussing at an early stage with employees their career expectations as well as work-life balance needs of both women and men and how to combine them with company's needs;
- Conducting interviews with women leaving the company to understand the reasons for doing so in order to further refine the company's human resources policy;
- Conducting regular staff surveys to check employees satisfaction.

➔ Encouraging career development of both women and men. Top-management's commitment for initiatives promoting women in decision-making positions is key in this respect. Examples of **practical tools** to do so include:

- Developing networks, mentoring or self confidence building schemes across enterprises to address the issue of self-deselection;
- Setting targets for the promotion of women in proportion to the number of women in the relevant occupational level and review results on a regular basis;
- Identifying possibilities for non linear career development paths alternating periods of higher professional involvement and periods of greater family responsibility as an alternative to a culture of unnecessarily long working hours;
- Facilitating geographical mobility of managers by helping the worker's partner to find a job in the new region of occupation.

➔ Promoting female entrepreneurship as a complementary way of increasing women in decision-making and raising women's participation in the labour market. Examples of **practical tools** to do so include:

- Putting in place regional programmes for women willing to start their own business;
- Supporting projects to ease generational handover to women in SMEs.(Small and Medium-size Enterprises)

➔ Promoting women's role in the social dialogue at all levels, both on the employers' side and the trade union side, is important, notably in collective bargaining committees and units. Special attention should be paid to the possibility for women to take up responsibilities in worker representation, both in terms of scheduling of meetings and availability of facilities.

The complete framework, which also contains chapters on addressing gender roles, supporting work/life balance and tackling the gender pay gap, can be found at <http://www.etuc.org/a/992>

5. WHAT YOU CAN DO

As a professional woman manager, whether or not you are currently working, you can help FEMANET, EUROCADRES and everyone involved in your own country and in the EU, drive forward the gender equality agenda. For example:

- ➔ If you are a trade union member, join their network for women and/or professional and managerial staff and then join FEMANET. If they do not have one, ask them to start one.
- ➔ If you are not a trade union member, consider joining one – the benefits of coming together with other professionals to get better pay and conditions, of getting personal advice from professionals on matters which impact directly on your employment and of the many other ways in which you could get and give support to women like you, will always be worth your membership fee.
- ➔ Ask your trade union what they are doing to implement the Framework for Action on Gender Equality.
- ➔ Find out who your Member of the European Parliament is (see www.europarl.eu.int) and contact him or her about any European level issues that concern you.
- ➔ Find out who is your representative in your country's Parliament. Contact him/her on any gender equality issues particularly relevant in your country.
- ➔ Find out what policies your employer or prospective employer has for providing equal opportunities within the workplace.
- ➔ Ask your employer what they are doing to implement the Framework of Actions on Gender Equality.
- ➔ Check on your local provisions for childcare, public transport, elderly care, etc. If they do not meet your needs, tell the relevant authorities and seek their help in meeting your needs.

If you would like any more information on anything dealt with above, you may find the following websites helpful:

www.eurocadres.org, <http://europa.eu.int>, www.etuc.org, www.europarl.eu.int

To join FEMANET or to get further information about anything in this summary, you may also wish to contact:

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