Equal opportunities between women and men: employment, vocational training, working conditions

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The Conciliation Committee reached agreement on the new directive on equal opportunities for women and men. The main points of the agreement are as follows: 'Sexual harassment' is defined for the first time at EU level, and the directive also defines 'direct discrimination', 'indirect discrimination' and 'harassment'. However, the Council was unwilling to prohibit general exclusion or restriction of access of representatives of one sex to any kind of professional activity or to the training required to gain access to such an activity by classing such exclusion or restriction as discrimination. The new directive also prohibits discrimination against women on the grounds of pregnancy or maternity leave and provides for the right of return to the same job or an equivalent post after maternity leave, or after paternity or adoption leave, where such rights are recognised by Member States. The Amsterdam Treaty provisions on positive measures are incorporated into the new directive (i.e. the possibility for Member States to provide specific advantages to the under-represented sex in a professional activity). Member States shall report every four years to the Commission on the measures taken in this area. Member States have also undertaken a number of obligations in implementing the provisions of the new Directive by 2005: - special equality bodies shall be established and their remit will include promotion, analysis, monitoring and support of equal treatment for men and women; - employers and those responsible for vocational training shall take preventive measures against discrimination on grounds of sex, in particular against harassment and sexual harassment; - effective sanctions shall be introduced without any prior upper limit fixed for compensation to victims of discrimination; - active and systematic measures shall be taken to promote gender equality at the workplace; - those supporting the victims of gender discrimination and harassment shall enjoy the same protection against adverse treatment; - Member States shall ensure that the provisions of contracts or agreements in breach of the directive will be amended or nullified.