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

2000/0142(COD) - 27/11/2001 - Commission opinion on Parliament's position at 2nd reading

The Commission can accept seven Parliamentary amendments either partially or by reformulation but can not accept eight of the remaining amendments adopted by the European Parliament during its second reading. On the question of preventive measures for sexual harassment the Commission can accept in part such an introduction. Similarly, Parliamentary amendments relating to positive action measures have been accepted by the Commission. The Commission suggests that the description of positive measures should be given in the recitals, providing that the wording of the Treaty is respected. On the question of establishing independent bodies for the promotion, monitoring and follow-up of all Community legislation in this area the Commission accepts the establishment of such a body. However, amendments relating to the funding and human resources of these bodies has been rejected on the grounds that this is a matter for Member States to organise. Concerning "equality plans at the company level", the Commission can accept this in spirit subject to a reformulation of Article 8b. Concerning Parliamentary requests for a two yearly Member State report on positive action measures, the Commission proposes a report be submitted every three years. Those amendments not accepted by the Commission refer to: - the extension of post employment judicial protection to a person supporting the employee; - extending the definition of the Directive's scope; - the re-wording of the definition of sexual harassment; - the general exclusion or restriction on access to a professional activity constituting discrimination; - the reformulation of the common position referring to maternity and paternity leave. - amendments obliging Member States to introduce national legislation offering effective, proportionate and dissuasive sanction for breach of the Directive; - on group action in cases of discrimination even without the consent of the victim of discrimination. - amendments extending protection against dismissal to workers' representatives.