

Equal treatment in employment and occupation. Employment Equality Directive

1999/0225(CNS) - 19/09/2000

The committee adopted the report (consultation procedure) by Thomas MANN (EPP-ED, D) approving, with a few amendments, the proposal for a directive on equal treatment in employment and occupation. Following the adoption in June 2000 of a directive on equal treatment regardless of race or ethnic origin, the committee felt that this latest directive, dealing only with the world of employment, should focus on discrimination based on religion or belief, disability, age or sexual orientation. In order to keep the legislation consistent, the committee approved several amendments (e.g. on harassment and the inclusion of a gender perspective) which were similar to provisions of the race directive. In addition to the areas mentioned in the Commission proposal, the committee would like the directive to apply to access to unpaid and voluntary work or official duties, the acquisition of professional experience, health and safety, information and consultation, participation in trade union elections and access to social assistance. In the case of religious organisations, the committee argued that for certain occupations directly linked to these organisations' aim of providing "ideological guidance" - e.g. in education, social work or healthcare - differential treatment based on the religion or belief of an individual would not constitute discrimination. Religious communities would thus be able to choose staff on the basis of religious criteria. However, this would not justify discrimination on any other grounds (e.g. sexual orientation). The committee said that differential treatment on grounds of age would not constitute discrimination if it were objectively justified, strictly defined and necessary to the achievement of a certain aim. In order to guarantee equal treatment for people with disabilities, "reasonable adjustment" (meaning the provision or modification of devices, services or facilities, or changes in practices or procedures) should be made so that they could participate in services, programmes and employment.