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

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The committee adopted the report by Heidi Anneli HAUTALA (Greens/EFA) which tabled a large number of amendments to the Commission proposal under the codecision procedure (1st reading). It proposed, for example, that the scope of the directive should be much broader, encompassing not only equal treatment but also all aspects of equality relating to women's working life, including recruitment and vocational training. It also wanted a new directive, based on Article 13 of the Treaty, to be adopted before the end of 2003, covering areas other than employment. The report clarified the definitions of direct and indirect discrimination, harassment and sexual harassment. It called inter alia for the adoption of measures to prevent sexual harassment at the workplace, for example a system of confidential counsellors at the working place. It also stressed that victims of discrimination and those who represented them in the event of complaints should not suffer retaliatory measures, as this was one of the reasons why women were often reluctant to claim their rights. The Member States should introduce into their national legal systems the necessary measures to protect those concerned, whatever their situation as victims or witnesses, from dismissal or any other adverse treatment or adverse consequences. Moreover, the directive should make it clear that effective sanctions should be imposed in cases of discrimination and that financial compensation (as the Commission was proposing) was just one kind of sanction. Lastly, the committee specified that any unfavourable treatment of a woman related to pregnancy or maternity, or to reconciling family and working life, constituted a direct discrimination. After giving birth, a woman should be entitled to return to her job and to benefit from any improvement in working conditions to which she would be entitled during her absence. Positive actions should be adopted with the aim of facilitating the exercise of a profession by the under-represented sex. It should be made clear that such actions did not constitute discrimination; they were justified as long as the phenomenon of inequality persisted and were temporary by their very nature.