Basic information

2008/2039(INI) INI - Own-initiative procedure	Procedure completed
Transposition and application of Directive 2002/73/EC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions See also Directive 2002/73/EC 2000/0142(COD) **Subject** 4.15.08 Work, employment, wages and salaries: equal opportunities women and men, and for all	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
FEMM Women's Rights and Gender Equality	RIERA MADURELL Teresa (PSE)	21/02/2008

Committee for opinion	Rapporteur for opinion	Appointed
EMPL Employment and Social Affairs	FIGUEIREDO Ilda (GUE/NGL)	01/04/2008

European Commission

Commission DG	Commissioner
Employment, Social Affairs and Inclusion	ŠPIDLA Vladimír

Key events

Date	Event	Reference	Summary
21/02/2008	Committee referral announced in Parliament		
02/12/2008	Vote in committee		Summary
10/12/2008	Committee report tabled for plenary	A6-0491/2008	
12/01/2009	Debate in Parliament		
15/01/2009	Decision by Parliament	T6-0024/2009	Summary
15/01/2009	Results of vote in Parliament		
15/01/2009	End of procedure in Parliament		

Technical information	
Procedure reference	2008/2039(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Amendments and repeals	See also Directive 2002/73/EC 2000/0142(COD)
Legal basis	Rules of Procedure EP 55-p4 Rules of Procedure EP 55
Stage reached in procedure	Procedure completed
Committee dossier	FEMM/6/59438

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee opinion	EMPL	PE405.896	26/06/2008	
Committee draft report		PE412.284	19/09/2008	
Amendments tabled in committee		PE414.194	14/10/2008	
Committee report tabled for plenary, single reading		A6-0491/2008	10/12/2008	
Text adopted by Parliament, single reading		T6-0024/2009	15/01/2009	Summary

European Commission

Document type	Reference	Date	Summary
Commission response to text adopted in plenary	SP(2009)1067	30/04/2009	

Transposition and application of Directive 2002/73/EC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions

2008/2039(INI) - 15/01/2009 - Text adopted by Parliament, single reading

The European Parliament adopted by 537 votes to 22 with 31 abstentions, an alterative joint resolution on the transposition and application of Directive 2002/73/EC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions proposed in plenary by the following political groups: EPP-ED, PES, ALDE and GUE/NGL.

The own-initiative report had been tabled for consideration in plenary by Teresa **RIERAMADURELL** (PES, ES) on behalf of the Committee on Women's Rights and Gender Equality.

Parliament regrets that the Commission's report to the European Parliament and the Council, to be based on information communicated by the Member States by the end of 2005, is not yet available. It calls on the Commission to carefully monitor the transposition of Directive 2002/73/EC as well as compliance with the legislation arising from this transposition, and to continue to exert pressure on Member States. It calls for better information as regards the state of transposition as well as closer cooperation between the competent committees in national parliaments and the European Parliament on monitoring the transposition and implementation of the Directive.

Unclear or insufficient transposition: Parliament regrets the fact that legislation in several Member States does not include in a sufficiently clear and explicit manner definitions of direct and indirect discrimination, harassment and sexual harassment in the Directive. It is concerned that, in several Member States, the scope of the prohibited types of discrimination is not sufficiently wide as to comply with Directive 2002/73/EC. It also regrets the fact that some national legislation contravenes the principle of effective, proportionate and dissuasive sanctions by setting thresholds for the payment of compensation or reparation to the victims of discrimination. Parliament deplores the fact that some Member States have not recognised in an explicit manner the right to return to the same job or an equivalent post after maternity leave. It calls on the Member States to ensure that all the **provisions of Directive 2002/73/EC are fully, correctly and effectively transposed and adequately implemented**.

Avoid harassment: Parliament asks Member States to take steps to encourage employers to foster working conditions that prevent sexual harassment and harassment on grounds of sex and to institute specific procedures to prevent such behaviour.

Reinforce bodies promoting equal treatment in the Member States: Member States are invited to develop capacities and ensure adequate resources for the bodies promoting equal treatment and equal gender opportunities provided for in Directive 2002/73/EC and to reinforce the exchange of good practices between Member States. Parliament invites the Commission and the Member States to gauge the degree of knowledge of EU citizens of the services offered by the equality bodies, and to launch information campaigns to make these bodies better known.

Raise awareness and victim protection: given the low number of gender equality proceedings and complaints filed, Parliament considers that there is a poor level of awareness of rights under Directive 2002/73/EC. It calls on Member States, trade unions, employers and NGOs to intensify their efforts to inform women of the possibilities open to victims of discrimination under national legislation in force since 2005. Member States are called upon to ensure that assistance granted is independent and free of charge, to strengthen guarantees for victims of discrimination and to provide for the judicial protection of persons defending, or giving evidence on behalf of, a person protected by Directive 2002/73/EC.

Strengthen social dialogue and develop national equality plans: Parliament points to the need to foster social dialogue between the social partners in order to apply the principle of equal treatment by means of the monitoring of workplace practices. It invites Member States to incorporate in their national legislation the requirement for undertakings to develop and implement annual plans on corporate equality and the rights of women and men caring for family members and ensure gender-balanced representation on corporate boards. Employers should provide employees and their representatives with regular information on respect for the principle of equal treatment of women and men.

Better control of the implementation of the equal pay principle: MEPs insist on the need to develop **national mechanisms aimed at monitoring the implementation** of the equal pay principle and reinstatement at work following maternity leave, paternity leave or leave to care for dependent family members. Noting that the wage gap persists, with women earning wages that are on average 15% below those for men, that this gap was reduced by only 1% between 2000 and 2006. MEPs call on the Commission to renew the planning of support measures for this purpose.

Fight against discrimination: MEPs emphasise the need to combat the specific obstacles faced by women and girls with disabilities and by the parents of children with disabilities as regards equal access to education and to the labour market. They point to the need to ensure greater flexibility regarding parental leave, particularly for parents of handicapped children. Member States are called upon to remove discrimination against girls and young women in the transition from school to training, from training to professional life. They also highlight the need for public childcare and nursing services, and for care of the elderly.