

## **Joint statement of the EU Public Administration Directors General and trade union delegation on equality and diversity**

### **INTRODUCTION**

In the framework of the ongoing discussions to improve the European social dialogue in public administrations, the issue of equality and diversity at work has been identified by the Public Administration Directors General and European trade union delegation, as a sound area for strengthened cooperation reflecting the priorities of both sides. In the initial phase of on-going discussions within EPAN on the representation of the network, Directors General and the trade union delegation will discuss equality of opportunity during the UK Presidency of the EU.

The joint seminar held on 6 December in Gateshead focusing on working conditions and this statement are intended to contribute to developing mutual understanding and discussing instruments that promote equality and diversity.

### **PRINCIPLES**

The Directors General and the trade union delegation responsible for discussions on the central administration are committed to respect and promote equal treatment and diversity of human beings at the workplace and in accessing public services.

They recognise that the workforce is the greatest resource of public services and that equality is a vital element of quality services. For the purposes of this discussion, specific reference is made to gender equality. However, this does not reduce the degree of importance of discussing diversity in the wider sense beyond gender equality. Recognising diversity's many facets (ethnic origin, age, disability, sexuality, religion/faith, amongst other things) and viewing it as a joint asset for the effective delivery of services is equally valuable and may serve in itself as a method to promote equality.

The EU Treaties and directives have had an important and innovative role in the development of the fundamental right to equal opportunities and equal treatment between women and men. From October this year, a new directive<sup>1</sup> adds a ban on sexual harassment, promotes social dialogue and regular collection of gendered data at the workplace to measure progress.

The European Commission's Annual Equality Reports have highlighted the fact that the equality agenda is a long-term process. While progress has been achieved in some areas a number of inequalities persist, such as the pay gap which stands on average at 12% in the public sector, compared to 20% in the private sector, access to decision-making positions and the labour market. A majority of employees in flexible employment patterns, e.g. part-time work, and low wage jobs are women.

The Directors General and the trade union delegation welcome the European cross-sectoral agreement on a Framework of Actions on gender equality adopted on 1 March 2005 to help implement EU law and provide a framework for good practices. The agreement promotes an integrated strategy to gender equality (e.g. equality plans), underlines the crucial role social dialogue can play to eliminate inequalities,

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<sup>1</sup> The 2002 equal treatment between women and men directive, the transposition cut-off date of which was 5 October 2005

and identifies four priority areas to be addressed by social partners at national and sectoral levels: gender roles; access to decision making; work-life balance and equal pay.

The Directors General and the trade union delegation also welcome, beyond non-discrimination based on European citizenship, the more recent EU responsibility, following the Amsterdam Treaty, in combating additional grounds of discrimination such as ethnic origin, disability, sexual orientation, age and religion. They welcome the subsequent adoption of two related directives in 2000<sup>2</sup>. Diversity in the workforce in full respect of the equal treatment principle is an asset to the development of the sector that brings new perspectives and competence. The fight against discrimination is a “win-win” strategy. Tapping into the potential of a diverse workforce enhances both service delivery and the image of the employers, harnesses the full range of capacities of all employees and support the social and economic cohesion of our multicultural societies. Despite country differences, most Member States are facing similar challenges in attracting a sufficient number of public employees.<sup>3</sup>

Achieving equality and diversity is also central to the Lisbon and integrated employment strategy. The Directors General and the trade union delegation recognise that diversity and equality of opportunity derives equal benefits for the administration and employees in terms of progressing modernisation efforts and the improvement of public services.

## **SPECIFIC CONSIDERATIONS DURING THE UK PRESIDENCY OF THE EU ON EQUALITY OF OPPORTUNITY**

As part of developing an effective efficient and accountable public administration, the promotion of equality and diversity impacts public administrations in a number of ways:

- in its role as a major employer of diverse individuals and to ensure that they have the opportunity to participate fully in the civil service and that diversity is viewed as an asset in the effective delivery of services and its derived benefits to the business
- in its role as a model employer to ensure that equal opportunities are an integral part of the human resources management and its compliance with EU equality directives;
- in its commitment to improving the performance, quality and accessibility of public services for all EU citizens within the given legal framework at European level

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<sup>2</sup> Council Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin and Council Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation.

<sup>3</sup> EIPA survey on new approaches in the field of HRM in the public administrations of the EU for the EU DsG meeting in November 2001

- The Directors General and the trade union delegation emphasise that equal opportunities strategies must be developed within the context of new ways of organising work.

Equality and diversity is understood when individuals, regardless of their gender, ethnic origin or skin colour, sexual orientation, disability or religious background have the same formal and de facto rights and possibilities to access:

- recruitment to and retention in the workplace
- education, training and promotion in their work
- different occupations and positions in the hierarchy
- the same conditions of employment under the principle of equal pay for work of equal value
- work/life balance
- workplaces and work organisation and conditions appropriately adapted to diverse groups

Among the several forms and grounds for discrimination, a specific policy needs be maintained with regard to equality between women and men. Women are not a minority group, and indeed they are in many cases the majority group in the state sector. However, a number of parallels can be drawn with other diverse groups facing structural obstacles in terms of anti-discrimination tools and definitions on the basis of EU legislation (e.g. direct/indirect discrimination, mainstreaming, burden of proof). While it is necessary to keep a coherent approach to anti-discrimination, it is also important to examine the specific challenges faced by different groups as well as situations of multiple discriminations.

## **DEVELOPING FUTURE THEMES AND DISCUSSIONS**

The Directors General and the trade union delegation endeavour to continue the cooperation on equality and diversity at a mutually agreed time in the future, developing greater awareness and understanding of the importance of substantive discussion between both parties.

Future topics for discussion will be prepared jointly and will respect the activities outlined in the Mid-Term Programme, as well as the priorities of incoming Presidencies and the trade union delegation.

The network will consider the most appropriate method for preparation and discussions will commence in 2006. Austria will introduce the theme of Mobility in the first semester of 2006 for substantive discussion between Directors General and the trade union delegation. This topic respects both the work of the EPAN Human Resources Working Group and complements the EU Year of Mobility in 2006.

## **OUTCOMES DURING THE UK PRESIDENCY OF THE EU**

Directors General and the trade union delegation recognise that the theme of equality of opportunity is the first issue of mutual agreement brought to substantive discussion. This has engaged Directors General and the trade union delegation in an exchange of ideas that:

- Develops greater awareness and understanding of the role of Directors General and the trade union delegation in promoting equality and diversity policy
- Helps identify common policy objectives, and tools within the context of EU equality legislation as well as good practice examples, which, among others, would help, feed into the annual reports on the implementation of the cross-sectoral equality agreement.
- Examines the extent to which equality and diversity issues are taken into account in public sector reforms and HRM, notably in relation to areas where job categories, areas, skills, qualifications and experiences may be underdeveloped. It also promotes the concept of diversity as an asset in the delivery of services

On this basis, Denmark will set up a joint ad hoc group composed of an equal number of participants from the trade union delegation and Directors General (or their representatives) to prepare and organise a conference in 2007 to contribute to the European Year of Equal Opportunities and take stock of the joint work developed during the UK Presidency of the EU.

They will also investigate whether it is useful to commission a comparative EU-wide study to provide a mapping of the European central administration workforce; an account of equal opportunities policies and strategies at EU and national levels; the effect of reform on diversity and base recommendations and learning strategies on evidence. EU funding should be sought before any agreements are reached by Directors General.