EC conference “Trade Union Practices on Non-Discrimination and Diversity”
17 October 2019, Brussels

Conference report

The conference on 17 October 2019 was organised by the European Commission’s DG for Justice and Consumers to discuss the findings of a report on trade union practices against discrimination at the workplace from 2010 onwards.

The final version of the report will be available on line on 18 March 2020, to coincide with a meeting of a high level group of government representatives on equality and diversity.

The report is a follow-up to a previous study in 2010. It contains 21 case studies from 15 EU member states, 5 of which were presented at the conference and a useful overview of the EU legal framework against discrimination based on ethnic origin, religion/belief, disability, age and sexual orientation as well as gender equality which is dealt with in separate EU directives.

Beyond the findings, which included this time more examples from Central and Eastern Europe, the conference aimed at exchanging good practices, factors of success to achieve both equality and diversity and to track the developments over the past decade with an emphasis on discrimination based on race/ethnic origin, belief/religion and how gender intersects between these discrimination grounds (intersectionalism).

Some 150 participants, a quarter of whom from EPSU affiliates, attended the conference from the following countries: Belgium, Bulgaria, Cyprus, Denmark, Czech Republic, Estonia, France, Greece, Italy, Ireland, Lithuania, Norway, Spain, Sweden and the UK (see list attached).

Amid resurgence of far right, anti-migrant populism, a number of recent studies by Eurofound and the EU Fundamental Rights Agency have shown a steady rise in intolerance, normalization of xenophobic rhetoric in political discourse and racist crimes not the least against black, Roma or Arabic people. Those studies underline a high degree of racism, mostly in employment, where the biggest difficulty for ethnic minorities is to access decent jobs.

Tiina Astola, Director General of DG Justice and Consumers opened the conference, followed by an introductory panel with Rossella Benedetti (ETUCE-UILSCUOLA), Ludovic Voet (ETUC Confederal Secretary), Nadja Salson (EPSU Policy Officer), Jane Pillinger (ICF External expert) and Susan Milner (ICF External expert) who raised the following issues:

- The importance of the trade unions from negotiating wages – a fundamental right which has been under much pressure not the least at sectoral level, to campaigning for decent working and living conditions and access to good public services, through enforcement of anti-discrimination legislation and promoting legislative changes, organising workers from all origins and backgrounds via, amongst other tools, setting up of committees for equality such as ETUCE standing committee for equality. Historically, migrant workers have joined trade unions as they provide a collective action framework to achieve new rights, so in addition to collective bargaining, collective action is another important feature of trade unions;
- Discrimination affects all sectors of the economy including education where both students and staff are challenged daily with discrimination;
- Dramatic effect of the hostile environment against migrants or refugees, firstly on newcomers who risk their life to reach EU shores, but also established communities which are stigmatised, the framing of migration (well deserving migrants usually white, Christians and the others) is underpinned by racism (a court action has actually been launched against the EU on this ground). The new EC portfolio “protecting the European way of life” linked to the migration portfolio contributes to a toxic approach to migration framed as a threat and security issue;
- Pledge to ensure that panels discussing discrimination reflect diversity (only white panellists).
✓ Role or even obligation of governments, supposed to act as a role model, to recruit a more diverse workforce more representative of society;
✓ Austerity measures in public services have had a direct impact on resurgence of discrimination and racism, as underlined in the EC-backed report, ensuring access to human fundamental rights such as to housing, heating, healthcare, education etc must be central to the fight against racism;
✓ Intersectionalism needs be better explained to help develop a more holistic, richer approach to equality and diversity;
✓ Need to unblock horizontal anti-discrimination Directive to close long-standing loophole regarding discrimination based on religion, belief, disability, age or sexual orientation in the access to and supply of services. Due to the unanimity requirement, the directive has been stuck in Council for a decade, considered by some governments as an obstacle to competitiveness. Parliament repetitively urged Council to reach a common position. The ETUC is calling for moving from unanimity to qualified majority voting, possibly via the use of the passerelle clause which is under discussion with the Commission.

A recap of the EU legislative framework against discrimination including in the main:


In terms of protection against discrimination based on sexual orientation and gender identity, this is the most recent development with still much room for improvement. In the EU28, only 9 countries prohibit discrimination specifically on grounds of sexual orientation and 3 (UK, AT, MT) cover also discrimination on grounds of gender identity, race and ethnic origins (strategies against racism, xenophobia and ethnic discrimination) or religion and belief (for which no Member State has a comprehensive definition of religion or belief, yet).

Trade Unions

In plenary and workshops, delegates discussed the triggers for trade unions actions such as:

1. High persistent level of discrimination in workplaces and society which impacts workers’ sense of self-worth, confidence, and performance with long term effect on health
2. High level of intolerance linked to political, toxic instrumentalisation of migration.
3. Diversity of society is now a fact: society is highly heterogeneous, and trade unions play an active role towards a more equal, inclusive society.

Trade unions’ impact can be maximised via a multidimensional, comprehensive approach reaching out to workers, employers, public service users. But the role of employers is also crucial and more support for collective bargaining and social dialogue is needed.

The conference continued with four case-study presentations:

✓ The FSLI’s project from Romania which helped launch a department for equality in 2012. It provides training structures to deliver good-quality training courses, using external funding (mainly from the EU). The main project is “Together for quality education! Human resources development in school education through educational partnership”, with emphasis on equality issues. So far the project has reached out to 4.5% of all teachers in Romania (5,198) and will require more EU funding to continue.

✓ CSC from Belgium, against a background of political tensions between French and Dutch speaking parts of the country, developed a project (since 2010) to tackle religious discrimination based on a variety of tools, such as campaigns to raise awareness, trainings,
Underpinning the project is the concept of “inclusive neutrality”: while the concept of neutrality justified the ban of religious symbols, with no exceptions, for an environment free of religious influence of any kind, the concept of “inclusive or positive neutrality” allows religious symbols and tolerance with every belief, without exceptions. In Belgium public services must be neutral, but the law does not explain what neutrality exactly is; therefore, the CSC is trying to promote its approach of inclusive neutrality in the public sector too.

In Italy, CGIL introduced an “Office for new rights” in the 80s to tackle discrimination against the LGBT community through direct actions, but also by promoting a more secular approach, as deep-rooted religion beliefs in the Italian culture can be a hindering factor to diversity. But, according to the CGIL representative: “In Italy we are going back in time and we are losing rights achieved in the past.”

FH Danish Confederation presented a project consisting of a Mentor Programme (implemented in 2016) and FIU-Equality Training of elected union representatives (started in 2005). The mentor programme is meant to help migrants to integrate in working sectors covered by the union, ensuring wages and working conditions similar to national standards for refugees. It helps connecting migrant workers to the labour market. A limit of the project is that it is not available to undocumented migrants who are most at risk of exploitation. The project represents a variety of activities such as trainings, conferences and publications, aim of which is to spread knowledge on antidiscrimination practices in order to tackle it more efficiently. “If I give you 1€ and you give me 1€, at the end of the day we will both still have 1€. But if I give you one good practice and you give me another one, at the end we will both have two good practices” concluded the Danish representative.

A couple more points were underlined in the final debate:

Ms Zita Holbourne, from PCS, (EPSU affiliate) underlined the need for organising in unions BAME workers (black, Asian, minority ethnic), and that equality will be achieved when there is no longer the pressure to have to perform better than the majority in order to prove something and be legitimate. Multicultural, diverse society is here to stay, migration flows are not stopping, and by 2020 one fifth of Europeans are expected to have some form of disability, many young people in Europe move to a different country than their native one to seek better opportunities; the world is becoming everyday more globalised. The real issues are austerity measures which impact also the education sector, insecure economic and political positive prospects which fuel intolerance, xenophobia and online hate speech. Trade unions are an essential actor of integration in society and in the workplace, by promoting diversity in a strong equal treatment ethos is proven to increase innovation, enhance creativity and improve workplace performance.

The conference was closed by Mr Szabolcs Schmidt, Head of Unit Non-Discrimination and Roma coordination (EC DG Justice) who was confident that the abovementioned draft horizontal directive might be unblocked in Council soon.

Brussels, December 2019, Ilaria Crotti, EPSU intern