

**WORKING WOMEN'S EQUAL OPPORTUNITIES AND TREATMENT
FROM BEIJING 1995 TO MDGs 2010 TO REAL GENDER EQUALITY
4 March 2010, United Nations Headquarters, New York**

Summary of presentations and discussion

The panel was introduced by **Ms. Jane Hodges, Director of the ILO Bureau for Gender Equality**, who noted that two panellists – Ms. Byers and Ms. Fernanda Garza – had been spokespersons for workers and for employers respectively at the Committee on Gender Equality, held during the June 2009 International Labour Conference. The Committee had held intense discussions and had produced recommendations, for which ILO was responsible for putting into practice. Ms. Hodges invited panellists to speak about good practices and challenges in promoting equitable opportunities and treatment of women in the world of work, and to share lessons learned and suggest ways forward to achieve gender equality.

Mr. Morten Wetland, Ambassador and Permanent Representative of Norway to the United Nations in New York, observed that in the early 1970s Norwegian women's participation in the workforce had been one of the lowest in Europe. Since then legislation and initiatives had included those in the 1980s by then-Prime Minister Brundtland, who had appointed eight women among 18 cabinet members, and high taxation in order to invest in a health system that “covered everyone, whether in the paid work force or not and from cradle to grave. Since then, gross net income in Norway was 20% higher than in the United States, and statistics showed that countries adopting high taxation systems that contributed to citizens' sense of security had done better economically than others.

Women were disadvantaged because they give birth, so governments could actually “incentivize” cultural change by rewarding those who embraced such change. For example in addition to women in Norway enjoying 46 weeks maternity leave with 100% pay, fathers could take ten weeks paternity leave at 100% pay. A benefit for society was that workers could have a career and a family. A comprehensive and proactive family policy was not only the right thing to do morally, he stressed, but it had also made the country more competitive since Norway now had the highest percentage in Europe of persons in the workforce as well as increased education and birth rate levels. Mr. Wetland concluded by describing research that was underway to establish an evidence-based report about the economic benefits of Norway's legislation that required private company governing boards to be comprised of at least 40% women.

Ms. Harriet Luyima, Acting Commissioner for Employment Services of the Ministry of Gender, Labour and Social Development in Uganda, noted that since the Beijing Conference her country had progressively succeeded in moving gender equality issues to the top of the national agenda. Milestones included ratification of ILO Conventions such as No. 111 on Discrimination (Employment and Occupation) and No. 100 on Equal Remuneration, the 2007 Uganda Gender Policy, the 2007 Equal Opportunities Commission Act, and the 2010 draft Uganda National Employment Policy. However, discrimination and unequal treatment of women in the world of work, and particularly sexual harassment, remained a challenge.

A report on *Gender and employment in Uganda – Policy Recommendations for the National Development Plan 2008* showed that female wage employees earned on average shs. 20,000 monthly (about US \$10) while their male counterparts earned shs. 48,000. Ugandan women had also borne a disproportionate share of the impact of the economic crisis.

Through tripartite consultations, the Government of Uganda had developed a draft Employment (Sexual Harassment) Regulations under the framework of the 2006 Employment Act No. 6. The regulations required employers to develop and disseminate to all employees a sexual harassment policy and code of conduct. A workplace committee with management and workers' representatives facilitates consultations on the sexual harassment policy, collective bargaining agreement, and receipt and resolution of sexual harassment complaints. Through the committee, the employer is required to report on sexual harassment offences to the Office of the Commissioner for Labour. Persons affected by sexual harassment can report complaints to the Office of the Labour Commissioner. The Commissioner and Labour Officer will be able to resolve cases or institute civil or criminal proceedings before the Industrial Court.

Ms. Luyima concluded by highlighting priorities to address sexual harassment such as: evidence-based research on workplace discrimination and sexual harassment including in the informal economy; capacity building for law enforcement agencies, social partners and other actors; greater coordination of policies and legislation; and developing programmes on sexual harassment in Decent Work Country Programmes.

Ms. Barbara Byers, Executive Vice-President of the Canadian Labour Congress, stated that many activists in her country had wondered for which nation the Canadian report in 2010 on implementation of the Beijing Platform for Action had been written. Equality between women and men in Canada, as envisioned by feminists attending the 1995 Beijing Conference, had not become a reality. However one positive example of promoting equal opportunities for Canadian women in the workforce was childcare in Quebec, for which many workers paid just \$7 Canadian dollars daily. But most across the country still didn't have access to affordable, quality and community-based childcare, and more often than not men were reluctant to take leave after the birth of a child since they generally were the higher-wage earners.

Recommendations in a May 2004 report by the Canadian Pay Equity Task Force, which Ms. Byers said were excellent, had never been implemented. Unless issues such as part time work and the gender pay gap were addressed, many women – who were overrepresented in part-time work and underpaid for work of equal value with men – would be caught in a cycle of poverty including when collecting a pension. Improving maternal health globally was critical, she stressed, as nearly six million women yearly gave birth without medical attention and more than 500,000 died in childbirth. Reproductive health – including access to abortion – was one component of a “full spectrum of health promotion” which should cover other rights such as equal access to education and training.

Ms. Byers concluded by citing the 2009 Global Jobs Pact, which highlighted the importance of taking into account impacts of economic policies on both women and men. However, in addition to “putting gender onto the agenda”, she stressed that women also needed to be part of decision making groups at all levels. She challenged participants attending the panel to implement at least one of the recommendations of the ILC 2009 Committee on Gender Equality.

Ms. María Fernanda Garza, Adviser for the Confederation of Mexican Employers (COPARMEX), highlighted the importance of planning in labour markets according to the needs of all actors. This had to be done carefully, as rigidity could create barriers to women's participation and have devastating consequences for business. For example, the *2008 Trends in the Workplace Survey* published by the International Organization of Employers (IOE) warned that a legal obligation for enterprises employing 50 or more employees to set up childcare facilities or a workplace health unit could result in many enterprises deciding not to employ more than 49 people. Legislation only covered workers within the formal economy, while women were over-represented in the informal one. For this reason, she stressed, special efforts were needed to formalize the informal economy including promoting small and medium-sized enterprises so that women could escape poverty.

Achieving gender equality was a challenge, which the ILC 2009 Conclusions had highlighted when stating that "many countries have adopted legislation against discrimination, but no society has achieved gender equality". These challenges included reconciling family and paid work, childcare facilities, gender stereotypes, rigid labour structures and legislation, and re-insertion for mothers into labour markets. In an increasingly changing context in which more and more women were in the workforce, innovative work arrangements that respected workers' rights would help to attract, retain and/or reinsert women into the workplace.

Ms. Fernanda Garza concluded by stressing the importance of women's access to education, skills development and training. Tackling causes of gender equality included addressing its cultural underpinnings. "Women's rights are human rights", she stressed, "and must be respected by all".

Participants at the panel stressed the importance of maternal health services, encouraging men to take parental leave, and noted that new software had been developed to help employers track if they are respecting pay equity. Several observed that huge gaps existed between anti-discrimination legislation and the "reality on the ground" in workplaces, and the challenge of implementing legal reforms. Women in the informal economy were not covered by relevant legislative frameworks and generally were not represented in trade unions, while part-time workers were often women and vulnerable. Some noted the importance of finding ways to require employers to narrow gender pay gaps. Others highlighted the need for political decisions to promote gender equality, and the critical role that organizational culture can play in obstructing or helping to bring about equality in the workplace.

In response to participants' observations, panelists stressed the importance of tripartite involvement and commitment "from the beginning" in developing equality policies, the need to formalize the informal economy, the critical role that businesses can play in promoting gender equality, and using a gradual – although sometimes imperfect – but systematic approach to bringing about equality between women and men in the world of work.