

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

2000/0142(COD) - 07/06/2000 - Legislative proposal

PURPOSE : to amend Council Directive 76/207/EEC on removing obstacles to women in employment by implementing the principle of equal treatment as regards all aspects of employment, promotion, vocational training and working conditions. **CONTENT** : many developments justify the amendment of this directive, the main one being that the provision for equal opportunities in the framework of the Treaty has been greatly enhanced since the entry into force of the Treaty of Amsterdam in 1999. Equal treatment is now an explicit objective enshrined in Article 2 , and Article 13 enables action against discrimination on other grounds. Amendment of the directive is required in order to ensure coherence. The proposal also takes account of the case law of the European Court of Justice, which comprises 40 judgements in the last 25 years. The proposed directive: -for the first time defines sexual harassment as discrimination based on sex, at the work place; -it reinforces protection even when the relationship has ended for employees who complain about discrimination, requires Member States to set up national bodies for the enforcement of equal opportunities and to ensure judicial control of all the rights granted by the directive as well as to impose adequate sanctions in cases of discrimination. -clarifies the right of Member States to provide for derogations from the principle of equal access to employment. Member States have the obligation to justify the ban on women in specific jobs when the sex of the worker constitutes a determining factor; - acknowledges that special protection be granted to women because of their biological condition and their rights to return to the same workplace after maternity leave; -implements Article 141 of the Treaty by stating that Member States are entitled to adopt positive action measures to promote equality for men and women and should report on their activities regularly.