



Procedure file

Basic information		
CNS - Consultation procedure Regulation	1993/1010(CNS)	Procedure completed
EC staff regulation: equal treatment of men and women		
Subject 4.10.04 Gender equality 8.40.09 European officials, EU servants, staff regulations		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	JURI Legal Affairs, Citizens' Rights	V LINDHOLM MaLou	24/04/1996
Council of the European Union			

Key events			
19/03/1993	Legislative proposal published	COM(1993)0106	Summary
19/04/1993	Committee referral announced in Parliament		
14/10/1993	Vote in committee		Summary
14/10/1993	Committee report tabled for plenary, 1st reading/single reading	A3-0317/1993	
19/11/1993	Debate in Parliament		Summary
19/11/1993	Decision by Parliament	T3-0666/1993	Summary
04/03/1996	Amended legislative proposal for reconsultation published	COM(1996)0077	Summary
17/10/1996	Formal reconsultation of Parliament		
27/01/1997	Vote in committee		
27/01/1997	Committee report tabled for plenary, reconsultation	A4-0046/1997	
19/02/1997	Debate in Parliament		Summary
20/02/1997	Decision by Parliament	T4-0056/1997	Summary
07/04/1998	Act adopted by Council after consultation of Parliament		
07/04/1998	End of procedure in Parliament		

15/04/1998	Final act published in Official Journal		
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Technical information

Procedure reference	1993/1010(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Regulation
Legal basis	Merger Treaty F 024
Stage reached in procedure	Procedure completed
Committee dossier	JURI/3/04571; JURI/4/08311

Documentation gateway

Legislative proposal	COM(1993)0106 OJ C 104 15.04.1993, p. 0013	19/03/1993	EC	Summary
Committee report tabled for plenary, 1st reading/single reading	A3-0317/1993 OJ C 329 06.12.1993, p. 0003	14/10/1993	EP	
Text adopted by Parliament, 1st reading/single reading	T3-0666/1993 OJ C 329 06.12.1993, p. 0364-0370	19/11/1993	EP	Summary
Amended legislative proposal for reconsultation	COM(1996)0077 OJ C 144 16.05.1996, p. 0014	04/03/1996	EC	Summary
Committee final report tabled for plenary, reconsultation	A4-0046/1997 OJ C 085 17.03.1997, p. 0005	27/01/1997	EP	
Text adopted by Parliament after reconsultation	T4-0056/1997 OJ C 085 17.03.1997, p. 0100-0128	20/02/1997	EP	Summary

Additional information

European Commission	EUR-Lex
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Final act

Regulation 1998/781 OJ L 113 15.04.1998, p. 0004 Summary

EC staff regulation: equal treatment of men and women

The proposal for a Council Regulation sought: - to apply the principle of equal treatment for men and women to the basic standards underlying the Staff Regulations of the European Communities and the arrangements that applied to other EC officials, and not only for recruitment purposes; - to include a specific rule indicating that if de facto inequalities were found to exist at any level of EU public service, then positive actions in support of women were to be initiated by the institutions acting collectively. ?

EC staff regulation: equal treatment of men and women

The members of the Legal Affairs Committee adopted the report by Mrs Vayssade (PSE/F). The Commission proposal sought to give substance in the Staff Regulations themselves to the principle of gender equality already recognised in Community law and to insert a clear specific rule which stated that if de facto inequalities were identified in the Community public service, positive action in favour of women (or rather the 'underrepresented sex') should be drawn up by agreement amongst the institutions. Mrs Vayssade's report went rather further than the Commission proposal, suggesting a measure of 'positive discrimination' immediately, on the understanding that these apparently

discriminatory measures had to be temporary and could be discontinued or modified as and when they attained their objective. The rapporteur asked that where several applicants were deemed equally well qualified for a post and one or other sex was significantly underrepresented in posts at the level in question, preference should be given to the applicant of the underrepresented sex. The same principle should apply to promotions. Lastly, the rapporteur wanted to see the Equal Opportunities Committee - the existence of which should be expressly recognised in the Staff Regulations - represented, with observer status, on the Staff Regulations Committee, advisory committees on promotions, the Joint Committee, etc. ?

EC staff regulation: equal treatment of men and women

The Members adopted the report by Mrs Marie-Claude Vayssade (PSE, F). The Commission proposal sought to give substance in the Staff Regulations themselves to the principle, already recognised by Community legislation, of equal treatment between men and women and to insert a specific clear rule which stated that if, in the Community public service, de facto inequalities emerged, positive actions to promote women (or rather the 'under-represented sex') should be defined by agreement between the Institutions. The report by Mrs Vayssade went further, proposing in future some 'positive discriminations', on the understanding that these apparently discriminatory measures had to be temporary and could be abolished or modified as and when they attained their objective. The rapporteur requested inter alia that, where a number of candidates were recognised as being equally suitable to fill a post and one of the sexes was significantly under-represented in the posts at that level, preference should be given to the candidate belonging to the under-represented sex, the same principle applying to promotions. Lastly, the rapporteur was in favour of the presence, with observer status, of the Equal Opportunities Committee - whose existence should be expressly recognised in the Staff Regulation - in the Staff Regulations Committee, the Advisory Committee on Promotion, the Joint Committee etc. ?

EC staff regulation: equal treatment of men and women

\$summary.text

EC staff regulation: equal treatment of men and women

This Commission proposal is intended to revise its proposed Regulation amending the Staff Regulations in order: - first, to take account of the changes made by the European Parliament in plenary on 19 November 1993, and - secondly, to take account of the consultations held by the Commission throughout 1994 concerning the principle of equal treatment. The new text thus accepts that the principle of equal treatment should be included among the basic tenets set out in the Staff Regulations and Conditions of Employment applying to the Community's public service, and not only in the matter of recruitment. At the same time, it invites the institutions to determine, by agreement, positive actions to promote equal opportunities for female and male officials and to redress the inequalities which hamper the opportunities for women in the areas covered by the Staff Regulations. In addition, officials and temporary staff must be selected without distinction as to sex or sexual orientation (EP amendment). ?

EC staff regulation: equal treatment of men and women

While agreeing with most of the amendments tabled, Commissioner Liikanen stated that he could not accept these because it was the Council which was responsible for deciding on the Staff Regulations. However, the Commissioner shared the view that no discrimination against homosexual or heterosexual cohabiting couples was admissible. The Council therefore needed to substantially reform this aspect in accordance with the principle of equal treatment. In this respect, the contribution of those Member States whose legislation was at a more advanced stage, such as the Netherlands and Sweden, could prove decisive.

EC staff regulation: equal treatment of men and women

The European Parliament adopted the report by Mrs MaLou LINDHOLM (Greens, S) on the amendment of the Staff Regulations of Officials with several modifications. Parliament called in particular for: - respect for the principle of equal opportunity and rejection of all forms of discrimination, - when reference is made in the Staff Regulations to marital status as a basis for rights of officials and other servants (remunerations and other social security benefits), application of the Regulations to a partnership which is registered or acknowledged in a Member State or by the European Communities (e.g. homosexual couple), - as balanced a representation as possible of women and men within the institution when selecting officials, - an equal opportunities committee for staff with the task of promoting and monitoring implementation of the principle of equal treatment. ?

EC staff regulation: equal treatment of men and women

OBJECTIVE: to make the principle of equal treatment one of the fundamental conditions of employment of European public servants. COMMUNITY MEASURE: Council Regulation (EC/ECSC/Euratom) No 781/98 amending the Staff Regulations of Officials and Conditions of Employment of Other Servants of the European Communities in respect of equal treatment. SUBSTANCE: The purpose of the Regulation is to agree that the principle of equal treatment should be stated among the fundamental rules in the Staff Regulations and Conditions of Employment governing employees of the European Community, and no longer only in respect of recruitment. It also calls on the institutions to determine, by agreement, positive measures to promote equal opportunities for men and women in the fields covered by the Staff Regulations and the Conditions of Employment of Other Servants. The Regulation also provides for officials and temporary staff to be selected without

distinction as to sex, race, religion, political conviction or sexual orientation, and irrespective of their marital status or family situation. ENTRY INTO FORCE: 16.04.1998.?