

Facts and Figures on Gender Equality Czech Republic

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ILO conventions ratified and Report of the Committee of Experts (2003):

No. 100 – ratified in 1993. According to the Committee, legislative progress has been made since equal pay for work of equal value is integrated into the *Act on Wages*, but more emphasis has to be put on implementing the relevant legislation and hence reducing the wage gap between men and women. The Committee of Experts in its 2005 comments took note of the MoLSA's Methodological Instruction No. 9/2002, which gives guidelines to labour inspectors on conducting equality inspections as well as Methodical directions of 25 October 2002 (not 2003 as stated) on assessing work value.

No. 111 – ratified in 1993. The Committee welcomes the legislative measures taken in the field of equal treatment between men and women but is concerned about widespread reports of sexual harassments at work. The Committee therefore asks the Government for information on the practical measures taken to combat sexual harassments and to promote equality in employment.

No. 156 and 183 – not ratified
(**No. 103** – not ratified)

National legislation:

The Czech Republic lacks a specific anti-discrimination law and instead the legislation on equal treatment and non-discrimination exist as clauses under general law. Direct and indirect discrimination on a number of grounds including sex is prohibited through the

Labour Code (amended in 2001) and the Employment Act (October 2004).

In January 2005, the Chamber of Deputies passed a draft law of the new **Anti-Discrimination Act** in the first reading. This Act should serve as the umbrella act in fighting all kinds of discrimination.

Further **amendments to the Labour Code** entered into force partly in March 2004 and Section I will be in force on 1 January 2005. It renders compatible with EU directives provisions concerning the equal treatment of all employees and the prohibition of discrimination. Defines direct and indirect discrimination and sexual harassment, as well as cases that are not discrimination or unequal treatment (section 1 of the Labour Code)¹.

The new Employment came into force in October 2004. It defines direct and indirect discrimination and provides other anti-discriminatory provisions. The Act also enables affirmative measures to decrease inequalities in the labor market and prohibits discriminatory employment practices such as discriminatory advertisement. Moreover, the principle of equal pay for equal work or work of equal value is ensured in the *Acts on Wages* and the burden of proof has been shifted towards the employer in cases of discrimination based on sex in the *Code of Civil Procedure*.

¹ ILO Natlex

GENDER EQUALITY MACHINERY

The *Ministry of Labour and Social Affairs* has the governmental responsibility to coordinate gender equality issues and this responsibility is administered by its *European Union and International Relations Section, Gender Equality Unit*. The Office also serves as the secretariat of the *Government Council for Equal Opportunities for Women and Men*. The Council, established in October 2001, is an advisory and consultative body, which is comprised of representatives of ministries (at the level of deputy ministers), representatives of the civil society, social partners and independent experts. Furthermore, each ministry has a gender focal point to administer gender affairs.

Since 2001, Czech Republic has an *Ombudsperson* but the institution is not working specifically with sex-based discrimination. In January 2005, the Chamber of Deputies passed a draft law of the new **Anti-Discrimination Act** in the first reading. Currently, protection against discrimination based on sex is

provided for in various laws and this Act should serve as the umbrella act in fighting all kinds of discrimination. The draft of the new Anti-Discrimination Act significantly widens the existing competence of the Office of the Ombudsperson in the field of the protection against sex discrimination.

In 1998, the Government Human Rights Council, specifically **Committee for the Elimination of All Forms of Discrimination against Women**, was established to advise and present initiative to Government.

In July 2002, the newly elected Chamber of Deputies resolved to establish **Permanent Family & Equal Opportunities Commission**. The Commission has 10 members - deputies representing all parliamentary political parties.

SOME BASIC INDICATORS

Female/Male activity rate and unemployment: In the 3rd quarter 2004, the activity rate for women was 50.5% and for men 68.6%. At the same time, the unemployment rate was 9.8% for women and 6.9% for men².

Female/Male part time work: Regarding part-time work, 8.25% of female employment and 2.10% of male employment was part-time in 2001³. In 2003 female share of total part time employment was 71.9%. 5.3% of all employed women were working part time, and 1.6% of all male employment was part time⁴.

In the 3rd quarter 2004 women comprised 73,1% of total number employed part-time⁵.

Sex distribution by employment sector: In 2003 women comprised 30.8% of all employees in agricultural sector, 29.6% in industry and 54.5% in services.⁶ In the 3rd quarter 2004, 3.1% of working women were employed in agricultural sector, 26.5% in the industrial sector and 70.4% in the service sector⁷.

Wage gap: In 2001, the average difference between of women's and men's earnings was 26%⁸.

University graduates: In 2002 57% of tertiary graduates were women⁹. In the 3rd quarter 2004 8.2% of women and 11.8% of men were university graduates¹⁰.

Composition of main national tripartite body: The Council of Economic and Social Agreement of the Czech Republic consisted of 2 female and 40 male members in 2004¹¹.

Retirement age: The current retirement age for women is 55-60 depending on the number of children. The age is increasing with 4 months per year until 2007. Men do currently retire at the age of 61, which will increase with 2 months per year until 62 years in 2007¹². (No changes¹³)

Maternity and parental leave: The maternity benefit is 69% of the previous

gross wage for 28 weeks or 37 weeks for single mothers or in case of multiple births. Paid parental leave is granted to a male or female worker for full-time care until the child is three years old. Additional paid leave can be taken until the child is four years but the employer is then not obliged to offer the same or equivalent work when the mother/father wants to return to work¹⁴. (No changes)

² Czech Statistical Office

³ UNECE

⁴ OECD

⁵ Czech Statistical Office

⁶ OECD

⁷ Czech Statistical Office

⁸ Eurostat

⁹ UNESCO

¹⁰ Czech Statistical Office

¹¹ Czech Ministry of Labour and Social Affairs

¹² ISSA

¹³ UNECE Paper, Geneva 2004

¹⁴ ISSA and ILO 2003 - *The Gender Dimensions of Social Security Reform in Hungary, The Czech Republic and Poland*

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Websites of Czech NGOs and Trade Unions

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