



Sixth item on the agenda: Gender equality at the heart of decent work (general discussion)

Report of the Committee on Gender Equality

1. The Committee on Gender Equality, which held its first sitting on 3 June 2009, was initially composed of 165 members (82 Government members, 30 Employer members and 53 Worker members). The composition of the Committee was modified five times during the session and the number of votes attributed to each member adjusted accordingly.¹
2. The Committee elected its Officers as follows:

<i>Chairperson:</i>	Mr Fredrik Arthur (Government member, Norway)
<i>Vice-Chairpersons:</i>	Ms María Fernanda Garza (Employer member, Mexico) and Ms Barbara Byers (Worker member, Canada)
<i>Reporter:</i>	Ms Myra Hanartani (Government member, Indonesia)

¹ The modifications were as follows:

- (a) 3 June evening: 184 members (93 Government members entitled to vote with 1,888 votes each, 32 Employer members with 5,487 votes each and 59 Worker members with 2,976 votes each);
- (b) 5 June: 182 members (98 Government members entitled to vote with 4 votes each, 28 Employer members with 14 votes each and 56 Worker members with 7 votes each);
- (c) 9 June morning–afternoon: 166 members (105 Government members entitled to vote with 164 votes each, 20 Employer members with 861 votes each and 41 Worker members with 420 votes each);
- (d) 9 June evening: 152 members (107 Government members entitled to vote with 434 votes each, 14 Employer members with 3,317 votes each and 31 Worker members with 1,498 votes each);
- (e) 13 June: 148 members (107 Government members entitled to vote with 378 votes each, 14 Employer members with 2,889 votes each and 27 Worker members with 1,498 votes each).

-
3. At its third sitting the Committee appointed a Drafting Group chaired by the Chairperson of the Committee, composed of the following members: Ms Marianne Laxén (Government member, Sweden), Ms Kristin Lipke (Government member, United States), Ms Sophia Kavaongelwa (Government member, Namibia), Mr Paul Barker (Government member, New Zealand), Mr Riyadh Mohammed Ali (Government member, Iraq) and Ms María Sara Payssé (Government member, Uruguay); Ms María Fernanda Garza (Employer member, Mexico), Dr Lama Abdulaziz Alsulaiman (Employer member, Saudi Arabia), Ms Margaret Hart Edwards (Employer member, United States), Mr Paul Mackay (Employer member, New Zealand), Ms Marion Johannsen (Employer member, Germany), and Ms Denise Perron (Employer member, Canada); Ms Toni Moore (Worker member, Barbados), Ms Karin Enodd (Worker member, Norway), Ms Margriet Kraamwinkel (Worker member, Netherlands), Ms Nanette Cormack (Worker member, New Zealand), Mr Francis Wangara (Worker member, Kenya) and Ms Barbara Byers (Worker member, Canada). The Reporter attended ex officio.
 4. The Committee had before it Report VI, entitled *Gender equality at the heart of decent work*, prepared by the Office for a general discussion of the sixth item on the agenda.
 5. The Committee held 12 sittings.

Introduction

6. In his opening statement, the Chairperson thanked the Committee for the nomination, which was a great honour for himself and for Norway. He assured the Committee that he would do everything within his capacity to contribute to its successful work. He explained the Committee's mandate and objectives. These included submitting conclusions to the International Labour Conference (ILC) for consideration on 17 June 2009. He recalled that the Office's report suggested four points for discussion, and he proposed that these be the basis for the Committee's discussion. This discussion would seek to build a shared understanding of the opportunities and challenges faced; bring to light concerns and interests; assess the current situation; and forge a consensus for constituents to chart a strategic course in promoting and achieving gender equality within the ILO's mandate.
7. The representative of the Secretary-General (Ms Jane Hodges, Director of the Bureau for Gender Equality) noted that real progress had been made in gender equality since 1985, when the ILC had last held a general discussion on the issue. This progress included improved national policies and legislative frameworks for gender equality, as well as better monitoring and enforcement of laws. Awareness had increased about workers' rights to equal opportunity and treatment, and many governments had adopted active labour market policies that addressed gender inequality. However, she stressed, major challenges remained. Women were still over-represented among the poor, gender pay gaps persisted, and women remained disproportionately represented in low-paying unskilled jobs and, in the informal economy, workers were unprotected and vulnerable. In addition, HIV/AIDS was a persistent cause of child labour in high prevalence countries, and the epidemic's face was increasingly young, poor and female. The global economic crisis, which was jeopardizing fragile gains in empowering women, paradoxically also presented opportunities to address unequal power relations between women and men. This Committee could help ensure that the ILO's future work – and responses to the jobs crisis – more fairly balanced the social and economic burdens that women bear.
8. Report VI used a life-cycle approach in responding to the three objectives entrusted to the Committee, namely: (i) to conduct a review of the ILO's progress in assisting constituents on gender equality; (ii) to highlight implementation of ILC resolutions and Governing Body decisions on gender equality; and (iii) to provide a forum for constituents to chart a

strategic course for future work. The report analysed the different impacts of globalization and the economic crisis on women and men, as well as changing demographics, rural/urban shifts, unequal sharing of responsibilities between women and men, the impact of HIV and AIDS, paid domestic work, and maternity protection as well as paternity measures. The report highlighted barriers to girls' education, as well as stereotypes in boys' education, and how older boys were more at risk with regard to hazardous work. The chapter on youth focused on challenges and opportunities for the 500 million young women and men who would reach working age over the next decade, and it stressed the importance of providing quality formal and non-formal education, and promoting youth entrepreneurship. The chapter on adulthood examined well-documented issues of unequal pay for work of equal value, vulnerable employment and non-standard work, and the struggle of balancing work and family responsibilities that were symptoms of sex discrimination. The chapter on older workers examined accumulated disadvantages for women, the need for adequate employment policies, and the importance of lifelong learning. The concluding chapter stressed the importance of leveraging social dialogue for gender equality, women in leadership roles and affirmative action, adopting holistic approaches in policies and programmes, and collecting and better analysis of sex-disaggregated data and statistical systems. It highlighted the importance of gender-responsive employment creation as part of national policies and national development frameworks, such as Poverty Reduction Strategy Papers; upgrading national social security systems to be inclusive and non-discriminatory; and engaging in equitable and participatory social dialogue and requiring parity between women and men on tripartite bodies. Universal ratification of Conventions Nos 100 and 111, and improved ratifications of Conventions Nos 156 and 183 would support these efforts; as would strengthening international partnerships with the United Nations (UN) family including promoting the ILO participatory gender audits. She concluded by introducing the four points for discussion which were outlined at the end of the report.

General discussion

9. The Employer Vice-Chairperson stated that during the Committee's discussions, the Employers' group would focus on the specific situation of women, as they were often the most vulnerable of workers. The discussions would seek to address equal treatment of women and men in the world of work. The Employers' group expected the Committee to produce practical solutions with clear guidelines for all constituents to achieve equality between women and men. Employers were aware of the many challenges to gender equality, but rather than focusing on problems, the Committee should identify solutions. They would also not discuss issues that had already been addressed, and the Committee's discussions should be closely related to the ILO's mandate. Different responses tailored to the specific contexts of countries and of the private sector should be identified, giving priority to sustainability of results. There was not one formula to achieve results for all situations. Countries needed institutions providing solid economic governance, and efforts should match day-to-day varying challenges such as the economic and financial crisis. Small and medium-sized enterprises (SMEs), which employed up to 80 per cent of workers in some countries, did not have the same resources as larger ones, therefore adaptability and innovation in responding to the needs of workers and employers were important. Excessive rigidity in labour laws had created problems for women's participation in the labour market and could have negative consequences for workers and enterprises. In the crisis context, it was important to make legislation more flexible. Obsolete regulations should be replaced, and different standards and forms of work should be recognized, with full respect of workers' rights. Labour legislation only covered the formal economy. Discrimination was mainly found in the informal economy, where women were over-represented. Measures formalizing informal enterprises should be found. Enterprises in the formal economy should also be provided with an appropriate context for sustainability, as

mapped out in paragraph 11 of the Conclusions concerning the promotion of sustainable enterprises of the 2007 session of the ILC. Education, skills development, vocational training and lifelong learning were important for creating a competitive workforce. Skills were an essential element to build on new opportunities for women's increased access to the world of work. Changes in technologies and communications could be used in this way, for example in distance work.

- 10.** One of the big challenges for women was the need to reconcile professional and personal life, especially in relation to childcare. Strong social structures were of vital importance, as were the availability of innovative labour relations systems. New working schemes, such as part-time or distance work, should be envisaged, in compliance with labour rights and without loss of security of employment.
- 11.** The Worker Vice-Chairperson observed that discrimination began early in women's lives, and continued into their working years and then old age. Sex discrimination was lifelong and was compounded by race, age, ethnicity, sexual orientation and identification, and other forms of discrimination. Much had been done to advance gender equality in the world of work since the last general discussion, and the Office report helped to understand the keys to progress, measures to sustain it, and ways to remove continuing obstacles to equality. However, today's economic and employment crisis could stall advances or even reverse gender equality gains. In the absence of legislation for equal pay for work of equal value, women's wages could not keep pace with their increased education. They remained in poor quality jobs with lower pay and few chances for training or professional advancement; and had lower or no access to social security. Family responsibilities continued to be perceived as "women's tasks"; providing maternity protection remained a challenge; and problems also persisted or had deepened for the most vulnerable, such as indigenous or tribal women, those working in export processing zones (EPZs), migrants and women domestic workers.
- 12.** The current crisis resulted from the effects of past globalization patterns, in which many countries had assumed a "small state" role. If real progress was to be achieved as a result of the Committee's discussions, bold policy responses were required. These responses would encompass the four pillars of decent work and promote coordinated short and long-term action at national and international levels. Gender equality had to be at the centre of governments' recovery plans and policies. Any measures taken by international financial institutions aimed at mitigating the crisis had to ensure that gender equality was not compromised in any way. Key elements of the crisis response should include closing the gender pay gap and extending social security. Globally, fundamental changes were needed in the development model promoted by the international financial institutions and the World Trade Organization (WTO). It was vital to achieve policy coherence based on decent work and gender equality, and to incorporate the ILO's Global Employment Agenda (GEA) in this effort. At the national level, policy responses should respect international labour standards, especially the four key gender equality Conventions Nos 100, 111, 156 and 183, as well as the Employment Relationship Recommendation, 2006 (No. 198). Governments must also assume greater responsibility in promoting legal and institutional frameworks for the rights of women workers, as well as an enabling environment for their implementation. Conventions Nos 87 and 98 were core labour rights for women and men.
- 13.** It was essential to ensure that equality of access led to equality of outcomes; this could be done by ensuring quality public services and universal social security coverage, and addressing the inequality women faced in accessing pensions and other social security benefits. Strengthened maternity protection was key to workplace equality. Social dialogue remained a major policy tool, and national-level tripartite consultations must be broadened in both composition and content to provide for women's voices and include gender-

specific content. Workers' organizations also needed to provide more voice for women workers in their structures. Centralized and coordinated collective bargaining were vital if gender pay gaps were to be narrowed and if gender-sensitive bargaining outcomes were to be secured. ILO Decent Work Country Programmes should ensure full involvement of the social partners and greater participation of women in their design and implementation. Such ILO programmes needed to be gender-sensitive and include measurements that would enable the tracking of how intended outcomes would affect women and men. Equally, "green jobs" must be looked at with a gender lens.

14. The Government member of Sweden, speaking on behalf of the Governments of Member States of the European Union (EU),² stated that, although there had been positive developments since 1985, sex discrimination persisted. It was important to monitor the gender impacts of the economic downturn, since women were already vulnerable due to their lower status in terms of wages and working conditions. The EU welcomed the ILO report and its grounding in both rights-based and economic efficiency rationales; not only was gender equality a matter of human rights and justice for workers, it also made good business sense for employers and was instrumental to achieving economic growth and reducing poverty. Standards essential for achieving equal opportunities for women and men included ILO Conventions Nos 100 and 111, other internationally agreed instruments such as the Universal Declaration of Human Rights and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), the 1994 Cairo Declaration and the 1995 Beijing Declaration and Platform for Action, as well as the Millennium Development Goals. In the EU, monitoring of results was strong, with the European Commission preparing yearly reports to the European Council on developments relating to gender equality. The upcoming Swedish Presidency was preparing a Beijing +15 report. Other previous initiatives included the EU Development Plan for 2000–10, the 2006 European Pact for Gender Equality, the Roadmap for equality between women and men for 2006–10, and the European Council's 1992 recommendation on childcare.
15. Gender equality had also been given an important role in the EU strategy for growth and jobs. It was crucial to systematically consider the potentially different labour market impacts of the economic and financial crisis on women and men in the short, medium and long term, avoiding adoption of measures that might negatively affect their equal access to employment opportunities. States should eradicate all discrimination remaining in laws, regulations or administrative provisions and inform workers of their rights. They should adopt measures to enable the reconciliation of work, private and family life, and men should be encouraged and enabled to take responsibility for their social and family roles. It was vital to collect data regularly and have a system in place so as to measure women's unpaid family workloads and gender differences in time-use. Gender mainstreaming was fundamental to action in all policy fields. The ILO's dual approach, emphasizing both rights and economic efficiency rationales, offered a good basis for cooperation among governments, employers' organizations and trade unions. It was essential to have social dialogue that provided women with a voice, and set goals for promoting their participation in decision-making at all levels, including dialogue processes in member States.
16. The Government member of Turkey described gender equality initiatives in her country since 2003, including the Labour Act's prohibition of: discrimination based on, among other grounds, sex; differential treatment due to pregnancy; and lower wages for work of equal value; as well as new penal legislation that criminalized violence against women. Labour force participation of women in Turkey was 69.6 per cent, and their employment rate was 60.8 per cent, which underlined the importance of educating girls.

² Austria, Belgium, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Italy, the Netherlands, Poland, Portugal, Spain, Sweden, United Kingdom.

-
17. The Government member of Nigeria questioned why there were so few ratifications of the Maternity Protection Convention, 2000 (No. 183). She believed more representation of women was needed in delegations to the ILC, and observed that it was still a challenge to put gender equality at the centre of development policies. She congratulated the ILO on its Action Plan for Gender Equality and gender focal point network, and called for more capacity building for constituents.
 18. The Government member of India described three positive outcomes of the recent general elections in his country. There were over 10 per cent women in the Lower House, the Speaker of the House would be the first woman to hold this position and the youngest member of the new Council of Ministers was a woman. Holistic development for women was only possible when measures taken were inclusive across gender, caste, creed and religion. Effective implementation of legislation and policies was now critical.
 19. The Government member of Argentina stressed that equal opportunity and decent work were political issues. The global economic crisis was endangering achievements, such as women's increased labour force participation. The regional Tripartite Commission on Gender Equality (covering five Latin American countries: Argentina, Brazil, Chile, Paraguay and Uruguay) was working on many relevant issues including rural child labour and precarious work that demonstrated gender-based disparities.
 20. The Government member of New Zealand suggested four areas for the Committee's focus: adoption, implementation and enforcement of fundamental workplace rights; initiatives to remove barriers to women's well-paid employment; areas of ILO expertise and leverage; and providing better information on gender outcomes to inform policy and enable strong monitoring of results and outcomes. Clear indicators, such as employment rates for women, could be part of such monitoring and analysis systems.
 21. The Government member of the United States observed that opportunities to promote gender equality included: promoting national and international awareness; enforcing domestic labour laws; targeting training for vulnerable people; fostering partnerships; educating women and girls; and promoting work-life balance and maternity protection. She wished to see more systematic collection of sex-disaggregated data in ILO work. Furthermore, gender equality should be at the heart of policy decisions.
 22. The Government member of Mexico complimented the ILO on the vast and relevant information in the report, and noted the importance of language – including what was meant by “gender”. He described initiatives of the Mexican federal Government to promote gender equality, including measures to protect rural and domestic women workers, and efforts to combat sexual harassment and violence at work.
 23. The Government member of China echoed other speakers concerning the risks to labour rights due to the global economic crisis. He noted that globalization's benefits had not been equal for all and stressed the importance of the 2008 ILO Declaration on Social Justice for a Fair Globalization. Although China had made progress, women still did not enjoy their full rights; for example, women workers were often not provided with formal labour contracts by their employers.
 24. The Government member of Canada explained that women in her country were increasingly completing post-secondary studies as well as working in formerly male-dominated sectors such as business and finance. Women made up the majority of newly graduated doctors, dentists and lawyers. In addition to this, government policies and programmes had assisted workers – including fathers – to balance work and family responsibilities.

-
25. The Government member of Portugal identified reasons for the future adoption of instruments on workers' right to paternity leave and considered paternity as an essential social value as well as maternity. These reasons included women's increasing labour force participation rates, and the fact that women had an unequal share of family responsibilities, which reduced their contribution in the workplace and hence productivity.
 26. The Government member of Australia stated that Australia was ranked third in the world in the Gender-Related Development Index and that unaided market forces could not ensure decent work or gender equality. While this is an achievement, progress still needs to be made in relation to gender equality in the workplace. The current overall female participation rate in Australia is 59 per cent compared to the male participation rate of 72 per cent. Although governments had an important role to play, there were complex and interrelated social, cultural and institutional factors linked to gender inequality. For this reason, governments and the social partners should facilitate change through the community. Her Government had recently provided for paid maternity leave, thus removing itself from the list of countries without such protection identified in the report.
 27. The Government member of Norway commented on the constructive policy orientations chapter of the report. There were strong indications that gender equality approaches were good for maintaining high fertility rates, for example, childcare facilities helped parents combine work and family. Quotas – including “father quotas” for parental leave – had also proven to be highly effective. What was needed were proactive measures.
 28. The Government member of Iraq observed that economic, social, political and even environmental factors influenced relations between women and men. He described strategies to achieve gender equality in Iraq, which included the creation and strengthening of the Ministry of Women's Affairs. His country's labour legislation did not distinguish between women and men.
 29. The Government member of Japan noted that, in his country, the total fertility of 1.34 children per woman in 2007 was very low. For this reason it was important to find ways to promote balance between work and family, which enabled women to work and also have families without suffering discrimination. He believed the constituents in this Committee should be united in order to have fruitful discussions and social dialogue, and he hoped that the deliberations would include sharing of good practices.
 30. The Government member of Uruguay described progress to promote equality of opportunity for women through the programme Uruguay Equitativo. Legislative initiatives included a law on domestic work and a draft law on sexual harassment. These had been developed through the work of the Tripartite Commission on Equal Opportunity and Treatment in Employment. She believed that the economic crisis was a threat – but also an opportunity for women's personal and economic empowerment.
 31. The Government member of Algeria described the country's progress regarding equality between women and men. Algeria was focusing its efforts on access to education and training in its Constitution. School was obligatory and free for children aged 6 to 14 years old. The State was taking initiatives to promote a more egalitarian society: it had adopted anti-discrimination legislation and had ratified numerous Conventions concerning women workers. The Socio-Economic Pact, the High Council on Women, and the Ministry for the Family and Women had been established. The Labour Code, being discussed on a tripartite basis, and the Constitution had been modified in order to reinforce the role of women in economic, social and political spheres.
 32. A representative of the Food and Agriculture Organization (FAO) highlighted inter-agency cooperation, exemplified by the joint FAO/IFAD/ILO Expert Workshop on the gender

dimensions of agricultural and rural employment (Rome, 31 March–2 April 2009). Rural employment was often characterized by widespread gender inequality, poor working conditions, low remuneration, unstable and seasonal employment, limited access to social security and protection, restricted training, lack of employment history, minimal representation and weak social dialogue. Gaps in access to education were also a key determinant for women workers' opportunities for better rural jobs. The Workshop called for: raising gender awareness when shaping rural employment strategies; promoting ministerial collaboration and encouraging grass-roots participation; implementing measures and services (training, childcare, social services, targeted social protection, retirement schemes) that encourage rural women's participation in paid work; reducing barriers to access to land, credit and technology; promoting women's and girls' education in rural areas; designing policies to support better and equal market access for women and men; launching public works programmes that enhance gender equality in rural employment; undertaking deeper research; and collecting sex-disaggregated data. The FAO renewed their commitment to work with the ILO on many areas, including addressing the outcomes of the Workshop.

33. The Worker Vice-Chairperson believed that rights were better implemented if there were policies and programmes to support their application. She recalled that access to the labour force for women could be increased by high-quality childcare, education, elder and dependant care, parental leave and better maternity protection. Some governments had described innovative measures for fathers. In most families, women earned less than men; when employment was precarious and low paid, women rather than men would generally be the ones to take parental leave. The key message was to adopt and enforce proactive family policies and legislation.
34. The Employer Vice-Chairperson agreed with the views expressed by her Worker counterpart regarding the absence of appropriate structures to support women's work, but she worried about the references to equal pay for work of equal value, given the lack of a clear definition of this concept. Her group believed that the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Equal Remuneration Convention, 1951 (No. 100), were fundamental Conventions; however, the Employers were opposed to the repeated references in Report VI and in the Committee's discussions to the Maternity Protection Convention, 2000 (No. 183), as well as several other Conventions as "key" Conventions given their low ratification rates. The Employers also could not agree with the Workers' claim that free markets and globalization had not brought benefits.

Point 1. International, national and enterprise-level responses to address challenges to gender equality

35. Opening the debate, the Worker Vice-Chairperson stressed that women continued to find themselves in low-quality, precarious employment, and were the first to lose their jobs in economic downturns. In some countries, women had experienced the highest percentage of job losses. Women were also subject to widespread sexual harassment, often excluded from protections and benefits, and faced multiple forms of discrimination, such as race and age, among others. There was a need to develop and implement strategies to promote the formalization of employment in the informal economy. Proactive measures were needed to guarantee to women adequate wage levels and ensure that collective bargaining took account of gender issues. Stressing the importance of childcare, she noted that when women's participation in the labour market increased, they were able to share in the benefits of work. Neo-liberal policies to cut wages and reduce benefits – promoted by the international financial institutions and the WTO in developing and transition countries – had had devastating effects on workers, especially women. Policies at national level

needed to respect the four key equality Conventions, Recommendation No. 198, and especially Conventions Nos 87 and 98. Ratification of the latter Conventions and monitoring of their application would promote women's rights. Social dialogue was a major policy tool to promote gender equality, and should be broadened in both content and participation to include women's representation. Collective bargaining should take into account gender issues. It was also important to encourage and facilitate the entry of women into non-traditional occupations previously dominated by men, such as manufacturing, technical trades, construction and technology work. Gender equality needed to be the lens through which all labour market policies and measures should be viewed, with each proposal reviewed on the basis of its gender outcome.

- 36.** The Employer Vice-Chairperson acknowledged that globalization had presented major challenges for employers. However, many of the social and gender inequalities ascribed to globalization had existed long ago. The difference was that information and communication technologies made those inequalities increasingly apparent to more people worldwide. Modern technologies had eliminated many barriers to women's entry to different kinds of jobs, for instance increasing opportunities for women's access to technology sector employment in Japan, or for working from home and reconciling work with childcare. Thus, while challenges were real and should not be minimized, the benefits of globalization ought not to be ignored. She recognized nevertheless that gender inequality still existed for women across the world, and it was important to address its causes and tackle inequality at its roots, including its cultural underpinnings. Employers agreed that women's rights were human rights that should be respected. Demographic trends, such as workforce ageing in some regions and rising participation of young female workers in many countries, had important implications for employment and gender equity. Improvements in access to education, skills development and training were essential to enhance women's access to emerging opportunities, as had been noted in the 2008 ILC Conclusions on skills for improved productivity, employment growth and development. On the informal economy, the Employers' group considered that the absence of an enabling environment was one cause of growing informality, where many women worked. It was important to develop and implement policies that encouraged informal economy enterprises to move into the formal economy, and to promote SMEs so that women could escape from poverty.
- 37.** The Government member of Brazil remarked that her country's Special Secretariat for Women's Policy had the mandate to ensure the inclusion of women in society and in labour markets. She provided several examples demonstrating Brazil's commitment to benefit women by promoting their economic and personal empowerment, citing programmes aimed at promoting women's entrepreneurship, combating job segregation based on sex, combating violence against women and tackling globalization in the context of the economic crisis. The ILO had assisted in delivering several of these successful programmes.
- 38.** The Government member of the United States recognized that globalization had a significant impact on vulnerable populations worldwide, including women and children. At both the international and national levels, it was important to: continue to raise awareness of the specific challenges women face; ensure women's access to training and job opportunities particularly in new occupations; achieve measurable results in combating the worst forms of child labour; and promote the rule of law. The ILO's International Programme on the Elimination of Child Labour (IPEC) projects, funded by the Department of Labor (DOL), had successfully integrated gender into their approaches. She welcomed the inclusion of older women in the report's decent work life-cycle approach, and believed that women needed more information about the changing economy, training requirements, possible new jobs, their legal rights, and enhancing their participation in social dialogue.

By working together, government, women's organizations, trade unions and academic institutions could ensure more active participation of women in social dialogue.

39. The Government member of India stressed that national employment policies should be subject to gender equality tests and must prohibit discrimination. Such employment policies should insist on affirmative action for women (such as India's 30 per cent of reserved vocational training places for women), removing stereotypes about what work men and women can do, reducing women's workload and improving their health. There was a role for employment services in this regard. Training of women should enable their entry into higher productivity employment, and new technologies could help women to attain decent work. The Indian Civil Service had seen progress recently with additional maternity leave and childcare facilities.
40. The representative of the International Federation of University Women (IFUW) remarked that the wealth of issues, statistical references and factual evidence covered by Report VI proved that gender equality at work required combining a human rights approach with the economic empowerment of women as smart business practice. Within that framework, gender mainstreaming should be applied to all ILO activities. Women were still perceived as the custodians of the home, so governments were strongly recommended to ratify the Maternity Protection Convention, 2000 (No. 183), which had only received 17 ratifications. Measuring unpaid work was a valuable indicator of gender inequality, since in the past the statistical invisibility of unpaid work and the informal economy had left women's activities unrecognized in policy and planning at the national level. Her organization commended the ILO on its life-cycle approach to gender inequality since older women could become victims of poverty and of elder abuse. In the context of globalization, measures were needed to promote men's parenting role, prevent violence against women, and HIV/AIDS infection among women and girls, and discourage all forms of sex-based stereotyping. The IFUW proposed a methodology for sustainable development based on the systematic analysis of five criteria: equal accessibility, equal opportunity, equal treatment, equal choice and equal resources.
41. A representative of International Young Christian Workers (IYCW) observed that the economic crisis was expected to increase the number of unemployed women by up to 22 million in 2009; in the global economic crisis, women were the most vulnerable victims. The IYCW's activities centred on organizing and training women in order to empower them at their workplace and in society.

Point 2. Immediate, medium and long-term measures for gender equality and to mitigate the impact of the economic crisis

42. The Employer Vice-Chairperson stated that measures to preserve and advance gains in gender equality had to be sustainable, tangible and able to withstand any crisis, now and in the future. For any such action to be effective, policy-makers needed to take local realities into account, as there was no single formula for promoting gender equality for all. Employers everywhere had noted increasing female participation in the labour market, and more and more women were engaging in non-traditional activities. However, she pointed out that in many countries there was still a widespread belief that "a woman's place is in the home", despite the existence of anti-discrimination laws; therefore a change of attitude was needed, since legislation alone was not the solution and could sometimes act as a disincentive to employing women. She gave the example of companies in many parts of the world – knowing that it was sometimes impossible for women to sustain an eight-hour-a-day job because of their other responsibilities – which had introduced flexible working hours and home-work arrangements to allow for work-family balance. She emphasized

that any measures designed to advance the cause of gender equality must, first, be flexible; second, provide women with incentives to seek employment and remain in the labour force; and, third, develop women's skills and continue their education and training so that they could be prepared for times of crisis.

43. The Worker Vice-Chairperson urged the Committee to look not only at the current crisis but also at the effects of globalization. In her opinion, women were often the first to suffer and the last to recover from crises. She suggested looking at the economic argument for women's equality, for instance, if women had childcare and fully participated in the labour force, wages could rise and there would be fewer older women living in poverty and there would be more dignity for retired people. She urged governments to seriously examine ways to ensure equal pay for work of equal value. If women received higher remuneration, there would be greater mobility and opportunities for women, they could pay more taxes and society would gain. She recommended that specific government policies to mitigate the crisis should take into account gender equality issues, gender should be at the centre of recovery programmes, and she observed that it was ironic that massive recovery packages were offered to financial institutions, while many women's organizations lost their sources of funding. Public sector cutbacks doubly affected women through job losses and reduced services. Workers should prepare themselves for the "green jobs" of the future: climate change offered opportunities, yet there was uneven access to and control over technology between women and men and between developed and developing countries. The gender dimension should be highlighted in all ILO discussions on the crisis, and was an integral part of the Conference's Committee of the Whole on Crisis Responses, to which the Committee on Gender Equality would present its highlights.
44. The Government member of the Republic of Korea pointed out that amidst global economic instability, more women than men were losing their jobs. In order to minimize this negative effect on achievements regarding gender equality, governments should look at gender-specific needs and requirements in all measures to overcome the current crisis. As more women were losing their jobs, they should be at the core of employment promotion and livelihood policies. In his country, around 70 new employment centres for women had been created, which aimed to provide employment services to women workers during the crisis and beyond. The Government was also offering job training to women heads-of-households. In terms of long-term measures, work-life balance and affirmative action were effective for promoting women's economic activities and gender equality in the world of work. The Economic Commission of Korea focused on this in its work. He called for continuing efforts by the ILO to mainstream gender in all areas of its work to overcome the current employment crisis.
45. The Government member of the United States shared experiences and best practices from her country, and stressed the need to create an enabling work environment where work-life balance was possible. The Families and Work Institute's 2008 *National Study of the Changing Workforce* reported that men's work-life conflict increased significantly from 34 per cent in 1977 to 45 per cent in 2008, whereas women's work-life conflict increased less dramatically (34 per cent in 1977 to 39 per cent in 2008), demonstrating that this was not just a woman's issue. The Government had therefore published the *Flex-Options Guide: Creating 21st Century Workplace Flexibility*, and "Improving work and family balance" was one of the six goals outlined by the White House Task Force on Middle Class Working Families. Governments could help promote work-life balance by assisting companies in creating or expanding workplace flexibility policies and programmes, and by ensuring maternity protection. The Recovery Act of 2009 addressing the crisis had three aims: implementing wider coverage of unemployment benefits; skilling and reskilling women and men workers; and investing in infrastructure, housing, "green jobs", public works and support to SMEs. Stimulus packages must look at the differences between women and men. Men in the United States appeared to be hit harder by the current

economic crisis, in light of the job losses in male-dominated industries (for example, in construction and the automobile industry), and while female-dominated sectors were still expanding (including education and health care), job losses were also significant there. Crisis responses could include job training for men on the entire range of jobs, not just traditionally male jobs; this would in turn reduce occupational segregation and could help raise pay for traditionally female occupations that men move into. The work of the Women's Bureau of the DOL included conducting listening sessions for women seeking advice, so as to ensure that their specific needs and requirements were met during the crisis and to educate women about their rights at work. Immediate active labour market policies could help stimulate women's participation in the labour force in general, but also in traditionally male-dominated jobs, as was demonstrated by the grant programme jointly administered by the Women's Bureau and the Employment and Training Administration's Office of Apprenticeship.

46. The Government member of Canada noted that, although women might not have suffered as severely as men from the crisis so far in her country, they remained particularly vulnerable to its impact. Women were over-represented in temporary work (and thus at risk from job losses and limited access to social protection) and in caring for an ageing population. However, the financial crisis offered new opportunities to question the role of women and men in society and the stereotypes attributed to each gender. Measures could be taken to break such stereotypes, including efforts to encourage men to receive training for work in social services and to play greater roles in domestic life. Efforts could also be made to enable women to access non-traditional forms of labour. Of particular interest were measures to reconcile work and family issues. An example from Quebec showed how a subsidized paternity leave scheme had encouraged more men to take parental leave.
47. The Government member of Japan emphasized the need for clear time frames for interventions to mitigate the impact of the financial crisis. He stated that, in the short term, funding could be provided to safeguard and create jobs. In the medium to longer term, institutional measures were needed, such as revision of laws, for example on leave for workers with care responsibilities. Japan's economic stimulus package launched in April 2009 included the expansion of subsidies to companies that offered short-time flexible working hours to employees who take care of children. In particular, this benefited working women with family responsibilities.
48. The Worker Vice-Chairperson, concluding on points 1 and 2, welcomed the many positive statements made by Government members. She agreed with the statement of the Government member of the Republic of Korea that the financial crisis must not be allowed to undermine achievements towards gender equality. She drew attention to the need to protect employment and minimize job cuts, including in the public sector, and recognized the wide variety of efforts described by the Government member of the United States – and a number of other Government speakers – to promote greater work–life balance for women and men. For the Workers' group, crisis responses should include incentives to companies that promote gender equality. The ILO Labour Clauses (Public Contracts) Convention, 1949 (No. 94), could be useful for this. She welcomed the emphasis placed on health and safety at the workplace in these times of globalization. Having safer workplaces for women meant that they were also safer for men. In the context of the crisis, social infrastructure should also be funded, not just infrastructure projects aimed at creating employment.
49. The Employer Vice-Chairperson agreed that the financial crisis must not be a pretext to neglect gender equality. She stressed the opportunities provided by the crisis to establish new work systems, and recalled the examples given by the Government member of Japan to promote flexibility and the innovations described by the Government member of the United States.

Point 3. How to implement the Decent Work Agenda so as to achieve gender equality

- 50.** The Employer Vice-Chairperson highlighted challenges faced by women in the labour market: reconciling work and family duties; returning to work after leave for family reasons; gender stereotypes; and rigid labour laws. Labour markets also presented challenges, but these could be converted into opportunities. New contexts such as changes in demographics and the climate necessitated improving education and skills development. The informal economy, in which women were highly represented, was growing, and gender wage gaps were persistent. The four strategic objectives of the Decent Work Agenda had great relevance to gender equality in the labour market. Labour rights and principles, as well as international labour standards, were of key importance for employers. However, rigidities in labour laws, which only applied to the formal economy, had created problems for women's labour market participation. A balanced level of regulation was needed which reconciled social protection and employment. Legal frameworks should foster employment and identify rights and obligations of governments, employers and workers. International labour standards are only one of the means of the ILO to achieve gender equality.
- 51.** Many ILO Conventions had a low number of ratifications as they involved heavy financial costs and were sometimes not relevant for developing countries. Employers were committed to the 1998 ILO Declaration on Fundamental Principles and Rights at Work; however, governments had to live up to their responsibility for promoting and applying labour rights and principles. In order to foster employment and income opportunities that enabled women to access and remain in the labour market, it was essential to have an enabling environment for creating productive jobs and sustainable enterprises, reflecting market demands and supporting economic growth. Paragraph 11 of the 2007 ILC Conclusions concerning the promotion of sustainable enterprises listed minimum conditions for such enterprises: peace and political stability; good governance; social dialogue; respect for universal human rights and international labour standards; an entrepreneurial culture; sound and stable macroeconomic policy and good management of the economy; trade and sustainable economic integration; an enabling legal and regulatory environment; the rule of law and secure property rights; fair competition; access to financial services; physical infrastructure; information and communication technologies; education, training and lifelong learning; social justice and social inclusion; adequate social protection; and responsible stewardship of the environment. These Conclusions remained relevant to this Committee's discussion. Women's empowerment – including through access to education, skills development and training during the life cycle – was also an essential factor for the sustainability of enterprises. Social protection and social security could be strengthened and coverage of unemployment benefits and insurance schemes could be widened, however this would only be feasible if the informal economy became formalized. Extending benefits to the informal economy would support gender equality, but the core solution was to move into the formal economy. Social protection should be considered as an incentive for women's access to the labour force and social dialogue, which should be free and voluntary, was a key tool for gender equality. Policies to create opportunities for women and facilitate their access to the labour market needed to be supported by men and women alike.
- 52.** The Worker Vice-Chairperson highlighted the inseparable and interrelated nature of the decent work strategic objectives on rights at work, employment, social protection and social dialogue and tripartism. She stressed the need for an integrated approach to their implementation in order to achieve gender equality. At the outset, policies and programmes to achieve gender equality needed to be designed and implemented in a context of respect for freedom of association and strengthening the right to collective bargaining. Women workers were fearful of forming unions when faced with employers'

hostility and a government's reluctance to enforce rights. She asked how obstacles and barriers for women workers could be lifted in a context of eroding employment relationships and increasing precariousness of employment. One answer was to promote international labour standards such as Conventions Nos 100, 111, 156 and 183, as well as Nos 175 and 177. This would prepare the way for the ILC's discussion in 2010 on domestic workers. In the context of growing casualization of work and its particular impact on women, the Employment Relationship Recommendation, 2006 (No. 198), had acquired central importance. Other ILO initiatives that the Workers' group considered to be particularly relevant to promoting gender equality in the world of work included the GEA and the ILO Declaration on Social Justice for a Fair Globalization.

- 53.** Concerning employment, efforts should aim at tackling the root causes of sex segregation in the workplace. Families, schools and the media all played a role in this regard. The following elements would all assist: enhancing girls' access to education; desegregating education so that girls and boys could learn together; promoting "employment-based" education and not just skills for specific jobs; awareness raising and combating gender stereotyping; and encouraging equal skills development for girls and boys. It was important that governments took a strong role in labour market regulation and ensured, among other things: appropriate macroeconomic and demand-side policies that created more and better jobs for women and men; active labour market policies; appropriate supply-side policies on skills development; and equal access to education. ILO tools on skills-needs assessments and active labour market policies had proved to be useful for this. Regarding social security and social protection, it was essential to promote universal access to unemployment benefits, maternity protection, health coverage and pensions. The gender dimension of pensions and their impact on women's poverty should be the subject of more analysis. Occupational safety and health policies also needed to take account of sex segregation in workplaces as well as the gender-related impact of occupational hazards. These policies should include reproductive health protection for both women and men, and they should factor in the risks of HIV and AIDS. Reducing the gender pay gap was dependent on policies that incorporated rights enshrined in relevant ILO Conventions. It was particularly important to promote an increase in ratifications of Convention No. 183, providing for maternity protection. Working-time arrangements also had a strong gender dimension; in many countries men tended to work excessively long hours while women were underemployed. In order to improve work and family balance, governments should bolster efforts to provide improved child and elder care facilities. Social dialogue should be extended to all categories of workers, including those in domestic work, the informal economy, EPZs, and to migrant and rural workers. Collective bargaining needed strengthening in both law and practice, and should cover issues such as working time, balancing work and family, training policies, and how collective bargaining could better address working women's concerns. The social partners and tripartite institutions should receive capacity building with a view to improving women's representation in their organizations, and enhancing their technical expertise on gender issues.
- 54.** The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, recalled that the four pillars of the Decent Work Agenda proved their usefulness in the context of globalization – which had affected women and men differently – and in face of the economic crisis. It was crucial to ensure that policies were routinely subjected to gender impact assessments to ensure their effectiveness. Recovery plans that included investing in social infrastructure were an opportunity to modernize and at the same time promote gender equality. Addressing point 3 specifically, she noted that a solid social security system could promote employment, stimulate structural change and foster economic growth. Creating decent jobs was a necessary but insufficient precondition for increased and more effective women's participation in the labour market. Governments also needed to enact legislation making it possible for both women and men to have flexible working arrangements, including reduced working hours and optional part-time

work, as well as introducing or extending maternity, paternity and parental leave. Such measures would both tackle the impact of the economic crisis and intensify the process of women's empowerment through employment. It was also necessary to encourage men and boys to become agents for gender equality and to challenge stereotypes about men's roles in parenting and child development. The ILO should support governments in ratifying and implementing the relevant Conventions, and it should continue to support constituents in implementing the Decent Work Agenda.

- 55.** The Government member of Lesotho, speaking on behalf of all African Government members,³ stressed that the Decent Work Agenda was not only a global goal but an African priority, whose importance had been underscored by a number of key institutions in the region. The Decent Work Agenda had been endorsed by the African Union Heads of State and Government Extraordinary Summit on Employment and Poverty Alleviation in Africa, held in Ouagadougou in 2004. The Meeting of African Ministers of Finance, Planning and Economic Development, held in Abuja in 2005, had similarly stressed the need to develop strategies for generating decent and productive work for women, men and youth. African governments considered the objectives of the Decent Work Agenda to be relevant to all working women and men: in both the formal and informal economy, in wage employment or for own-account workers, and within their communities and homes. A primary goal of African governments was to promote opportunities for women and men to obtain decent and productive work in conditions of freedom, equity and security. However, there were challenges. For example, where governments lowered labour standards to attract foreign investment in free trade zones and EPZs and unions were not allowed to organize, workers, especially women in those zones, did not have collective bargaining rights. Increasingly, outsourcing and subcontracting had led to labour casualization, with secure jobs being replaced by cheap labour. These had reduced women's opportunities in the labour market. Promoting social dialogue was central to building understanding, cooperation and consensus on how to address concerns that were critical to the development process. In many countries, for example South Africa, statutory bodies existed in which governments and social partners regularly and proactively developed consensus on solutions to economic and social issues. Social dialogue was important at both sectoral and enterprise levels and good bipartite relations had an important role in maintaining standards and mobilizing efforts to ensure enterprise, industry and national survival – but women often had no voice in these institutions. All these levels of social dialogue offered opportunities to strengthen understanding of and support for gender equality.
- 56.** The Government member of the United States saw the ILO's four strategic objectives as providing the necessary policy coherence when addressing crisis responses. She stressed that women needed to participate actively in social dialogue on the economic crisis and on solutions to create more jobs. The inclusion of women in dialogue at both the national and international level was a crucial step towards eliminating gender inequality. The White House Council on Women and Girls had recently been created, which would formulate comprehensive policies aimed at improving the economic status of women, establishing a balance between work and family, preventing violence against women, and improving women's health care. She listed a number of examples of social protection initiatives that would help extend women's access to employment and improve their rights.

³ Africa group: Botswana, Chad, Kenya, Lesotho, Mali, Mozambique, Namibia, Nigeria, Senegal, Somalia, South Africa, Sudan, Swaziland, United Republic of Tanzania, Togo, Tunisia, Zambia, Zimbabwe.

-
57. The Government member of Mexico highlighted the importance of both women and men sharing family responsibilities, and of providing youth with better opportunities for productive work. He described some of the initiatives by the government-established Social Security Institute as well as the National Council on Preventing Discrimination; the latter aimed to promote maternity protection and eliminate violence against women, including sexual harassment. As part of measures introduced in 2009 to protect maternal health, the authorities announced that, from 28 May 2009, any woman suffering complications during pregnancy would receive free treatment.
58. The Government member of China stated that the economic growth in his country had led to more opportunities for paid work by women. In fact women's employment rate was higher than that of men's, although women still had neither the same working conditions nor the same remuneration as men. Policies should be adopted to place more emphasis on the specific needs of different groups, and stronger components were needed on extending access to social security. The occupational safety and health of women should be improved, and awareness raising and capacity building of governmental and non-governmental organizations in providing education and training programmes had to be strengthened.
59. The Government member of Brazil underscored the importance of social dialogue among workers and employers and in tripartite social institutions. The National Council of Women's Rights also played a role in consultations. Brazil had integrated gender concerns, such as eradication of discrimination and sharing of family responsibilities, into its National Plan for Decent Work. A campaign had been launched in 2004 to help protect domestic workers and contribute to their economic empowerment; restrictions on their rights currently contained in the National Constitution would soon be removed by Parliament. A proposed equality law was also being discussed in Parliament. All the government initiatives she described had been taken after dialogue with the social partners; and such dialogue had played a key role in promoting gender equality in the country.
60. The Government member of Canada, recalling the EU's statement on the Decent Work Agenda, agreed that measures to reconcile workers' family responsibilities could take the form of legislation – which was indeed the case in a number of Canadian provinces. But there were other means by which the same objective could be sought, such as practical tools and workplace initiatives.
61. The Government member of India stressed that the informal economy constituted a major part of the workforce in many developing countries. Transformation of the informal into the formal economy would not take place overnight, hence it was still necessary to provide informal women and men workers with social protection. His Government had recently adopted the Unorganized Workers Social Security Act to provide these workers with health and maternity benefits, life and disability coverage, and old-age protection. The Act also provided for setting up a National Social Security Board, the composition of which would include informal economy workers and women.
62. The Government member of Uruguay agreed that the Decent Work Agenda must be premised on gender equality, and that unrestricted access of women to new forms of quality employment should be an objective for development. For this to come about, there was a need for more women to participate in social dialogue and collective bargaining. Negotiations within Uruguay's Tripartite Committee on Equality had led to a 50 per cent increase in the number of gender equality clauses in collective agreements. The number of women in management posts had also risen in all sectors of the economy, often as a result of lifelong education and training programmes.

-
- 63.** The Government member of Mozambique stated that initiatives had been implemented throughout her country to promote women's capacity building and protection of their rights. Seven ministers, two governors, 26 administrators and 17 judges were women; women also held many other positions of responsibility. A great effort had been made to eliminate discrimination against women and to reinforce their protection against domestic violence. Other programmes existed to train women in decision-making skills with ILO assistance, so that they could hold high-level posts. Regarding promotion of women's rights, she considered it regrettable that so few countries had ratified ILO standards related to gender equality.
- 64.** The Government member of Turkey drew attention to the Labour Law that came into force in 2003 in her country, which increased the duration of maternity leave to 16 weeks, with an additional two weeks in the case of multiple births.
- 65.** The Government member of Argentina cited an agreement signed by the Government and the social partners on 8 March 2009 (International Women's Day). This agreement aimed to strengthen women's involvement in trade union decisions and in collective bargaining, and endorsed the creation of autonomous tripartite equal opportunity committees at the provincial level. In October 2008 the Ministry for Labour and Social Security had set up a coordinating body to mainstream gender equality in employment, labour and social security policies. Argentina had about 1 million domestic workers, some 32 per cent of whom were registered and thus had access to social security benefits. Of the 110 worker-managed enterprises that had received training and financial assistance from the Ministry, 65 per cent were headed by women.
- 66.** The Government member of Iraq summarized the findings of a recent report on human development in his country. There was a need to encourage women to participate in political, social and cultural life in the country as only women could adequately represent themselves and defend their rights. Labour laws would need to be reviewed in order to promote the role of women, and educated women workers should have access to the labour market. He stressed the need for compulsory education of girls and agreed that civil society organizations could play an active role in promoting women and increasing their competencies and skills vis-à-vis the labour market.
- 67.** The Government member of Portugal, supporting the EU position, explained that in her country there had been increased focus placed on reconciliation of work and family responsibilities, as well as on maternity protection. To this end, a tripartite commission agreement extended paternity leave, with a higher payment for the parental leave if both the mother and father shared the leave. The notion behind the shared parental leave was that sharing of family responsibilities and gender equality at work could not be achieved without equality between women and men in the private sphere; therefore it was necessary to promote men's role as caregivers.
- 68.** The Government member of Senegal stated that gender equality was prominent in the country's Constitution, and there was a national strategy to achieve gender equality by 2015 and a law against violence in the home and workplace. Senegal had also ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). A national fund for promoting women entrepreneurs had been established. Equity between boys and girls had been achieved in elementary-level education, but more girls had yet to take up scientific and technical studies. Maternity leave had been extended, with a compulsory six weeks before birth and eight weeks after, but paternity leave had not yet been introduced.
- 69.** The Government member of Greece, supporting the EU position, stated that the Office's report was an excellent awareness-raising tool about gender equality in the world of work.

She stressed the importance of promoting the often different challenges faced by women and men workers, and noted that it was essential to include women in the Decent Work Agenda. She pointed out that the passage in the report about a Greek mobile telephone provider should be revised, since other workers in the country were also allowed annual leave to visit their children's schools for progress updates. In the case of working parents of children attending public schools, the leave was six days, and for private schools it was four days.

70. The Worker member of Colombia stated that her country's trade union movement covered only a small proportion of the workforce but there had still been attempts to strengthen trade union activities. The aim of the movement was to achieve 50 per cent representation by women in the unions and to ensure that they played decision-making roles. Therefore it was important to encourage women to participate in social dialogue and to make trade unions more welcoming to them. Hiring practices of some multinational enterprises had included atypical and precarious work, and there was a lack of collective bargaining, including by women. There were many instances of sex discrimination in Colombia, as well as sexual harassment in the workplace. More attention was needed to address the specific needs of women in vulnerable positions and to assist victims of gender-based violence.
71. The Worker member of Portugal called for more attention to promoting men's role in family life, including through paternity leave measures. He remarked that the financial crisis was an opportunity to overcome stereotypes faced by women and to promote the rights of both women and men workers. He called for paternity leave to be considered an essential social value, noting its need when birth rates were declining.
72. In her concluding statement the Employer Vice-Chairperson agreed with the emphasis given to gender equality legislation. She stressed the importance of social partners focusing on the benefits of gender equality and that this goal of achieving gender equality was possible. Concerning workers in EPZs, companies operating in these zones were often able to offer workers, particularly women, employment, a degree of social protection, as well as training opportunities. There were also problems, and these had to be dealt with, as there were often no trade unions and freedom of association was not respected. But successes had been noted, as demonstrated in the ILO study on Costa Rica prepared for the 301st Session of the Governing Body (March 2008).⁴
73. The Worker Vice-Chairperson concluded by emphasizing the need for action, and she called on all to be proactive in addressing gender equality within the four strategic objectives of decent work. Stronger enforcement of rights at work was needed through labour inspection, and stricter rules were needed for temporary hiring agencies. For example, contracts in which women are required not to become pregnant or join a union must be abolished. Working arrangements to reconcile work and family should also address the safety needs of workers, especially women. The Global Jobs Pact which would emerge from this year's ILC should be an important vehicle for gender equality and decent work.

⁴ *Report of the InFocus Initiative on export processing zones (EPZs): Latest trends and policy developments in EPZs (GB.301/ESP/5).*

Point 4. Promoting government, employer, worker and ILO action towards gender equality

74. The Government member of the United Arab Emirates, speaking on behalf of the Government members of the Gulf Cooperation Council (GCC),⁵ stressed the importance for governments in her region of issues related to labour and women, especially the role of women in building the future of their countries, in accord with the teachings of Islam. Specific strategies had been developed by the members of the GCC's Labour Council and legislation had been reviewed on how to increase women's participation in social, political and economic life. Legislation in each country included specific texts on discrimination. She cited examples of Saudi Arabia's Labour Code of 1969, and Ministerial Decision No. 120 which aimed at increasing employment opportunities for women, as well as similar provisions in the United Arab Emirates's Labour Code of 1980. Yemen's Labour Law of 1995 prohibited sex discrimination and provided for equal rights for women and men in the workplace. Oman passed a Labour Law in 2003, and protection against sex discrimination at work was specified in Oman's Basic Law of 1996. Qatar's Labour Code of 2004 was among the most modern legislation on labour, stating that women should have equal wages and opportunities for promotion and training. Bahrain also had legislation on equal pay. Despite these legislative efforts, obstacles still existed and efforts by GCC countries in fighting discrimination would continue. However the process required time, and progress needed to be related to the specific context of each country.
75. The Employer Vice-Chairperson expressed disappointment at the interruption caused by the GCC statement. Her group felt that the use of cameras, and the change in speaking order should have been the subject of prior consultation with the Employer and Worker Vice-Chairpersons. Her group wished to have it on record that they opposed the use of the Committee for filming specific government statements, rather than the Committee as a Whole. She proposed that the discussion be focused on point 4, which was of great interest for the advancement of gender equality. The Worker Vice-Chairperson agreed with the Employer Vice-Chairperson, about the GCC statement. The Workers considered that this was an abuse of the Committee's time – which was already short.
76. The Worker Vice-Chairperson explained that the Employers' and Workers' groups had agreed that their inputs on point 4 should focus on what could be done in their respective groups to help achieve gender equality. Within the trade union movement, workers could ensure that women participated in all activities, strengthen their efforts to eradicate barriers to women's participation in trade union processes and activities, and verify that collective bargaining agendas were reviewed through gender lenses. It was important to understand why gender equality proposals in collective bargaining tended to be deleted first when issues were prioritized. Trade unions needed ILO assistance to use effectively ILO gender equality tools such as those on occupational safety and health and equal pay. ILO support to promote the four pillars of decent work would also be highly appreciated. Similarly, women's issues were often marginalized in the financial and economic crisis, with women frequently the first to lose jobs. Here, too, it was important to apply gender lenses when considering the possibility that the crisis might lead to gender-differentiated employment consequences. On trade union participation in social dialogue, it was essential for trade unions to ensure good gender representation in their ranks. In their ongoing discussions with governments on macroeconomic policies, unions should highlight issues that affected women particularly. Their negotiations on proposed legislation should aim at promoting gender equality, and all legislation and collective bargaining agreements, labour inspection regimes, labour courts and industrial tribunals should be gender-sensitive. Equally

⁵ Bahrain, Kuwait, Oman, Qatar, Saudi Arabia, United Arab Emirates and Yemen.

important, trade unionists involved in such negotiations needed to be gender-sensitive. Unions should consider not only what they should demand from the social partners, but also what they themselves needed to do to promote gender equality.

77. The Employer Vice-Chairperson agreed with the thrust of the Worker Vice-Chairperson's intervention that each side had a role, jointly and separately, to advance gender equality. She enumerated various ways in which employers could help achieve gender equality objectives, including through influencing public policies on labour market strategies; ensuring diverse workforces; developing and promoting the use of codes, good practices and guidelines on gender equality; promoting cooperation and team spirit among women, including supporting them to become entrepreneurs. Employers' organizations could also help members achieve gender equality by: increasing their awareness on the issue; providing frequent platforms to discuss gender equality among members; making information on the subject more available; and promoting fundamental principles and rights against discrimination. Employers were committed to work with their social partner counterparts and governments to achieve this objective. They fully appreciated the benefits of workforce diversity, including through gender equality, and its role in enterprise competitiveness. They therefore had an interest in attracting a talented workforce, including well-qualified women workers.
78. The Government member of Austria, speaking on behalf of the IMEC group,⁶ identified areas in which the ILO could best leverage its unique expertise in order to help strengthen the capacity of constituents to achieve gender equality. These included promoting the use of already existing tools, such as the ILO's Participatory Gender Audit as well as the opportunities afforded by Decent Work Country Programmes. These programmes should be accompanied by practical guidance on how governments and social partners could promote work-life balance for women and men; strengthen women's engagement in social dialogue; strengthen the enforcement of labour laws aimed at eradicating workplace discrimination due to family obligations; ensure that both women and men had equal access to opportunities for quality education and employment; eliminate sexual harassment and violence against women; and integrate gender perspectives into approaches towards combating child labour. She expressed support for the ILO's work on strengthening research and knowledge on the impact of economic downturns on women and identifying best practice examples of how the impact was mitigated as well as data collection. The IMEC group recommended the development by the ILO of gender-related indicators when implementing the recommendations of the field structure review. It also advocated that the ILO partner with other UN agencies and international organizations, within its mandate, on other facets of gender equality.
79. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, complemented information given by IMEC, sharing examples of practical developments within the EU to monitor gender equality through a set of indicators to assess whether or not measures taken by the Member States had been successful. For instance, the EU had set the target of reaching a female employment rate of 60 per cent in 2010, increasing childcare coverage, addressing gender pay gaps and supporting women entrepreneurs. Recent statistics for these indicators showed great progress. She informed the Committee that the EU had established a European Institute for Gender Equality to assist institutions and Member States in promoting equality and combating sex discrimination. To conclude, she highlighted that the ways forward

⁶ Australia, Austria, Belgium, Canada, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey, United Kingdom, United States.

mentioned in the report of the Office provided practical and concrete examples of measures that could be used when drafting the Committee's conclusions.

- 80.** The Government member of the Dominican Republic pointed out that her country had ratified almost all the Conventions regarding fundamental rights. She said that there had been important developments in the country's regulations regarding the human rights of women, including the right to maternity protection. A Secretariat of State for Women had been established to address human rights of women and the gender perspective in the Dominican Republic. These important developments were the result of tripartite action. She recognized the usefulness of ILO technical assistance to employers' and workers' organizations aimed at building capacity and addressing labour issues and rights.
- 81.** The Government member of Bangladesh expressed appreciation of the cross-cutting nature of point 4 and its links to the ILO Declaration of 2008. He agreed that the ILO should help countries with capacity building on gender equality but emphasized the need for awareness raising on rights as well. He also thanked the Office for having prepared a comprehensive report which, however, could have provided a broader analysis of female migration and the conditions of women workers in the informal economy. Addressing the feminization of poverty should be an overarching target of the ILO's interventions in ensuring gender equality in all four components of its Decent Work Agenda. Gender-sensitive microfinancing initiatives in countries like Bangladesh also deserved attention. He said that the ILO could enhance the scope and coverage of its capacity-building initiatives for SMEs.
- 82.** The Government member of Norway highlighted the importance of balancing work and family life and ensuring rights of fathers in relation to their children. The ILO Workers with Family Responsibilities Convention, 1981 (No. 156), was helpful in this regard. Norway and other countries had taken radical steps to secure rights to parental leave that covered both men and women.
- 83.** The Government member of the United States endorsed the IMEC statement. She expressed appreciation for the Workers' group assertion that social dialogue was not only about content but also about process, publicizing efforts to achieve gender equality in the workplace. The ILO was well placed to help constituents raise awareness at the international and national level on gender equality in the workplace, including women's rights as workers and opportunities available to them. Neglecting fundamental principles and rights at work during times of economic crisis constituted not only a moral failure, but also a failure of economic policy to ensure growth and recovery.
- 84.** The Government member of Mexico acknowledged the efforts made by the ILO in research and technical assistance, to ensure that women and men had equal opportunities and access to all forms of work, including capacity building in new disciplines such as information technology. In his country, action was being taken to strengthen gender equality in the workplace through training programmes, increase the national minimum wage, create opportunities to re-enter productive employment at times of crisis, reconcile work with family and social life, and improve conditions of work and occupational safety and health.
- 85.** The Government member of Japan stressed that the ILO was at the same time a UN agency and a tripartite organization. Those were strengths on which it should capitalize by building capacity among the constituents. Japan had negotiated a Work-Life Balance Charter, whose targets were actively promoted by government ministries. He hoped that the Charter would help companies retain their qualified workers of both sexes and convince employers that gender equality should be seen not so much as a cost but as an investment.

-
- 86.** The Government member of New Zealand strongly supported the ILO Declaration on Social Justice for a Fair Globalization. He also fully endorsed the statement presented on behalf of the IMEC group, which was a useful guide to focus future ILO activities. Gender equality and non-discrimination must be at the core of the ILO's work, including when implementing Decent Work Country Programmes and the Decent Work Agenda. In developing conclusions the Committee should bear in mind relevant conclusions of past committees, such as those on rural employment.
- 87.** The Government member of China suggested that the most important issue was the mainstreaming of gender equality in national policy-making, so as to ensure that women could make a valuable contribution to the economy and society. He suggested that the Committee's conclusions focus on assistance that the ILO could provide for governments and employers' and workers' organizations, and referred in particular to paragraph 415 of Report VI in this regard.
- 88.** The Government member of Australia endorsed the views of the IMEC group and emphasized the role that governments could play in ensuring that caring responsibilities were shared between men and women, especially during women's most productive years. However, inequality was not governments' responsibility only. The Equal Opportunity for Women in the Workplace Act adopted by her Government in 1999 required all organizations with 100 workers or more to remove barriers to women's participation and advancement, and to report on progress made. She noted that the Employer of Choice for Women Award rewarded outstanding businesses and organizations in Australia for their efforts in promoting equal employment opportunities for women and men. Governments should take action to tackle the gender wage gap so as to allow women to benefit from better employment opportunities, greater independence and higher incomes. Australia's new workplace relations system included such measures as enhanced equal remuneration provisions, new minimum employment conditions to enable workers to balance family and occupational responsibilities, and assistance to low-paid employees in accessing collective bargaining and minimum wages. Australian women now had the right to request flexible working arrangements so that they could more easily reconcile their work and family responsibilities.
- 89.** The Government member of Iraq said his country was looking for new partnerships with the international community. Iraq had introduced a programme for the provision of skills training and training in leadership skills for both women and men, which had high participation rates. He believed that the provision of such assistance helped both sexes compete for entry into the labour market and would put the country on the right development track.
- 90.** The Government member of India felt that the ILO could use its expertise to devise decent employment indicators that were not only disaggregated by sex but also took into account the impact that such factors as race, ethnicity and national origin could have on gender equality. Another area in which the ILO could strengthen its constituents' capacity was in gender budgeting, as was the case in India, in order to ensure efficient utilization of funds.
- 91.** The Government member of Algeria urged the ILO to step up its technical assistance projects, which increased employment opportunities for both sexes, and to promote social justice, decent work and equal opportunities in general, through Decent Work Country Programmes.
- 92.** The Government member of Indonesia observed that her country had ratified all the core labour standards. She called on the ILO to provide assistance on the Equal Remuneration Convention, 1951 (No. 100), whose implementation should take into account the local context.

-
- 93.** The Government member of Switzerland observed that workers were often unaware that they were the victims of wage discrimination; enterprises also might not realize that they were applying a discriminatory pay policy. Switzerland had therefore developed, tested and made available on the Internet a self-monitoring Web-based tool known as Logib that social partners could use to identify areas where their pay systems did not meet gender-equality criteria. Logib was the basis of an ongoing tripartite dialogue on equal pay. Germany and Luxembourg had started using the tool, and other countries might be interested in this model. She also described the Swiss Public Procurement Policy, which took into account equal pay issues.
- 94.** The Government member of Uruguay commented that tripartite dialogue needed to promote gender equality specifically. Her country had very recently set up a National Coordinating Board for Public Policies on Gender Equality to monitor the enforcement of legislation and the implementation of equality action plans. There was also permanent coordination among the Tripartite Committees on Gender Equality of Argentina, Brazil, Chile, Paraguay and Uruguay. The ILO was assisting in this regard. The ILO's Inter-American Centre for Knowledge Development in Vocational Training (CINTERFOR), Montevideo, should organize training on gender equality for the region.
- 95.** The representative of Solidar, an NGO network promoting social justice worldwide, speaking also on behalf of HelpAge International, welcomed the decision by the constituents to establish the Committee on Gender Equality. She strongly supported Report VI, particularly Chapter 7 on older workers, which dealt specifically with the cumulative disadvantages faced by older women. Ensuring fair globalization was dependent on cooperation between the tripartite constituents, and civil society organizations representing older women could help support such processes. Fair globalization must be inclusive of gender and age. By 2050 the proportion of elderly people in industrialized countries would grow substantially, and women would outnumber men significantly. In developing countries, where there were no public pension schemes, older people – especially women – were among the poorest. Retirement schemes provided people with regular and predictable incomes, but older people worldwide often lacked such security. Their number would increase to 1.6 billion people by 2050. Older women had little choice but to work to survive, often in informal, seasonal and vulnerable jobs, including in unpaid domestic work with limited or no access to social security. They were particularly vulnerable as a result of high unemployment and under-employment, in addition to age and sex discrimination. They often lacked support mechanisms or networks and had low education and literacy levels, poor health and malnutrition. In developing countries traditional informal support systems for older people were breaking down under the pressure of widespread poverty. Older women were more likely to suffer the consequences of the loss of family support, while older men were more likely to be in income-generating activities or paid employment. In Africa in 2007, 57 per cent of men worked in old age compared to 26 per cent of women, while in Asia, the statistics were 38 per cent and 13 per cent respectively. In the absence of social security, more elderly women would be in poverty than men, and they were less likely to benefit from any pension scheme, due to their lower labour force participation rates. Many Decent Work Country Programmes ignored the challenges and disadvantages faced by older women and this needed to be addressed. Governments were urged to ratify the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), to specify age as a prohibited ground for discrimination, and to strengthen national legislation prohibiting age-based discrimination.
- 96.** The Government member of Lesotho, speaking also on behalf of all African Government members, noted that, in the spirit of the ILO Declaration on Social Justice for a Fair Globalization, relevant policy commitments made by governments must be implemented. This would help countries to develop strong monitoring and evaluation systems to

accompany implementation, with clear performance indicators put in place. The ILO needed to provide capacity building in this regard. Governments and the social partners should establish Decent Country Work Programmes that included social justice issues. These efforts must be backed by awareness raising through the media, social dialogue should be supported by training for workers and employers, and exchange visits to share good practices should be organized. Governments must show political will on gender equality by ensuring that all relevant official statements incorporated gender issues. Furthermore, they should ratify all ILO Conventions relevant to gender equality and quotas should be used to ensure adequate representation of women in politics and decision-making. Civil society should also be encouraged to play a role in sensitizing the community to gender equality issues.

- 97.** The Government member of Spain supported the EU statement. She informed the Committee that Spain had implemented laws on gender equality, and the length of time for paternity leave had recently been extended from 15 to 20 days. She also described programmes to assess changes in the world of work and improve women's employability. She stated that it was important that companies consulted with trade unions when developing gender policies and initiatives, and noted that enterprises in Spain with more than 250 employees were obliged to develop gender equality plans in consultation with trade unions. These plans addressed: equal access to jobs; analysis of qualifications; promotions and training; wages; proposals for working time redistribution to reconcile professional, family and personal lives; and prevention of sexual harassment and sex discrimination. Such plans could be voluntarily adopted by SMEs, and the Government provided financial as well as technical support for this purpose.
- 98.** The Government member of Nigeria supported the statement made on behalf of several African countries. She described her country's Federal Ministry of Women's Affairs and its role in the formulation of a national gender policy. Although the ILO had offered considerable support on policies and programmes promoting gender equality, she felt that more could be done to strengthen the research agenda and knowledge base relating to new trends and changing patterns in the world of work, especially in the context of the economic crisis. She believed that the fourth point for discussion should be examined in the context of the ILO Declaration on Social Justice for a Fair Globalization. The ILO should provide more capacity building for constituents, as well as technical assistance to promote universal ratification of Conventions Nos 100 and 111. She cited the example of the review of labour laws in Nigeria to align them with the eight core ILO Conventions, in which the ILO had provided assistance in considering gender as a cross-cutting issue. As part of Nigeria's efforts to promote gender-sensitive policies, a National Economic Empowerment and Development Strategy was being reviewed to integrate a gender mainstreaming component into the policy programme. Finally, she noted that Nigeria had increased the period of maternity leave for public servants, and its universal basic education policy ensured free education for boys and girls up to secondary-school level.
- 99.** The Government member of Canada agreed with the statement made by Austria on behalf of the IMEC group. She considered that, in order to promote gender equality, governments needed to: show political commitment; establish appropriate legislative frameworks with implementation criteria; use gender mainstreaming to assist planning and policy backed up by sex-disaggregated data; develop rigorous indicators to measure progress; and encourage women's role in decision-making at all levels of government and among the social partners. Specific strategies were needed for the most vulnerable women, particularly indigenous and young women. Finally, governments should take measures that aided workers to reconcile work and family duties, including by encouraging men to assume caring roles.

-
- 100.** The Government member of Chile noted that ILO technical support to the MERCOSUR countries and Chile had been valuable, and tripartite committees on gender equality had provided a forum for sharing views and promoting social dialogue. As in Argentina, Chile had been working on a strategy to implement management tools for gender equality since 2002. Speeches and good intentions about gender equality were not enough; financial and human resources were critical for implementation of policies.
- 101.** The Government member of Brazil asked the ILO to provide more technical assistance on capacity building to the constituents, especially for ratification of ILO Conventions. He noted that such technical support was needed to ratify the Workers with Family Responsibilities Convention, 1981 (No. 156).
- 102.** A representative of the International Association of Economic and Social Councils and Similar Institutions (AICESIS) summarized the findings of a recently published report which stated that women were disproportionately represented in insecure jobs, with meagre earnings and few rights. The global economic crisis had increased women's unemployment levels, particularly in the poorest countries; therefore it was imperative to address precarious working conditions and improve social protection measures. One means of action was the participation of the social partners in elaborating and participating in Decent Country Work Programmes. The AICESIS report argued that economies could not be revived simply by applying new rules to the banking system. Respect for social rights and environment protection were key elements when developing a new global governance model. For this reason, it was important for the ILO to promote the use of relevant tools and to cooperate with other international institutions such as the World Bank, the IMF and the WTO.
- 103.** The Employer Vice-Chairperson summarized the Employers' group's position on point 4. Governments were responsible for ensuring that gender equality was an integral part of national development policies, and for establishing a favourable environment for economic growth, employment creation and women's empowerment. Governments should adapt labour legislation to the reality of countries, and provide incentives to enterprises to work towards gender equality. If women were to participate fully in the labour market, they needed access to education, skills training and lifelong learning. Government initiatives were required to help workers reconcile work and family life. Infrastructure projects, for example, should include childcare facilities. Governments should also ensure that labour legislation did not introduce any barriers to women's employment, and legislation should be flexible enough to take gender issues and the needs of individual workers and employers into account, including through equal sharing of family responsibilities. Governments must listen to employers and be responsive to the private sector's needs when developing gender equality plans.
- 104.** The ILO Declaration on Social Justice for a Fair Globalization, which was supported by the Employers' group, called on the ILO to adapt its structures and methods to the needs and the economic and social realities of its constituents. The ILO should focus on its comparative advantage, its tripartite structure and its focus on the world of work, to help achieve an environment that was conducive to job creation for women within sustainable enterprises. It should provide practical tools about gender equality for business people in their daily activities. Supported by relevant data collection, employers in particular needed ILO advice on areas where initiatives had produced results; this advice should be analytical in nature, not just descriptive. It was clear from the Committee's discussions that the real challenges ahead were twofold: reducing the informal economy, and increasing women's participation in the formal economy. In view of these comments from the Employers, the Committee's conclusions should therefore give due attention to the constituents' priorities concerning gender equality.

-
- 105.** In conclusion, she expressed satisfaction with the Committee discussions. Despite some procedural difficulties, the debate had been undertaken in an effective and efficient way, and included agreement on the need to transform the informal economy into the formal one. The discussions revealed the significance of gender equality to economies in general, the need for training, the importance of a balance between work and family, and the perception that the present economic crisis provided opportunities for advancing gender equality.
- 106.** The Worker Vice-Chairperson warned that the economic and employment crisis had undermined socially equitable progress and development based on decent work. However, the crisis could also serve as an opportunity for offsetting the accumulated disadvantages of women and offer new ways of thinking about how to achieve this. That would only be possible if a more coherent approach were adopted towards financial, trade, economic, development, social, environmental and labour policies. Women were not a homogeneous group, and measures must be targeted on addressing the difficulties faced by the most vulnerable among them; race, disability, sexual orientation and class should all be taken into account. The principal outcome of these discussions should be strong policy recommendations aimed at advancing gender equality at work. The policies must be part of an integrated approach, encompassing the gender dimension of decent work.
- 107.** Governments should take a strong role in developing macroeconomic policies, labour market regulations, the enforcement of rights and an enabling environment to implement workers' rights and gender equality rights. Tolerance for the informal economy was unacceptable; it bred insecurity, poor working conditions and poverty.
- 108.** The ILO should continue to foster policy convergence and cohesion at the national and international level, notably by promoting the benefits of social dialogue and involvement of the social partners across the UN system, as well as with the IMF, the World Bank, the G8 and the G20. The Decent Country Work Programmes must ensure greater participation by the social partners in their design and implementation, and must be examined through a gender lens. The ILO should help constituents to break down job segregation and improve women's access to education, skills development and training. The ILO should assist governments to develop integrated approaches to pay equity that not only dealt with equal pay but cut across rights, labour market issues and social security for all. Paternity leave should be included. Technical assistance was needed on legislative reform and strengthening labour inspectorates and labour courts. ILO work on freedom of association, collective bargaining and the compilation of labour market data should focus on sectors where women were in the majority: part-time, temporary and contract work.
- 109.** It was time for governments to make strong commitments that were backed by programmes and funding, including through gender budgeting. Governments should ratify and enforce the ILO's key gender equality Conventions Nos 100, 111, 156 and 183, as well as Conventions Nos 87, 98, 175 and 177, and should implement Recommendation No. 198. Governments were responsible for ensuring that labour market laws and regulations used a gender perspective in order to guarantee that women were paid decent living wages, enjoyed equal pension rights and benefited from stronger maternity protection. Women should be given more opportunities to reach leadership positions, and quotas for targets should be used where necessary. Legislation needed to be proactive with respect to issues of work-life balance and to establish gender-sensitive enforcement mechanisms. This could be achieved by providing skills training on gender for labour inspectors and court officials. She urged governments not to cut public sector jobs in social fields such as childcare, health and education, as this would adversely affect gender equality efforts.

-
- 110.** Action needed by workers' organizations included ensuring greater representation by women in trade union structures, improving gender mainstreaming skills of officials, developing gender-sensitive worker education programmes, and further expanding technical expertise on gender relating to pay, social security, health and safety. The ILO could assist trade unions with skills training on gender-sensitive collective bargaining. While the ILO must provide practical technical assistance, the major responsibility for achieving gender equality at work rested with governments, trade unions and employers' organizations. Finally, she restated the Workers' group's commitment to action that produced results, hoping that, the next time the ILC discussed gender equality, participants could say that this Committee had done its job well, and that great advances for women had been the ultimate result of its work.
- 111.** The Government member of Austria commented on the Employer Vice-Chairperson's remarks concerning flexibility in legislation, particularly in maternity leave provisions. Her country had a provision obliging pregnant workers to take leave before giving birth, and the EU had been discussing whether leave prior to giving birth should be obligatory or voluntary. However, she noted that the specificities of maternity protection benefits and leave could easily be discussed in industrialized countries, where maternity protection provisions and entitlements were good and there was a high awareness of gender issues. However, in less developed countries maternity protection benefits were few or non-existent. That was one of the reasons the informal economy should be formalized. She urged all governments to take gender equality issues into account when formulating development policies. Finally, she supported the Employers' and Workers' groups' statements about not using the Committee as a forum for advertising political messages. She emphasized that women's rights were human rights and these must be respected.

Discussion of the draft conclusions

- 112.** The Chairperson introduced the draft conclusions that had been prepared by the Drafting Group, and thanked the members of that group for their hard work in arriving at the draft. He also thanked the Office for its technical support.

Paragraph 1

- 113.** The Worker Vice-Chairperson introduced an amendment to replace the word "sex" in the last sentence by the word "gender" so that the last sentence referred to "gender discrimination". This phrase was more inclusive and better reflected commonly used, up to date, terminology. The Employer Vice-Chairperson opposed the amendment since "sex discrimination" was the technical term used in Convention No. 111. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, opposed the amendment.
- 114.** The amendment was withdrawn.
- 115.** The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, introduced an amendment to insert the words "and to promote gender equality" at the end of the last sentence. The Government member of Austria, on behalf of the IMEC group, supported the amendment, which gave balance to the existing reference to eliminating sex discrimination.
- 116.** Paragraph 1 was adopted as amended.

Paragraph 2

117. The Employer Vice-Chairperson introduced an amendment to replace the words “labour administration systems, labour inspection and courts” by the words “labour administration systems and labour inspection”, as courts did not monitor the application of laws. The Worker Vice-Chairperson opposed it, as courts had different enforcement responsibilities depending on jurisdictions. The Government member of Austria, speaking on behalf of the IMEC group, supported the Worker Vice-Chairperson’s comment. The Employer Vice-Chairperson proposed to change the word “monitored” to “enforced”. Noting the Worker Vice-Chairperson’s explanation that courts in some countries could both enforce and monitor the application of laws and regulations, the Employer Vice-Chairperson proposed a subamendment to read: “monitored and/or enforced”.
118. The amendment, as subamended, was adopted.
119. The Worker Vice-Chairperson introduced an amendment to replace the sentence beginning with “On a voluntary basis, many employers ...” by “Many employers, employers’ groups, trade unions and workers’ organizations have promoted gender equality.”, so as to ensure that the text included a reference to both social partners. The Employers’ group supported the amendment and introduced a subamendment to add the words “beyond legal requirements” at the end of the sentence.
120. The amendment, as subamended, was adopted.
121. The Employer Vice-Chairperson withdrew the amendment to add words to the sixth line as it had been proposed as a subamendment in the preceding discussion of this sentence.
122. The Worker Vice-Chairperson introduced an amendment replacing the words “job-rich growth” by the words “full and decent employment”, which was more inclusive and in line with terminology in the Office’s report for the Committee. The Employer Vice-Chairperson opposed the amendment since the original text addressed growth of jobs, and the proposed new words would change the focus to employment. The Worker Vice-Chairperson proposed a subamendment to include also the words “full and decent employment”, which the Employer Vice-Chairperson supported. The Government member of Austria, speaking on behalf of the IMEC group, proposed replacing the words “full and decent employment” by the words “full employment and decent work”.
123. The amendment, as sub-subamended, was adopted.
124. Paragraph 2 was adopted as amended.

Paragraph 3

125. The Worker Vice-Chairperson introduced the following amendment: “Working women are a diverse group, including workers in the informal economy and rural, migrant, indigenous, minority and young women.” The purpose of this addition was to show that, just as there were different kinds of diversity, there were also differences in the sectors in which women were employed or aspired to be employed. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, stated that it was preferable to speak of “women” and not just “working women”, and proposed a subamendment to delete the word “working”. The Workers agreed and changed their own text to add the words “each with specific needs”.
126. The amendment, as subamended, was adopted.

-
- 127.** The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, withdrew her amendment to move the second sentence of this paragraph.
- 128.** The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, introduced an amendment to replace the words “and there is a lack of full-time work” by the words “discrimination related to pregnancy and maternity frequently occurs and horizontal and vertical segregation persists in the labour market. Women predominate in involuntary part-time work. During the course of a woman’s life, transition phases also tend to create specific challenges.” This was needed because it would reflect the life-cycle approach used in the report. The Employer Vice-Chairperson requested that the amendment be considered with the next amendment, which proposed to delete “full-time” after “lack of” in the third line, as there was often a lack of any work. She also proposed inserting the words “work in all its forms”. The Worker Vice-Chairperson opposed the Employer Vice-Chairperson’s subamendment, as the question of full-time work remained significant. The Worker Vice-Chairperson also opposed introducing “work in all its forms” as it was vague.
- 129.** The Government member of Austria, speaking on behalf of the IMEC group, supported the amendment but proposed a subamendment to delete the word “frequently”. The Government member of New Zealand proposed a subamendment replacing the words “lack of full-time work” by the words “lack of employment opportunities”. However, the Worker Vice-Chairperson stressed the importance of emphasizing the need for full-time work and proposed a subamendment inserting the words “lack of full-time work and employment in all its forms”. The Employer Vice-Chairperson opposed this. The groups reached consensus with the Government member of New Zealand proposing a subamendment to insert the words “lack of work in all its forms, including full-time work”.
- 130.** The amendment, as subamended, was adopted.
- 131.** The Employer Vice-Chairperson withdrew her amendment to delete the word “full-time” after the words “lack of” in the third line.
- 132.** The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, introduced the amendment which proposed replacing the words “lowest-paying” by the words “low-paying” in the fourth line.
- 133.** The amendment was adopted.
- 134.** The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, introduced an amendment to add the words “in some situations” after the word “lives” in line seven.
- 135.** The amendment was adopted.
- 136.** The Employer Vice-Chairperson withdrew an amendment in the light of the adoption of the previous amendment.
- 137.** The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, introduced an amendment to insert before the words “the need to reconcile” the following words: “It is important to create conditions for men’s active participation in family responsibilities to fulfil”. This was important because the EU took seriously men’s role in gender equality.
- 138.** The amendment was adopted.

-
- 139.** The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, introduced an amendment to delete the words “has emerged as an issue critical to the involvement of men in the sharing of family responsibilities.”
- 140.** The amendment was adopted.
- 141.** The Worker Vice-Chairperson introduced an amendment to delete the words “and productive”, as decent work was an inclusive term and included productive work. The Employer Vice-Chairperson opposed the amendment, as decent work usually referred to conditions of work, and companies could only create jobs if work was productive. After an exchange about the meaning of decent work, a clarification by the representative of the Legal Adviser was requested. She explained that, unlike the phrase “decent and productive work” under consideration, “decent work” was a defined term in the ILO, as agreed in the Declaration on Social Justice for a Fair Globalization, adopted by the Conference in 2008. Under the Declaration’s section I.A, the Decent Work Agenda was expressed through four strategic objectives of the ILO’s constitutional mandate, one of which was promoting employment. The principles underlying that objective included promoting full and productive employment, a concept drawn from the Employment Policy Convention, 1964 (No. 122). The Declaration also referred to the need for sustainable enterprises in addressing that strategic objective. The phrase “decent work deficits” would thus refer to the lack of these aspects of decent work while “decent and productive work deficits” had no agreed meaning.
- 142.** The amendment was adopted.
- 143.** The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, introduced an amendment to replace the words “low pay” with the words “the persistence of the gender pay gap, low pay in general” and proposed a subamendment to replace them with the words “lack of social security, the gender pay gap, and low pay in general”.
- 144.** The amendment, as subamended, was adopted.
- 145.** The Worker Vice-Chairperson introduced an amendment to replace the words “and services” by “and affordable public services”. The amendment better reflected the fact that women had additional reproductive responsibilities and also faced, along with men, barriers to affordable public services. The Government member of New Zealand proposed a subamendment to insert the words “both private and public services”. The Employer Vice-Chairperson proposed a subamendment to delete the word “public”.
- 146.** The amendment, as subamended, was adopted.
- 147.** The Worker Vice-Chairperson introduced an amendment to replace the words “Formalizing the informal economy requires” by the words “Formalizing the informal economy and addressing precarious situations in the formal economy require”, since the situation in both formal and informal situations needed to be taken into account. The Employer Vice-Chairperson opposed the amendment since any employers who did not comply with legislation were not considered to be part of the formal economy. The Government member of Austria, on behalf of the IMEC group, also opposed the amendment, as did the Government members of Canada and Iraq.
- 148.** The amendment was withdrawn.
- 149.** The Government member of Sweden, on behalf of the Governments of Member States of the EU, withdrew her amendment to delete the words “and tripartism and principles”.

150. The Government member of Sweden, on behalf of the Governments of Member States of the EU, withdrew her amendment to add a new paragraph.

151. Paragraph 3 was adopted as amended.

Paragraph 4

152. The Worker Vice-Chairperson introduced an amendment to delete the words “not only” in order to reflect a more positive and proactive approach when discussing gender equality. The Employer Vice-Chairperson agreed. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, introduced a subamendment to revise the sentence to read: “Gender equality is not only a matter of social justice, but is also anchored in both a rights-based and efficiency approach”. The Worker Vice-Chairperson introduced a further subamendment to combine the first two sentences by adding the word “and”, so that the sentence would read: “Gender equality is a matter of social justice and is anchored in both a rights-based and economic efficiency approach”.

153. The subamendment was adopted.

154. The Worker Vice-Chairperson introduced an amendment to replace the words “economic justice” with the words “social justice”, as the latter term was also inclusive of economic efficiency. The Employer Vice-Chairperson introduced a subamendment to this proposal to read: “social justice and economic efficiency”.

155. The subamendment was adopted.

156. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, introduced an amendment to delete the third, fourth and fifth sentences of the paragraph and to add the word “economic” after the word “cultural”. The Employers’ and Workers’ groups agreed with this proposed amendment.

157. The amendment was adopted.

158. The Worker Vice-Chairperson introduced an amendment to insert the words “and overcome” after the words “have to be indentified”, which implied that barriers should not only be identified but overcome. The Employer Vice-Chairperson agreed, but noted that the Spanish translation of the amendment should be revised.

159. The amendment was adopted.

160. The Worker Vice-Chairperson introduced an amendment to insert the words “, based on race, ethnicity, caste, indigenous origin, age, disability, religion and sexual orientation.” after the words “forms of discrimination”, in order to define different forms of discrimination. The suggestion also highlighted the basis upon which women could experience double or multiple discrimination.

161. The Employer Vice-Chairperson opposed this, as Convention No. 111 outlined seven types of discrimination. The Government member of Austria, speaking on behalf of the IMEC group, preferred the original text.

162. The amendment was withdrawn.

163. The Worker Vice-Chairperson introduced an amendment to replace the sentence “Women facing multiple forms of discrimination deserve special attention” by a new sentence

“Policies and programmes have to be put in place to address multiple forms of discrimination against women.” This was more positive and proactive and sounded less condescending. The Employer Vice-Chairperson stated that the issue was more relevant to government action, so she invited Government members to speak. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, supported the amendment. The Government member of Austria, speaking on behalf of the IMEC group, introduced a subamendment to replace the words “have to” by the word “should”. This was supported by both the Employer and Worker Vice-Chairpersons.

164. The subamendment was adopted.

165. The Government member of Sweden, on behalf of the Governments of Member States of the EU, withdrew an amendment, as it was too specific to the EU where countries, such as Spain and Italy, were experiencing declining fertility rates, while others, such as Sweden, had high fertility rates.

166. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, introduced an amendment to add the words: “Strategies should take into account a life cycle perspective, looking especially at situations of transition in lives of women and men.” This was intended to take into account the Committee’s discussion on the life cycle.

167. The amendment was adopted.

168. Paragraph 4 was adopted as amended.

Paragraph 5

169. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, introduced an amendment to replace the sentence beginning with the words “A variety of recent measures ...” by the words: “A variety of new measures (such as provision of paternity leave and parental leave) have succeeded in permitting working fathers to be more involved in the sharing of family responsibilities and could be replicated.” This helped clarify that it was not fathers in general to whom the paragraph referred but “working fathers”.

170. The Employer Vice-Chairperson stated that she would support the amendment if the word “and” appearing in parentheses was replaced with the word “or”. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, proposed a subamendment replacing the word “or” by the words “and/or”.

171. The subamendment was adopted.

172. The Employer Vice-Chairperson introduced a two-part amendment. The first part would replace in the third line the words “and parental leave” by the words “or parental leave”. This was subamended by the words “and/or parental leave”.

173. The amendment, as subamended, was adopted.

174. The second part concerned the sixth line and sought to delete the word “long” after the word “men’s”. This ensured consistent wording with the previous amendment, while recognizing that women also worked long hours. The Worker Vice-Chairperson opposed the amendment as it was important to highlight the gender divide in excessive work, since men were pressured to work long hours, which made it difficult to assume their family

responsibilities. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, agreed that the original text was preferable.

175. The second part of the amendment was withdrawn.
176. The Worker Vice-Chairperson introduced an amendment to replace the words “the elderly or sick” by the words “children and dependant” since the dependants might not be elderly or sick.
177. The amendment was adopted.
178. The Government members of Australia, Canada and New Zealand introduced an amendment to replace the word “When” by the words “There is evidence that, when”, in order to support the assertion by evidence and to acknowledge that experiences varied across countries.
179. The amendment was adopted.
180. The Worker Vice-Chairperson introduced an amendment to delete the word “Innovative” at the beginning of the last sentence, because it could be misinterpreted as having negative connotations, such as unusual or improvised measures. The Employer Vice-Chairperson disagreed, as there was a need to be innovative, considering that, in the past, laws and policies had not allowed current gender equality issues to be addressed. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, supported the Employers’ position.
181. The amendment was withdrawn.
182. The Government member of the United States, speaking on behalf of Australia, Canada and New Zealand, introduced an amendment to insert commas after the words “policies” and “responsibility” in the last sentence, to allow better flow and to convey the message more effectively.
183. The amendment was adopted.
184. The Employer Vice-Chairperson introduced an amendment to add the sentence: “Care must be taken to ensure that low-skilled men do not become more vulnerable.” at the end of the paragraph, because it was more gender balanced, and in some countries and sectors men were also potentially more vulnerable.
185. The amendment was adopted.
186. Paragraph 5 was adopted as amended.

Paragraph 6

187. The Worker Vice-Chairperson introduced an amendment to replace the word “growth” by the word “transformation” in the second line, because globalization’s effect on growth had not been consistently positive or negative. The Employer Vice-Chairperson proposed a subamendment to add the words “and transformation” after the word “growth”, as growth and change were undeniably effects of globalization. The Worker Vice-Chairperson proposed a further subamendment to add the words “in some countries” after the words “growth and transformation”.

-
- 188.** The amendment, as subamended, was adopted.
- 189.** The Worker Vice-Chairperson withdrew an amendment to add a new sentence.
- 190.** The Worker Vice-Chairperson introduced an amendment to add the following new sentence to the end of the paragraph: “This includes addressing the impact of international financial institutions’ policies, including structural adjustment, on gender equality.” This would align the paragraph to the ILO Declaration on Social Justice for a Fair Globalization, which “provides the ILO with the responsibility to examine and consider all international economic and financial policies in the light of the fundamental objective of social justice”. Comments by the Employer Vice-Chairperson and Government members from Argentina, Austria, Canada, New Zealand and South Africa were followed by a proposed subamendment to align it with the 2008 Doha Declaration on Financing for Development, or with the ILO Declaration on Social Justice for a Fair Globalization. Agreement was reached on a subamendment proposed by the Employer Vice-Chairperson reading: “To achieve policy coherence, this includes the ILO examining and considering all international economic and financial policies in the light of gender equality.”
- 191.** The amendment, as subamended, was adopted.
- 192.** Paragraph 6 was adopted as amended.

Paragraph 7

- 193.** The Worker Vice-Chairperson introduced an amendment to replace the two first sentences with the following sentences: “The current crisis is having devastating effects in the world of work with millions of workers who have lost their jobs. Placing employment at the heart of the crisis response should be a priority.” The Workers believed that the original text was too weak on the impact of the current crisis and did not address the need to consider “employment” as a key way to revive the global economy. The Employer Vice-Chairperson stressed the serious effects of the crisis on employers and the central role of SMEs in the crisis response. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, proposed a subamendment to start paragraph 7 with the following sentence: “The current crisis is having serious effects in the world of work, with enterprises closing and workers losing their jobs. Placing economic recovery and, as a consequence, employment, at the heart of the crisis response should be a priority.”
- 194.** The amendment, as subamended, was adopted.
- 195.** The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, withdrew two proposed amendments to delete the second and third sentences and insert the word “represent” in the fifth line.
- 196.** Paragraph 7 was adopted as amended.

Paragraph 8

- 197.** The Worker Vice-Chairperson introduced an amendment to replace paragraph 8 by the following paragraph:

Recovery packages during economic crises need to take into account the impact on women and integrate gender concerns in all measures. Short-term measures can include

generating and saving jobs, income-replacement measures to assist women and men caring for family members, skills training and retraining, and support for SMEs. Those should be consistent with the long-term objectives of sustainable economic and social development that converges with the goals of gender equality and environmental protection.

The Employer Vice-Chairperson proposed a subamendment to insert the words “and men” after the word “women” in the first sentence. This was agreed by the Worker Vice-Chairperson.

198. Following suggestions from the Government members of Australia and New Zealand that the amendment went beyond the Committee’s mandate by introducing the notion of environmental protection, the Worker Vice-Chairperson proposed a subamendment so that the last sentence would read: “These should be consistent with the long-term objectives of sustainable economic, social and environmental development including gender equality.”
199. The amendment, as sub-subamended, was adopted.
200. Three amendments proposed by the Government Member States of the EU to paragraph 8 fell as a result of the subamendment adopted previously.
201. Paragraph 8 was adopted as amended.

Paragraph 9

202. The Employer Vice-Chairperson introduced an amendment to add the word “suitably” in the first line, after the word “legislation”. The Government member of Australia proposed a subamendment to use the words “where appropriate” in place of the word “suitably”.
203. The amendment, as subamended, was adopted.
204. The Worker Vice-Chairperson withdrew an amendment to add words to the first line of the paragraph as this had been dealt with by the previous amendment as subamended.
205. The Government member of Australia introduced an amendment to delete the word “and” at the beginning of the second line.
206. The amendment was adopted.
207. The Government member of the United Kingdom proposed an amendment rewording the text that followed the words “In times of economic crisis”. The representative of the Legal Adviser explained that, in introducing his amendment, the representative of the Government of the United Kingdom had proposed revisions to his amendment. The question for decision was whether, under article 63 of the Standing Orders, the proposed rewording was within the meaning of the original proposal or went beyond a genuine subamendment. The Government member of the United Kingdom proceeded to submit his proposed re-wording in writing and the Committee decided by consensus to proceed with that text. After discussion, the Worker Vice-Chairperson proposed a subamendment to read as follows:

In times of economic crisis, government investment in public and community services should be strengthened where appropriate, including in rural areas. Government and social partners should work to combat gender stereotypes which may impact on women’s experience of the crisis. There should be a focus on a greater sharing of care and home responsibility so that women and girls do not continue to carry out the majority of domestic tasks. In all discussions

on recovery packages, both regarding their design and assessing their success, women must have an equal voice with men.

208. The amendment, as subamended, was adopted.

209. Two amendments proposed by the Government members of Australia, Canada and New Zealand, and by the Employer Vice-Chairperson, fell as a result of the adoption of the previous amendment as subamended.

210. The Government member of the United States introduced an amendment to insert the word “an” between the words “have” and “equal”.

211. The amendment was adopted.

212. Paragraph 9 was adopted as amended.

Paragraph 10

213. An amendment introduced by the Worker Vice-Chairperson to replace paragraph 10 with a new paragraph dealing with climate change and green jobs was subamended by the Government member of New Zealand.

214. The amendment, as subamended, was adopted.

215. An amendment proposed by the Government members of Australia, Canada and New Zealand relating to green jobs fell.

216. Paragraph 10 was adopted as amended.

Paragraph 11

217. Paragraph 11 was adopted without amendment.

Paragraph 12

218. The Worker Vice-Chairperson withdrew an amendment to replace the words “sustained, productive, job-rich growth” and introduced a second amendment to replace the words “equality measures can lead to productivity gains” by the words “equality measures lead to productivity gains and decent work”, so as to strengthen the text, make it more positive and underline the themes of decent work and equality. The Employer Vice-Chairperson proposed a subamendment to move the words “and provide decent work” to the end of the sentence.

219. The amendment, as subamended, was adopted.

220. Paragraph 12 was adopted as amended.

Paragraph 13

221. The Employer Vice-Chairperson introduced an amendment to delete the words “special attention must be given to the situation of young women”, because including the adjective

“young” before “women” had a limiting effect, especially as paragraph 3 already included a reference to young women. The Worker Vice-Chairperson acknowledged that reference to young women had been made earlier on and her group was prepared to consider the amendment. The Workers wanted to ensure that the position of young women should not be forgotten. In the current crisis situation, young women were particularly affected; they were losing their jobs or their businesses. The Employer Vice-Chairperson suggested adding the words “and men” at the end of the sentence.

222. The amendment, as subamended, was adopted.

223. The Worker Vice-Chairperson introduced an amendment to replace the word “divisions” by the word “segregation” in the last sentence. The Employer Vice-Chairperson proposed a subamendment, to replace the words “such as the gender occupational divisions” by the words “which might include gender occupational segregation” in the last sentence.

224. The amendment, as subamended, was adopted.

225. Paragraph 13 was adopted as amended.

Paragraph 14

226. Paragraph 14 was adopted without amendment.

Paragraph 15

227. The Worker Vice-Chairperson introduced an amendment to replace the words “both sexes” by the words “women and men” in the sentence dealing with education and skills development, so as to ensure terminology consistent with other parts of the text. The Employer members agreed.

228. The amendment was adopted.

229. The Government member of Sweden, on behalf of the Governments of Member States of the EU, introduced an amendment to replace the sentences reading:

Women are often caught in the mismatch between supply and demand for skills in the labour market. Traditional occupational segregation concentrates women into low skilled, “female” economic activities, often characterized by market saturation and weak demand. It is therefore critical that women are able to acquire the skills necessary for personal development to meet changing labour market demands. To avoid the accumulation of disadvantage, education and skills enhancement policies should be oriented towards equality of opportunity for girls and women, including women re-entering the labour market after child-rearing.

by the following text:

Traditional occupational segregation concentrates women in low-skilled, traditional “female” economic activities, often characterized by low pay. It is therefore critical to enhance the importance and value of the jobs, sectors and activities where women are over-represented by, inter alia, attracting men into those jobs, sectors and activities. Women should also be encouraged to acquire the skills that are related to jobs, activities and sectors dominated by male workers. To avoid the accumulation of disadvantage, education and skills enhancement policies should be oriented towards equality of opportunity for girls and women and towards encouraging men to assume care-giving responsibilities so that women can re-enter the labour market after child-rearing.

The Government member of Australia, wishing to broaden the wording, proposed subamendments, including the replacement of the word “enhance” by the words “appropriately recognize”; replacing the words “by, inter alia, attracting men into those jobs, sectors and activities” by the words “and to make these attractive employment options for both men and women.”; replacing the third sentence of the amendment by: “Provision should also be made for women to acquire the skills that are related to jobs, activities and sectors that are growing and offering decent work opportunities.”; replacing the words “towards encouraging” by the words “to encouraging”; and removing the words “after child-rearing”. The Employer members agreed.

230. The amendment, as subamended, was adopted.

231. In view of the adoption of the amendment, the following proposed amendments to paragraph 15 fell: D.15, D.16, D.17, D.18, D.76 and D.104.

232. Paragraph 15 was adopted as amended.

Paragraph 16

233. The Government member of Australia, speaking also on behalf of Canada and New Zealand, introduced an amendment to replace the word “accepted” in the second line by the word “accessible”. The Worker and Employer Vice-Chairpersons agreed.

234. The amendment was adopted.

235. Paragraph 16 was adopted as amended.

Paragraph 17

236. Paragraph 17 was adopted without amendment.

Proposed new paragraph after paragraph 17

237. The Worker Vice-Chairperson introduced an amendment to add the following new paragraph after paragraph 17: “Reducing precarious work situations in the formal economy, where women are disproportionately represented, requires a policy mix of strengthened labour market regulations and active labour market measures.” She emphasized the importance of this paragraph that aimed to address precarious work in the formal economy. The Employer Vice-Chairperson did not support this amendment, stating that the formal economy could not encompass precarious work. The Worker Vice-Chairperson responded that the intended understanding of the word “precarious” in this amendment was not work performed outside regulatory and legal frameworks but rather work of an insecure nature affording limited rights and privileges. In this sense, she maintained, precarious work existed in the formal economy.

238. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, was of the view that the phrase “where women are disproportionately represented” was problematic, as there were sectors where men were also in unfavourable situations. The Worker Vice-Chairperson subamended the amendment to remove the phrase “where women are disproportionately represented” and add the words “from a gender perspective” to the end of the new paragraph. The Government member of Sweden, on behalf of the Governments of Member States of the EU, agreed, as did the Employers.

239. The Employer Vice-Chairperson sought clarification on the meaning of the word “precarious” stating that, for instance, temporary and part-time work could not be considered precarious. The Worker Vice-Chairperson reiterated that temporary workers would consider themselves to be precarious and suggested introducing into the amendment text a list of precarious employment situations. In the Employers’ opinion, this approach involved an old concept of work, which contradicted the current “flexicurity” approach of several EU countries, and recalled that “precarious” would have different connotations in different countries and contexts. The Chairperson recalled the description of non-standard forms of work provided in paragraphs 275 and 276 of the Office’s report. The Government member of the United States asked how the definition provided in the Office’s report had been arrived at. The representative of the Secretary-General explained that the wording was drawn from ILO specialist research in the Employment Sector, in particular the *Global Employment Trends* publications, and resources on the employment relationship. In addition, the Worker Vice-Chairperson indicated that different definitions of precarious work were provided in ILO literature. There was an understanding about the term “precarious” within the ILO. Paragraph 276 of the report read: “Precarious work – characterized by job insecurity – offers workers little or no opportunity to control their working conditions, claim benefits or social security or exercise their right to freedom of association”. The Employer Vice-Chairperson maintained that the reference to precariousness in the formal economy had to be taken out of the amendment as the Employers could not recognize precarious work in the formal economy.

240. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, supported the Workers’ position but suggested a subamendment to delete the adjective “strengthened” from the proposed phrase “strengthened labour market regulations” and proposed rewording the first line of the paragraph as: “Reducing precarious work situations characterized by job insecurity in the formal economy [...]”. The Employer Vice-Chairperson stated that it was not possible, in reality, to have control over job security and therefore rejected the subamendment. The Worker Vice-Chairperson proposed a fresh rewording of the first line to read as follows: “Reducing precarious work situations characterized by insecure and unstable work in the formal economy [...]”. Rejecting it, the Employer Vice-Chairperson noted that, in paragraph 277 of the report, reference was made to the share of part-time employment in industrialized countries as a proportion of total employment. The highest such rate was to be found in the Netherlands, with nearly one-third of all workers on part-time contracts, followed by Japan, Australia, New Zealand and the United Kingdom. These workers could not be considered precarious. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, indicated that some part-time work could be precarious and much would not be. Following consultations with Government members, the Worker Vice-Chairperson proposed a new sub-subamendment, which would encompass the subamendment proposed by the Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, to reformulate the paragraph as: “Reducing precarious work situations, when characterized by insecure and unstable work in the economy, requires a policy mix of labour market regulations and active labour market measures from a gender perspective.” The Employers agreed.

241. The amendment, as sub-subamended, was adopted.

242. The proposed new paragraph after paragraph 17 was adopted, as amended.

Paragraph 18

243. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, introduced an amendment to replace the words “Rural women” at the

beginning of the paragraph by the words “Women, particularly rural women”. The Employer members agreed.

244. The amendment was adopted.

245. The Government member of Canada, on behalf of the Government members of Australia and New Zealand, introduced an amendment to replace in the last lines the word “reproductive” by the word “family”. The Employer Vice-Chairperson requested that this amendment should be considered with the next two amendments which concerned the same sentence. The Chair agreed to take the amendments together. Following an exchange about women’s reproductive role often being the basis for discrimination, the Government member of Australia introduced a subamendment to use the words “women’s family responsibilities”. The Employer and Worker Vice-Chairpersons agreed.

246. The amendment, as subamended, was adopted.

247. In view of the above adoption two other proposed amendments to paragraph 18 fell.

248. Paragraph 18 was adopted as amended.

Paragraph 19

249. The Employer Vice-Chairperson introduced an amendment to replace the last sentence of the paragraph with “Governments should take steps to ensure that these newly created jobs are available equally to men and women.”, as this formulation more clearly communicated the gender dimension of employment-intensive public works. The Worker Vice-Chairperson proposed a subamendment to replace the word “Governments” by the words “Governments and social partners”, and to replace the words “men and women” by the words “women and men”. The Employer members agreed.

250. The amendment, as subamended, was adopted.

251. An amendment submitted by the Government members of Australia, Canada and New Zealand to replace words in the fourth line fell as a result of the subamendment adopted previously.

252. Paragraph 19 was adopted as amended.

Paragraph 20

253. An amendment introduced by the Worker Vice-Chairperson proposed to delete the first two sentences of the paragraph. The Employer Vice-Chairperson opposed the amendment since EPZs had proven very successful for some economies and had provided jobs for women. The Government members of Australia, Canada and the United States also opposed the amendment. The Worker Vice-Chairperson, who stressed that there was clear evidence of unacceptable working conditions in some EPZs, agreed to withdraw the amendment on the understanding that their next amendment would be approved.

254. The Worker Vice-Chairperson withdrew the proposed amendment.

255. The Worker Vice-Chairperson introduced an amendment to delete the word “very” in the first sentence after the words “have proven”. The Employer Vice-Chairperson agreed.

-
- 256.** The amendment was adopted.
- 257.** The Worker Vice-Chairperson proposed a subamendment to delete the word “may” before the words “result in unacceptable working conditions”. The Employer Vice-Chairperson agreed.
- 258.** The subamendment was adopted.
- 259.** The Worker Vice-Chairperson introduced an amendment to replace the fourth sentence beginning “There is concern ...” by the sentence “However, there is concern that in many cases the lack of enforcement of labour standards results in unacceptable working conditions.” As neither the Employer members nor the Government members supported the sentence, it was withdrawn.
- 260.** Paragraph 20 was adopted as amended.

Paragraph 21

- 261.** The Worker Vice-Chairperson introduced an amendment to replace the third sentence beginning “Public and private pension schemes ...” by the following sentence: “Pension schemes need to be made financially sustainable and to remove the unequal treatment of women, which leaves older women facing poverty.” She stated that the proposed text was clearer in meaning. She then proposed a subamendment which, in addition to the revised third sentence, would replace the words “so as to” by the words “and should” after the words “... need to be made financially sustainable”. This was more inclusive language, as some voluntary pension schemes might not be categorized as either public or private. The Government members of Indonesia and New Zealand supported the proposed amendment as subamended. After an exchange between the Employer and Worker Vice-Chairpersons about whether public and private pension schemes were the only kinds, the Employers agreed with the subamendment.
- 262.** The amendment, as subamended, was adopted.
- 263.** The Employer Vice-Chairperson introduced an amendment to replace the words “so as to” by the words “and should” in the sixth line. The Worker Vice-Chairperson called a point of order and said it should fall, as the preceding amendment had been adopted.
- 264.** The amendment fell.
- 265.** The Employer Vice-Chairperson proposed an amendment which would replace, in the seventh line in the English text, the word “leave” by the word “leaves” for grammatical reasons.
- 266.** The amendment was adopted.
- 267.** The Employer Vice-Chairperson introduced an amendment to delete the last sentence: “Paternity benefits should not be forgotten”, as it was redundant since the concept of paternity was mentioned in other sections. The Worker Vice-Chairperson opposed the amendment because the sentence referred to social protection which was relevant to this section. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, also opposed the amendment. The Employer Vice-Chairperson introduced a subamendment to reword the sentence: “Paternity and/or parental leave should not be forgotten”. The Worker Vice-Chairperson supported the subamendment but

proposed a sub-subamendment to replace the word “leave” by the word “benefits” after the word “parental”.

268. The amendment, as sub-subamended, was adopted.

269. Paragraph 21 was adopted as amended.

Paragraph 22

270. The Worker Vice-Chairperson introduced an amendment to replace the word “sex-differentiated” in the second and third sentences by the word “gender-differentiated”. She noted that the Committee had decided earlier to use the word “gender” when more appropriate, as was the case in these two sentences. The Employer Vice-Chairperson opposed the amendment and responded that the paragraph was specific to health and safety, so use of the word “sex” would be more relevant. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, also opposed the amendment, since the context of the paragraph justified using the word “sex”. The Chairperson suggested using the words “women and men”. The Worker Vice-Chairperson proposed a subamendment to replace the word “sex-differentiated” by the phrase “differentiated ... for women and men”. The Employer Vice-Chairperson commented that the word “differentiated” could be construed as being discriminatory; however, the Worker Vice-Chairperson stressed that in some cases differentiated policies and practices were needed in order to achieve gender equality. The Employer Vice-Chairperson supported the proposed subamendment in the sentence but suggested to replace the word “differentiated” by the word “appropriate”. The Worker Vice-Chairperson proposed a sub-subamendment to replace in the third sentence the phrase “sex-differentiated policies and practices, where applicable” by the phrase “appropriate policies and practices for women and men”. The Employer Vice-Chairperson supported the sub-subamendment.

271. The amendment, as sub-subamended, was adopted.

272. Paragraph 22 was adopted as amended.

Paragraph 23

273. The Worker Vice-Chairperson introduced the amendment to replace in the first line the words “Sexual harassment is” by the words “Sexual harassment and other forms of harassment are” in order to recognize the fact there were other bases for discrimination beyond one’s sex. The Employer Vice-Chairperson stated that, although her group understood the reasoning behind the amendment and agreed that other forms of harassment were equally important, these were not relevant to the gender issue and should not be included, so as to avoid diluting the focus on sexual harassment. The Government members of Australia, Brazil and the Dominican Republic supported the Workers’ amendment which recognized the fact that it encompassed all forms of harassment at the workplace. The Worker Vice-Chairperson stressed that the text needed to be as inclusive as possible, as there were many other possible sources of harassment at the workplace – including race, being aboriginal, sexual orientation, or the kind of job the person did. The Employer Vice-Chairperson proposed a subamendment to include the words “sexual harassment along with other forms of illegal harassment”. The Government members of Chile, Sweden, speaking on behalf of the Governments of Member States of the EU, and Austria, speaking on behalf of the IMEC group, expressed support for the Workers’ amendment. The Employer Vice-Chairperson also supported the Workers’ amendment.

274. The amendment was adopted.

275. The Government member of Sweden, speaking on behalf of the Governments of Members States of the EU, introduced an amendment to insert after the first sentence the following new sentence: “Legislation that eliminates violence against women in the workplace should be implemented”. The Employer Vice-Chairperson considered that legislation alone could not eliminate violence against women. The Worker Vice-Chairperson suggested a subamendment to replace the word “eliminates” with the word “prohibits”, which was more appropriate when discussing legislation. The Government member of Australia believed that legislation alone might not be the best way to address the issue so she proposed a subamendment to replace the word “Legislation” by the words “Policies, programmes and legislation, as appropriate”. This was seconded by the Government member of New Zealand. The Government member of Senegal agreed to this subamendment. The Government member of Lesotho, on behalf of the African Government members, proposed a sub-subamendment by inserting the phrase “gender-based violence” to replace the phrase “violence against women” in order to avoid being gender-biased. The Employer Vice-Chairperson expressed her agreement with the statement made by the Government member of Lesotho. The Government member of Austria suggested a sub-subamendment to the proposal from Australia to add to the word “measures” and use the words “and/or” between each of the options to provide flexibility. This was seconded by the Government member of Germany. The Worker Vice-Chairperson agreed with the subamendment proposed by Australia, but she proposed adding the word “measures” and deleting the words “as appropriate” as the text provided sufficient flexibility. The Employer Vice-Chairperson stressed that, depending on the policy framework, a country would apply one of the means of action – policies, programmes, legislation, measures – or a combination of these, so the words “as appropriate” should be retained. The Government member of Australia agreed with the Employer Vice-Chairperson’s statement. The Worker Vice-Chairperson also agreed to include the words “as appropriate” and, in order to clarify the objective of the means of action, she proposed to insert the words “to prevent it” at the end of the new sentence. This was agreed.

276. The amendment, as sub-subamended, was adopted.

277. The Government member of New Zealand, on behalf of the Government members of Australia and Canada, introduced an amendment to replace in the fourth line the words “economic wastefulness” by the words “productivity impact”. The Employer Vice-Chairperson supported the amendment. The Worker Vice-Chairperson proposed a subamendment to insert the words “and health” between the words “productivity” and “impact”.

278. The amendment, as subamended, was adopted.

279. The Worker Vice-Chairperson proposed an amendment to the end of the paragraph, to replace the words “and through social dialogue at the enterprise, national or sectoral levels, where applicable” by the following new sentence: “It must be addressed through social dialogue and collective bargaining at the enterprise, national or sectoral level, where applicable.” In the extensive discussion that ensued, the Employer Vice-Chairperson argued that sexual harassment was altogether unacceptable, and could therefore not be the subject of collective bargaining. Moreover, the legislation of some countries did not provide for collective bargaining, and the use of the word “must” left no scope for using other procedures to address the issue. Several Government members (Austria, Argentina, Brazil, Chile, China, Dominican Republic, India and Sweden) supported the amendment, while the Government member of Indonesia expressed a preference for the Office text. After efforts on all sides to find mutually acceptable wording, the Employer and Worker

Vice-Chairpersons reached agreement on the following text: “It should be addressed through social dialogue, including collective bargaining, where applicable, at the enterprise, national or sectoral level.”

- 280.** The amendment, as subamended, was adopted.
- 281.** An amendment proposed by the Worker members to add a new sentence was withdrawn as it had been superseded by the earlier subamendment.
- 282.** The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, introduced an amendment to place paragraph 23 after paragraph 4, as it would be better placed in the section entitled “The rationale for gender equality at work”.
- 283.** The amendment was adopted.
- 284.** Paragraph 23, as amended, was adopted, and would be moved after paragraph 4.

Paragraph 24

- 285.** The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, withdrew the amendment proposing to replace words in the second line.
- 286.** The Worker Vice-Chairperson introduced an amendment to replace the fourth sentence beginning “Consideration should be given ...” by the following new sentence: “A minimum living wage that provides a basic income to all can help reduce poverty and narrow the gender gap.” The Employer Vice-Chairperson supported the amendment.
- 287.** The amendment was adopted.
- 288.** In view of the above amendment, the amendments from the Governments of Member States of the EU (to replace words in the fifth line), from the Worker members (to delete words in the sixth line), and from the Employer members (to replace words in the seventh line), fell.
- 289.** The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, introduced an amendment to insert, after the words “identify and remedy”, the following new sentence: “Respect for this principle is essential because of the sex segregation in the labour market.” The Worker Vice-Chairperson introduced a subamendment to replace the word “sex” by the word “gender” but, after discussion related to the context of equal remuneration, the Employer and the Worker Vice-Chairpersons agreed to retain the word “sex”. The Employer Vice-Chairperson introduced a subamendment to replace the word “essential” by the word “important”, arguing that considerable difficulties remained in applying the principle of “work for equal value” which was also poorly understood. The Worker Vice-Chairperson did not agree because the principle of equal remuneration for work of equal value was more than simply important, it was essential. She pointed out that the next sentence of the paragraph took into account the Employers’ concern about clarifying the meaning of “work of equal value”. Several Governments (Austria, Dominican Republic, Norway, Sweden, on behalf of the Governments of Member States of the EU, and the United States) supported the Workers’ statement as they were in favour of keeping the word “essential” and stressed the importance of the Equal Remuneration Convention, 1951 (No. 100), and their efforts to apply the principles of equal pay for work of equal value in their countries.

-
- 290.** Following these discussions, the Employer Vice-Chairperson accepted the word “essential” as long as the following sentence starting with “Efforts need to be taken ...” was also retained without amendment.
- 291.** The amendment was adopted.
- 292.** The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, withdrew her amendment to delete words in the penultimate sentence.
- 293.** The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, introduced an amendment to place paragraph 24 after paragraph 15, as it would be better placed in the section entitled “Employment”.
- 294.** The amendment was adopted.
- 295.** Paragraph 24, as amended, was adopted and would be moved after paragraph 15.

Paragraph 25

- 296.** The Employer Vice-Chairperson proposed an amendment to replace the words “The integration” by “The need for integration”. Following the Worker Vice-Chairperson’s comment that the word “need” was repetitive, the Employer Vice-Chairperson proposed a subamendment to replace “needs to be recognized” at the end of the sentence by “should be recognized”. The Worker Vice-Chairperson said that the wording remained repetitive, and introduced another sub-subamendment, to insert the words “and applied” after the words “should be recognized” in the same sentence. The Employer Vice-Chairperson accepted the sub-subamendment.
- 297.** The amendment, as sub-subamended, was adopted.
- 298.** The Government member of New Zealand, speaking on behalf of the Government members of Australia and Canada, introduced an amendment to replace the word “block” by the words “discriminate against” in the third line, in order to convey the meaning of the sentence more accurately.
- 299.** The amendment was adopted.
- 300.** In view of the above adoption, the Government member of Sweden, on behalf of the Governments of Member States of the EU, withdrew her identical amendment.
- 301.** The Employer Vice-Chairperson presented an amendment to insert the words “or parental” after the word “paternity”, in order to make the text more consistent with the rest of the paragraph, and immediately subamended that text to read: “and/or parental”. The Worker and Government members agreed.
- 302.** The amendment was adopted.
- 303.** The Government member of the United States, supported by the Government member of the Czech Republic, introduced an amendment to replace the words “need to be” by the words “can be” in the last sentence. The Employer Vice-Chairperson supported the amendment, while the Worker Vice-Chairperson opposed the amendment. The Government member of the United States explained that the amendment was requested in consideration of the specific context in her country, where maternity leave was granted through a family medical leave programme, not as paid maternity leave. The Worker Vice-

Chairperson proposed a subamendment to include the wording “can and need to be developed”. The Employer members and Government members agreed.

304. The amendment, as subamended, was adopted.

305. Paragraph 25 was adopted as amended.

Paragraph 26

306. The Government member of New Zealand, speaking also on behalf of the Government member of the United States, introduced an amendment to replace the second sentence by the following sentence: “States need to take measures to encourage a better work–family balance, including promoting more and better quality services for care of children and dependants”. He added that Governments could not achieve results by themselves and that responsibilities for maintaining a work–family balance were to be found at many levels. The Chairperson indicated that the amendment would have implications for other amendments. The Worker Vice-Chairperson proposed a subamendment to change the sentence to: “States should consider to take measures to promote and encourage a better work–family balance, including ensuring more and better quality services for care of children and dependants”. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, supported the subamendment. The Government member of the United States proposed a sub-subamendment to replace the word “ensuring” by the words “working to ensure” in the last part of the sentence. The Worker Vice-Chairperson accepted this sub-subamendment, and proposed to change her proposed subamendment by replacing the word “consider” by the word “take”. The Employer members and Government members agreed.

307. The amendment, as sub-subamended, was adopted.

308. In view of the above adoption, the amendments from the Employer members (to change a verb), the Worker members (to insert the word “universal”), and the Government Members of Member States of the EU (to insert the word “accessible”), fell.

309. The Government member of the Czech Republic, supported by the Government member of the United States, introduced an amendment to add the following words at the end of the second sentence: “respecting their specific interests, in accordance with the demand from the side of the families”. The Czech Republic had specific experience and lessons learned on the importance of taking account of the interests of the children and families concerned. The Worker Vice-Chairperson opposed the amendment. The Employer Vice-Chairperson supported the amendment, but proposed a subamendment, replacing “the demand from the side of the families” by “family needs”. The Government member of the Czech Republic accepted the subamendment; however, following discussions, he withdrew the amendment.

310. The Employer Vice-Chairperson introduced an amendment to replace “and” by “or” after the word “paternity” and immediately subamended that text to read “and/or”. She explained that the reasons were the same as for a previous amendment. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, supported the amendment.

311. The amendment, as subamended, was adopted.

312. The Employer Vice-Chairperson introduced an amendment to replace the words “Men’s behaviour” by the words “In some countries men’s behaviour”. She believed that men’s behaviour in some countries did not need to change. The Worker Vice-Chairperson

proposed a subamendment replacing the words “Men’s behaviour” by the words “Some men’s behaviour”. The Government member of India requested that the original text be kept, explaining that the problem was not confined to certain countries. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, and the Government member of Norway, supported the views of the Government member of India.

313. The amendment was withdrawn.

314. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, introduced an amendment submitted by several EU Government members to replace, in the eighth line, the word “equitable” by the word “equal” as this was the usual wording. The Worker Vice-Chairperson stressed her group’s preference to retain the word “equitable” as treating people equally did not always result in equitable outcomes. The Employer Vice-Chairperson and the Government member of Austria supported the Workers’ position.

315. The amendment was withdrawn.

316. The Employer Vice-Chairperson introduced an amendment in the tenth line, after the word “The”, to delete the word “recent” as the trend was neither recent nor confined to a few countries.

317. The amendment was adopted.

318. The Government member of the Czech Republic withdrew a proposed amendment to add a new sentence at the end of the paragraph.

319. Paragraph 26 was adopted as amended.

Paragraph 27

320. The Government member of the United States withdrew an amendment to replace the second sentence.

321. The Government member of Australia, on behalf of Canada and New Zealand, introduced an amendment to replace in the third line the words “Conventions Nos 100 and 111” by the words “the Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111),”. This was for consistency and to spell out fully the titles of the Conventions.

322. The amendment was adopted.

323. Paragraph 27 was adopted as amended.

Paragraph 28

324. The Worker Vice-Chairperson introduced an amendment to replace, in the eighth and ninth lines, the words “more analysis is required regarding the low number of ratifications of Convention No. 183,” with the words “efforts to promote Convention No. 183 should be stepped up.” Following discussions, and to accommodate concerns from employers, she proposed a subamendment to divide the sentence into two, to read as follows: “Protecting maternity has received much attention from ILO member States. More analysis is required

regarding the low number of ratifications of Convention No. 183 and efforts to promote it should be stepped up.” The Employer Vice-Chairperson supported the proposed subamendment.

325. The amendment, as subamended, was adopted.

326. The Worker Vice-Chairperson introduced an amendment to replace, in the tenth and eleventh lines, the words “for flexible work arrangements” by the words “that can improve gender equality.” The Employer Vice-Chairperson supported the proposed amendment and observed that employers could not see how gender equality would be enhanced if flexible work arrangements were not available. The Worker Vice-Chairperson agreed to a subamendment to her proposed amendment to read: “The Part-Time Work Convention, 1994 (No. 175), and the Home Work Convention, 1996 (No. 177), provide international standards for decent flexible work arrangements that can improve gender equality. It is important to note that most part-time and home work is done by women.”

327. The amendment, as subamended, was adopted.

328. The Employer Vice-Chairperson withdrew her proposed amendment to the same sentence in the light of the previous amendment.

329. Paragraph 28 was adopted as amended.

Paragraph 29

330. The Employer Vice-Chairperson introduced an amendment to replace, in the last line, the words “additional grounds” by the words “additional prohibited grounds of discrimination”. This was intended to make the sentence more specific. The Worker Vice-Chairperson did not understand the need to use the word “prohibited”, as the text already provided for States to add more grounds as required. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, agreed with the Workers’ position and proposed a subamendment to delete the word “prohibited”. The Employer Vice-Chairperson accepted this subamendment.

331. The amendment was adopted as subamended.

332. Paragraph 29 was adopted as amended.

Paragraph 30

333. The Worker Vice-Chairperson introduced an amendment to replace the first sentence by the following sentence: “While many countries have adopted legislation against discrimination based on sex, no society has achieved gender equality.” The amendment aimed at recognizing that, while many countries had adopted legislation against discrimination based on sex, no country had fully achieved gender equality. The Employer Vice-Chairperson accepted the proposed amendment in principle but wished to hear whether there might be at least one country that might have succeeded in eradicating such discrimination. The Government member of Sweden agreed with the Worker Vice-Chairperson that her own country had not succeeded in this regard. No other Government member responded.

334. The amendment was adopted.

-
- 335.** The Worker Vice-Chairperson introduced an amendment to delete, in the fourth line, the words “in some cases”, so as to recognize more strongly the positive role of affirmative action in redressing inequalities. The Employer Vice-Chairperson opposed the amendment as the qualifier was in fact appropriate. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, supported by the Government members of Germany and the United States, proposed a subamendment to replace the word “some” with “many”.
- 336.** The amendment, as subamended, was adopted.
- 337.** The Worker Vice-Chairperson introduced an amendment to replace, in the tenth line, the word “representative” by the words “gender-representative and gender-sensitive”. The Employer Vice-Chairperson stated that her group could accept “gender-sensitive” but not “gender-representative”. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, found it difficult to understand the notion of “gender-representative”. The Worker Vice-Chairperson explained that it was possible to be gender-sensitive without having gender representativeness, but it was necessary to have both voice and presence. The representative of the Secretary-General advised the Committee that the highly ratified Labour Inspection Convention, 1947 (No. 81), emphasized that both men and women should be eligible for appointment to labour inspectorates. The Employer Vice-Chairperson, noting that another amendment by the Workers on paragraph 39 addressed gender balance in the public sector, asked whether the amendment under discussion was not redundant. The Worker Vice-Chairperson insisted on the need for the amendment and proposed a subamendment to replace the word “gender-representative” with the word “gender-balanced”. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, agreed with the amendment as subamended as, in her view, the proposed amendment to paragraph 39 was broader. The Employer members agreed.
- 338.** The amendment, as subamended, was adopted.
- 339.** Paragraph 30 was adopted as amended.

Paragraph 31

- 340.** The Employer Vice-Chairperson introduced an amendment to replace, in the first and second lines, the words “well-respected and funded” by the words “credible and well funded”. This was aimed at strengthening the wording.
- 341.** The amendment was adopted.
- 342.** The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, introduced an amendment to replace, in the second line, the word “commissions” by the word “machineries” as the latter was more in line with UN terminology. The Employer Vice-Chairperson proposed using the word “bodies” instead; however, the Worker Vice-Chairperson rejected this because “bodies” would be too restrictive. The Employer Vice-Chairperson noted that the wording in the French and Spanish texts was acceptable; so the amendments only affected the English text.
- 343.** The amendment was adopted.
- 344.** The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, introduced an amendment to replace, in the third line, the words “to promote equality” by the words “to promote gender equality”. The Employer Vice-

Chairperson supported the amendment. The Worker Vice-Chairperson indicated that her group did not want to lose the reference to equality in a broader sense and therefore opposed the amendment.

345. The amendment was withdrawn.

346. Paragraph 31 was adopted as amended.

Paragraph 32

347. Paragraph 32 was adopted without amendment.

Paragraph 33

348. The Worker Vice-Chairperson introduced an amendment to add, at the end of the first sentence, the words “in accordance with Convention No. 138.”

349. The amendment was adopted.

350. Paragraph 33 was adopted as amended.

Paragraph 34

351. The Employer Vice-Chairperson introduced an amendment to replace, in the first line, the word “essential” by the word “useful”. The Worker Vice-Chairperson opposed this, as workers viewed social dialogue and tripartism as not just useful but essential to advance gender equality in the world of work. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, as well as the Government members of Canada, Norway, Portugal, the United States and Uruguay, opposed the amendment.

352. The amendment was withdrawn.

353. The Worker Vice-Chairperson introduced an amendment to insert, in the eighth line, after the word “including”, the words “in collective bargaining and”.

354. The amendment was adopted.

355. The Worker Vice-Chairperson introduced an amendment to replace, in the penultimate line, the words “sex discrimination” by the words “gender discrimination”, as this was more in line with current usage. The Employer Vice-Chairperson, supported by the Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, opposed the amendment.

356. The amendment was withdrawn.

357. Paragraph 34 was adopted as amended.

Paragraph 35

- 358.** The Worker Vice-Chairperson introduced an amendment to replace, in the first line, the words “one means” by the words “a key means” in order to recognize the importance of collective bargaining in achieving gender equity. The Employer Vice-Chairperson indicated that her group could not support the amendment as there were other equally important means of achieving gender equality and not all companies used collective bargaining to advance gender equality. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, proposed a subamendment to replace the words in the proposed amendment with the words “important means”. The Worker Vice-Chairperson responded that trade unions considered that collective bargaining was a key means for discussing terms and conditions of employment, including addressing gender issues, but not the only means. She noted, in particular, the central role given to collective bargaining by the 1998 ILO Declaration on Fundamental Principles and Rights at Work and she gave examples where collective bargaining had provided maternity protection for workers not covered by collective bargaining agreements. The Government members of Argentina, Australia, Brazil, and the Dominican Republic supported the proposed amendment.
- 359.** The amendment was adopted.
- 360.** The Government member of the Czech Republic withdrew a proposed amendment to add words in the fifth line.
- 361.** The Employer Vice-Chairperson introduced an amendment to delete the words “social and economic councils,” after the words “dialogue in”, in the sixth line, as not all countries had social and economic councils. The Worker Vice-Chairperson considered that these councils were being cited as an example. The Government member of New Zealand proposed a subamendment so that the beginning of the sentence would read: “Tripartite dialogue, including in social and economic councils ...”. The Government members of Argentina and Uruguay and the Worker members supported the subamendment.
- 362.** The amendment, as subamended, was adopted.
- 363.** The Employer Vice-Chairperson withdrew her amendment proposing word changes to the eighth line.
- 364.** The Employer Vice-Chairperson introduced an amendment to replace the word “Negotiators” by the word “Representatives” in the last sentence, as the word “representatives” was more in keeping with ILO terminology. The Worker Vice-Chairperson proposed a subamendment to include the word “negotiators” and the word “representatives”. The Government member of Australia proposed, as a subamendment, the text: “Representatives, both men and women, from ...”. The Worker Vice-Chairperson agreed with this subamendment and proposed a sub-subamendment to include the words: “Negotiators and other representatives both men and women”. The Government members of Brazil, Germany, Norway, Sweden and the United States supported the Worker Vice-Chairperson’s sub-subamendment. This was accepted by the Employer Vice-Chairperson.
- 365.** The amendment, as sub-subamended, was adopted.
- 366.** The Worker Vice-Chairperson introduced an amendment to insert “, and more women need to be trained as negotiators” at the end of the last sentence. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, proposed a subamendment that read “and more women negotiators are needed”. This was accepted by the Worker Vice-Chairperson. The Employer members agreed.

367. The amendment, as subamended, was adopted.

368. Paragraph 35 was adopted as amended.

Paragraph 36

369. The Worker Vice-Chairperson introduced an amendment to add the words “, including universal public programmes for child and dependent care services.” at the end of the last sentence, and proposed a subamendment replacing the word “universal” by the word “affordable”. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, supported the amendment. The Employer Vice-Chairperson proposed a sub-subamendment to use the word “sustainable”. The Government members of the Czech Republic and the United States supported the sub-subamendment. This was accepted by the Worker and Employer Vice-Chairpersons.

370. The amendment, as sub-subamended, was adopted.

371. Paragraph 36 was adopted as amended.

Paragraph 37

372. The Worker Vice-Chairperson introduced an amendment to insert the words “, as well as Convention No. 175 and Convention No. 177, and the implementation of Recommendation No. 198, as well as Conventions Nos 87 and 98;” in the second line, after the words “ILO equality Conventions”, and immediately proposed a subamendment to move the words “as well as Conventions Nos 87 and 98” to after the words “Convention No. 177”. The Employer Vice-Chairperson stated that her group had been opposed to Recommendation No. 198 when it was adopted, and therefore could not agree to a reference being made to it in these conclusions. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, and the Government member of New Zealand also opposed the inclusion of the reference to Recommendation No. 198. The Worker Vice-Chairperson accepted to withdraw that reference. The Government member of New Zealand proposed a subamendment to ensure that the titles of the Conventions be spelt out in full, so that the amendment would read: “as well as the Part-Time Work Convention, 1994 (No. 175), and the Home Work Convention, 1996 (No. 177), and also the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98)”. The Worker and Employer members agreed.

373. The amendment, as subamended, was adopted.

374. The Government member of the United States, speaking also on behalf of the Government members of Australia, Canada and New Zealand, introduced an amendment to delete the words “including indigenous, migrant, young and rural women.” at the end of the first sentence. After discussion she proposed a subamendment to insert the word “minority,” before the word “young”. The Worker and Employer members agreed.

375. The amendment, as subamended, was adopted.

376. Paragraph 37 was adopted as amended.

Paragraph 38

377. The Government member of Australia, speaking also on behalf of the Government members of Canada and New Zealand, introduced an amendment to replace the word “more” by the word “greater” in the third line.
378. The amendment was adopted.
379. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, introduced an amendment to insert “and men” in the last line, after the word “women”, on the grounds that the impact of budgets from a gender perspective should include men.
380. The amendment was adopted.
381. Paragraph 38 was adopted as amended.

Paragraph 39

382. The Worker Vice-Chairperson withdrew her amendment to replace the first sentence.
383. The Government member of the United States withdrew her amendment to replace words in the first sentence.
384. The Worker Vice-Chairperson introduced an amendment to add the following new sentence: “As an employer the Government must ensure that non-discriminatory employment practices are applied to achieve gender equality in the public sector.” after the first sentence. This amendment was intended to provide an appropriate reference in these conclusions to governments’ role as employers. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, observed that the word “Government” included government at all levels. The Employer Vice-Chairperson proposed a subamendment so that the sentence read: “As an employer, the public sector must ensure that non-discriminatory employment practices are applied to achieve gender equality.”
385. The amendment, as subamended, was adopted.
386. The Worker Vice-Chairperson introduced an amendment to insert the words “and workers” after the words “demands of the labour market” in the last sentence. The Employer Vice-Chairperson and the Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, considered that the amendment was redundant, as workers were an integral part of the labour market. The Government member of Sweden then proposed a subamendment to add the words “and needs of workers” after the word “market”; this was supported by the Government members of Brazil, India, the United States and Uruguay, and as well as the Worker members. The Government member of New Zealand supported the position of the Employers, while the Government member of Argentina supported the Workers’ amendment as initially proposed. The Worker Vice-Chairperson proposed a sub-subamendment so that the phrase would read “demands of the labour market which includes the needs of the workers and employers”. The Employer Vice-Chairperson and Government members supported the sub-subamendment.
387. The amendment, as sub-subamended, was adopted.

388. The Government member of Australia, on behalf of the Government members of Canada and New Zealand, withdrew their amendment to add a new sentence at the end of the paragraph.

389. Paragraph 39 was adopted as amended.

Paragraph 40

390. The Employer Vice-Chairperson, with the agreement of the Chairperson, introduced two amendments together: to replace the word “and” by the words “for women and men in order to allow a more equal sharing of these responsibilities”, after the word “responsibilities” in the second line, and to delete the words “between men and women” after the word “responsibilities” in the third line. The Worker Vice-Chairperson and Government members agreed.

391. The amendments were adopted.

392. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, introduced an amendment to replace the words “can include” by the words “should include” in the third line. The Employer and Worker Vice-Chairpersons supported the amendment.

393. The amendment was adopted.

394. The Employer Vice-Chairperson introduced an amendment to replace the word “and” by the word “or” after the word “parental” and immediately subamended that text to read “and/or”, for consistency. The Worker Vice-Chairperson and Government members agreed.

395. The amendment was adopted as subamended.

396. The Employer Vice-Chairperson introduced an amendment to delete the words in brackets: “(with incentives for men to use them)”, because such incentives should be provided not only to men. The Worker Vice-Chairperson opposed the amendment, preferring two later amendments relating to the same sentence. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, also opposed the amendment.

397. The Employer Vice-Chairperson withdrew the amendment.

398. With the agreement of the Chairperson, the Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, introduced two amendments for consideration together: first, to insert the words “especially financial” in the fourth line, after the word “with”; and, second, to insert the words “since, while unpaid, men do not take advantage of these rights” after the words “to use them”. The Worker Vice-Chairperson supported the amendments. The Employer Vice-Chairperson opposed the amendments, reasoning that not all countries had paternity leave, and emphasizing the cost implications of paternity leave provisions; she indicated that the proposal would be unsustainable in many countries. The Government members of South Africa and the United States opposed the amendments, stating that they supported the original text. The Government member of Australia supported the amendments, and proposed a subamendment to insert the word “often”, so that the phrase would read “men often do not take advantage of these rights”. The Government members of Norway and Sweden supported this subamendment. The Employer Vice-Chairperson opposed the subamendment, as did the Government members of South Africa and the United States.

The Government member of New Zealand supported the amendments but suggested breaking the sentence before the word “Infrastructure” as the sentence was too complicated. The Employer, Worker and Government members agreed to split the sentence here.

- 399.** The Government member of China did not accept the two amendments, stating that the word “financial” was not necessary because the word “incentive” implied a financial obligation. He stated that, around the world, and within China, paternity leave came in different forms – in some places it was paid, while in others it was unpaid. The Government members of Chile and Uruguay opposed the amendments; their countries were not ready to introduce measures to provide incentives solely for men because much effort was still needed to promote equality for women. The Government member of Sweden withdrew the proposed amendment relating to the words “especially financial” and proposed a subamendment to her second one, as follows: “Such policies should include parental and/or paternity leave (with incentives for men to use them, since, when available, men do not often take advantage of these rights)”. The Government member of New Zealand proposed a grammatical change so as to replace the words “these rights”, by the word “them”. The Employer and Worker Vice-Chairpersons supported the EU subamendment, as amended by the Government member of New Zealand.
- 400.** The second amendment, as subamended, was adopted. The first amendment was withdrawn.
- 401.** The Government member of the Czech Republic withdrew his proposed amendment relating to dependant care.
- 402.** Paragraph 40 was adopted as amended.

Paragraph 41

- 403.** With the approval of the Chairperson, the Employer Vice-Chairperson introduced two amendments for consideration together, as both would strengthen the idea in this paragraph that formalization of the informal economy was key to ensuring rights and social security for all. The first amendment proposed to replace the words: “Governments have the lead role in taking appropriate measures to formalize” in the first line by the words “Governments need to recognize the importance of formalizing”. The second proposed to insert the words “and facilitate its formalization, as the informal economy is” in the second line after the word “economy”. The Worker Vice-Chairperson opposed both amendments, as it was the role of governments to take the lead and not just recognize the importance of formalizing the informal economy. The Government member of Brazil stated that more emphasis was needed on taking measures to formalize the informal economy, and the Government member of Argentina provided examples of such measures from her country. The Government member of Indonesia, and the Government member of Sweden, on behalf of the Governments of Member States of the EU, opposed the amendments.
- 404.** The two amendments were withdrawn.
- 405.** The Worker Vice-Chairperson introduced an amendment to replace, in the second line, the words “at the lower end of precarious and poorly paid work” by the words “in precarious, atypical, part-time and poorly paid jobs”. The Government member of Australia supported the amendment and proposed a subamendment to delete the word “part-time”. The Employer members, the Worker members and the Government members supported the subamendment.

-
406. The amendment, as subamended, was adopted.
407. The Worker Vice-Chairperson introduced an amendment to insert the words “and social protection” in the last line after the words “social security”. The Employer and Government members agreed.
408. The amendment was adopted.
409. As an amendment introduced by the Government member of the United States (to add words after the words “social security to all”) was not seconded, it was not discussed.
410. The Employer Vice-Chairperson introduced an amendment to add at the end of the paragraph the following new sentence: “One way to do this is to link the extension of social security to participation in the formal economy”. The Worker Vice-Chairperson opposed the amendment, as did the Government members of Brazil and India.
411. The amendment was withdrawn.
412. Paragraph 41 was adopted as amended.

Paragraph 42

413. An amendment proposed by the Government member of the United States replacing words in the first sentence was withdrawn.
414. Paragraph 42 was adopted without amendment.

Paragraph 43

415. An amendment proposed by the Government member of the Czech Republic to delete words in the fourth line was withdrawn.
416. The Worker Vice-Chairperson introduced an amendment to insert the words “violence against women in the workplace” after the words “gender pay gap” in the fourth line in order to be consistent with terminology used in the draft conclusions. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, supported the amendment, as did the Employers.
417. The amendment was adopted.
418. Paragraph 43 was adopted as amended.

Paragraph 44

419. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, introduced an amendment to add at the end of the paragraph the following new sentence: “Governments should strengthen the capacity of national statistical offices and, when necessary, measurement systems, to collect comprehensive information effectively on all categories of activities, including through time-use surveys, to inform policy development that facilitates the sharing of unpaid work between women and men”. The text was based on the conclusions of a recent session of the United Nations Commission on the Status of Women. The Worker Vice-Chairperson proposed to replace

the word “unpaid” by the word “all”, but the Employer Vice-Chairperson opposed rewording UN text. The Government, Worker and Employer members agreed with the amendment.

420. The amendment was adopted.

421. Paragraph 44 was adopted as amended.

Paragraph 45

422. The Government member of the United States, supported by the Government member of Indonesia, introduced an amendment to replace the whole paragraph with the following text: “Governments should be encouraged to adopt policies necessary to achieve the Millennium Development Goal on gender equality”. She immediately subamended this amendment by substituting the following text, which the Chairperson agreed was substantially in line with the original: “Noting that the Millennium Declaration called on industrialized countries to grant more generous development assistance, governments are encouraged to adopt the specific policies necessary to achieve the Millennium Development Goal on gender equality”. The Employer Vice-Chairperson supported the subamendment, but the Worker Vice-Chairperson opposed it. The Government member of Austria, speaking on behalf of the IMEC group, and the Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, opposed the amendment as subamended.

423. The amendment was withdrawn.

424. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, introduced an amendment to replace in the first line the words “the third United Nations Millennium Development Goal (MDG3)” by the words “the Millennium Development Goals leading to the advancement and empowerment of women, in particular MDG3”. She proposed a subamendment to the rest of the sentence to replace the word “must” with the word “should”. The Worker and Employer members agreed.

425. The amendment, as subamended, was adopted.

426. In view of the previous amendment, the Government member of Australia, on behalf of Canada and New Zealand, withdrew their amendment which was identical to the preceding subamendment.

427. Paragraph 45 was adopted as amended.

Paragraph 46

428. The Worker Vice-Chairperson introduced an amendment to delete the words “and more talent to choose from, allowing for a selection process based on merit and expertise”. She stated that the word “merit” – as compared to terms such as “skills” and “expertise” in the third and fourth lines – had been used in the past to exclude women from certain jobs. The Employer Vice-Chairperson opposed the amendment since women often had to prove they had more merit than men when competing for jobs. The amendment was also opposed by the Government members of Austria, Czech Republic, Germany, India, Indonesia and Mexico. The Worker Vice-Chairperson proposed a subamendment to her amendment to use the original text, and to replace the words “merit and expertise” by the words “based on skills and competencies”. The Employer Vice-Chairperson sub-subamended the

amendment to add to the original text the words “skills, competencies” before the words “merit and expertise”. This was supported by the Worker Vice-Chairperson and the Government members.

429. The amendment, as sub-subamended, was adopted.

430. Paragraph 46 was adopted as amended.

Paragraph 47

431. The Employer Vice-Chairperson introduced an amendment to replace in paragraph 47(c) the words “the commitment” by the words “action plans”. The Worker members and Government members agreed.

432. The amendment was adopted.

433. Paragraph 47 was adopted as amended.

Paragraphs 48 and 49

434. The Worker Vice-Chairperson introduced an amendment to replace paragraphs 48 and 49 by the following paragraph:

Workers’ organizations can continue to contribute to achieving gender equality in the workplace by:

- (a) strengthening representation of informal, migrant, rural and domestic workers, who are mostly women;
- (b) establishing concrete measures to ensure the active participation of women in their organizations at all levels and in their processes and activities;
- (c) ensuring that collective bargaining is approached through a gender lens;
- (d) representing the workers’ point of view from a gender perspective in discussions on issues such as legislative reform, labour inspection, courts and industrial tribunals;
- (e) continuing to play their role as an agent of change for gender equality, by disseminating information, building capacity and strengthening expertise on gender equality in areas such as employment policy, training programmes, family support, pension and social security, equal remuneration, maternity protection and parental leave.

435. The Employer Vice-Chairperson proposed a subamendment to replace the word “can” in the first line by the word “should”, and at the end of the paragraph to introduce a new phrase: “(f) carry out capacity building, training and advocacy programmes”. The Government members of Brazil and Namibia supported the amendment, and the subamendment proposed by the Employer Vice-Chairperson. The Government member of Mexico proposed a sub-subamendment to delete the reference to training programmes in (e) and supported the subamendment proposed by the Employers. The Worker Vice-Chairperson accepted the first subamendment but opposed the second as the concepts of capacity building, training and advocacy had already been incorporated in the new (e). The Government members of Argentina, Brazil and Namibia supported the views of the Worker Vice-Chairperson. The Government member of Namibia highlighted the importance of open dialogue and free exchange between the tripartite constituents concerning each others’ activities. The Employer Vice-Chairperson withdrew the second subamendment.

436. The amendment, as subamended, was adopted.

437. In view of the previous adoption, the amendments submitted by the Employer members (to change or add words) and the EU Government members (to change the order of certain words), fell.

438. Paragraphs 48 and 49 were adopted as amended.

Paragraph 50

439. Paragraph 50 was adopted without amendment.

Paragraph 51

440. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, introduced an amendment to add in paragraph 51(a), after the word “budgeting”, the following words: “the purpose of data collection should be well defined so that it is used in a focused and meaningful manner”. The Worker and Employer members agreed.

441. The amendment was adopted.

442. The Employer Vice-Chairperson introduced an amendment to replace the word “better” by the word “adequate” in paragraph 51(d). The Worker Vice-Chairperson opposed this, since it was important to stress that improvements were needed in data collection. The amendment was opposed by the Government members of Austria, India, Norway and the United States.

443. The amendment was withdrawn.

444. The Government member of New Zealand, speaking also on behalf of the Government members of Australia and Canada, introduced an amendment to replace in paragraph 51(d) the words “gender pay gap” by “levels of remuneration including gender pay gap, occupational representation”. The Worker and Employer members agreed.

445. The amendment was adopted.

446. Also in paragraph 51(d), the Worker Vice-Chairperson proposed an amendment to insert after the word “development” the words “gender provisions in collective agreements, the value attributed to paid and unpaid care work”. The Employer Vice-Chairperson opposed the amendment. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, proposed a subamendment to include in paragraph 51(d) the words used in paragraph 43. The subamendment was supported by the Employer and Worker members.

447. The amendment, as subamended, was adopted.

448. The Worker Vice-Chairperson withdrew an amendment to insert words in paragraph 51(f).

449. Paragraph 51 was adopted as amended.

Paragraph 52

450. The Worker Vice-Chairperson withdrew an amendment to paragraph 52(a) and another amendment to add a new subparagraph after 52(b).
451. The Worker Vice-Chairperson introduced an amendment to insert, at the end of paragraph 52(b), the words “with a focus on providing decent working conditions for women, and enhance ILO work in EPZs to promote freedom of association and collective bargaining and decent working conditions.” In explaining this amendment, she emphasized that this was a crucial issue for workers. The Worker Vice-Chairperson immediately introduced a subamendment to that amendment to read as follows: “with focus on providing decent work for women in EPZs, in particular for promoting freedom of association, collective bargaining and core labour standards, with the objective of improving women’s wages and working conditions.” The Employer Vice-Chairperson stated that she would accept the amendment as subamended by the Workers, and proposed a sub-subamendment to split (b) by creating a new (c) and to include the words “in consultation with ILO constituents” at the end of the phrase. The Government member of Sweden, speaking on behalf of the Governments of Member States of the EU, supported the amendment as subamended by the Worker Vice-Chairperson, as well as the sub-subamendment by the Employers’ group. The Worker Vice-Chairperson accepted the sub-subamendment so that the wording would read as: “focus on providing decent work for women in EPZs in particular promoting and monitoring freedom of association and the right to collective bargaining and core labour standards, with the objective of improving women’s wages and working conditions in consultation with ILO constituents.”
452. The Worker Vice-Chairperson proposed a new subamendment by adding, to the end of new (c) the following words: “The Governments guarantee the implementation of the fundamental rights of workers in the EPZs with the objective to promote freedom of association and collective bargaining. The ILO should monitor the implementation”. The Employer Vice-Chairperson proposed sub-subamending new (c) to split it so as to create a new subparagraph as follows: “52(d) work with governments and the social partners to ensure the implementation of freedom of association, and the right to collective bargaining and other core labour standards in EPZs”. The Government and Worker members indicated their support for the amendments as subamended and sub-subamended.
453. The amendment, as sub-subamended, was adopted.
454. Paragraph 52 was adopted as amended.

Paragraph 53

455. The Worker Vice-Chairperson withdrew a proposed amendment to replace words in paragraph 53(e).
456. Paragraph 53 was adopted without amendment.

Paragraph 54

457. The Government member of New Zealand, speaking also on behalf of Canada and the United States, introduced an amendment to replace in the first line of paragraph 54(c), the word “improve” by the words “strive to improve”. This would reflect more appropriately the role of the ILO. The Worker and Employer members agreed.

458. The amendment was adopted.

459. The Worker Vice-Chairperson withdrew a proposed amendment to insert words in paragraph 54(d).

460. Paragraph 54 was adopted as amended.

Paragraph 55

461. The Government member of the United States, speaking also on behalf of Canada, introduced an amendment to add in the second line of paragraph 55(d), after the words “1999 (No. 182)”, the words “and integrate gender perspectives into approaches towards combating the worst forms of child labour”. The Worker and Employer members agreed.

462. The amendment was adopted.

463. The Worker Vice-Chairperson withdrew a proposed amendment to insert words in paragraph 55(d).

464. Paragraph 55 was adopted as amended.

Paragraph 56

465. The Government member of the United States, speaking also on behalf of Australia, Canada and New Zealand, introduced an amendment to insert, in the first line of paragraph 56(a), after the words “policy coherence”, the words “on issues of decent work and gender equality” and delete the words “by ensuring that the policy coherence has decent work and gender equality at its core”. The Worker and Employer members agreed.

466. The amendment was adopted.

467. Paragraph 56 was adopted as amended.

Paragraph 57

468. Paragraph 57 was adopted without amendment.

Adoption of the report

469. The Committee considered the draft report at its 12th sitting. In introducing the report, the Reporter noted that it was the result of the social dialogue process of the Committee, and for this reason it reflected shared views reached through consensus. The conclusions provided a concise analysis and blueprint for future work, and she was proud of this result. They provided the ILO with clear guidance on how it could assist the constituents in taking forward the issues raised and lay out what role the governments, employers’ and workers’ organizations have in advancing gender equality which is at the heart of decent work. She thanked the Chairperson, the Employer and Worker Vice-Chairpersons, Government members and the secretariat, which had been under the able guidance of the representative of the Secretary-General.

-
470. The Chairperson informed the Committee that its Officers had made a brief oral presentation on Thursday, 11 June 2009, to the Committee of the Whole on Crisis Responses. After the three statements, the Chairperson of the Committee of the Whole had thanked the Gender Equality Committee's Chairperson and Vice-Chairpersons for presenting the highlights of discussions on point 2 of the suggested points for discussion that appeared in Report VI *Gender equality at the heart of decent work*.
471. The Committee unanimously adopted the report, subject to minor amendments and technical corrections to specific paragraphs requested by some members. The Employer Vice-Chairperson placed on record the Employers' concern about the word "quotas" in paragraph 16 of the conclusions. The Employers' group did not agree with the use of quotas, since, in many cases, such measures could, when poorly applied, have discriminatory and counterproductive effects.
472. In response to a question regarding minor editorial changes to improve the conclusions put by the Worker Vice-Chairperson, the representative of the Legal Adviser explained the process for amending resolutions in Plenary under article 15(6) of the Standing Orders of the International Labour Conference. If members of the Committee were contemplating amendments to the conclusions, which had already been adopted, they could not be discussed in the current sitting, but would need to be given in writing to the secretariat of the Conference before Wednesday, 17 June 2009. The Chairperson explained that a number of small changes for consistency between the English, French and Spanish versions of the conclusions would be examined and editorial changes, such as punctuation, would be checked during the final editing process. The Chairperson confirmed with the Committee that it was understood that none of the comments or clarifications on the conclusions mentioned during this sitting would affect the meaning agreed to or adopted by this Committee.
473. The Employer Vice-Chairperson expressed thanks for the support during this general discussion to the Worker Vice-Chairperson and Government members as well as to her group and the staff of the ILO Bureaux for Employers' and Workers' Activities, and to colleagues of the International Organisation of Employers and the International Trade Union Confederation. It would have been good to use the money saved – due to the diminished time for the Committee's sittings – on gender equality initiatives. The Employers were satisfied with the Committee's results which, despite the limited time, were the result of efficiently conducted discussions. These had demonstrated the relevance of gender equality for all the ILO constituents and, through a process of consensus, the issues that the Employers considered important had been accurately reflected in the document. She saluted the Worker Vice-Chairperson for her positive attitude and willingness to understand the Employers' views. She recognized Government members, who had shown flexibility in order to accommodate the social partners' viewpoints. She also expressed gratitude to the representative and deputy-representative of the Secretary-General, as well as the staff of the secretariat. She had learnt a new vocabulary during the Committee's deliberations, which all the Committee members would be able to use appropriately in the years to come. She concluded by congratulating the Chairperson for being solution-oriented and maintaining a friendly atmosphere of cooperation.
474. The Worker Vice-Chairperson emphasized the phenomenal success of the discussion process. The results were very good. The Workers' group was proud of the report and would promote it widely. The diminished time in which the Committee had had to work was an exceptional circumstance; if this had not been the case, some protracted discussions might have been avoided. She greatly appreciated the support of the representative and deputy-representative of the Secretary-General, the secretariat team, and all those who had contributed to the Committee's results. She thanked her group for its support, as well as that received from the ILO Bureaux for Employers' and Workers' Activities and the

International Trade Union Confederation. She was grateful to the Chairperson who, through his firmness and discipline, had set a standard for all other committee chairpersons. She thanked the Employer Vice-Chairperson, with whom she had forged a friendship. She concluded by thanking Government members, who had often acted as brokers during the discussions in order to find solutions.

- 475.** The Government member of New Zealand observed that his experience in this Committee and on the Drafting Group had been very intense due to the extraordinary pressure of time due to the reorganization of this session of the International Labour Conference so as to accommodate the Committee of the Whole on Crisis Responses. Despite this, viewpoints had been exchanged among the different groups and countries in a cooperative way, with willingness on all sides to understand each other and reach compromises. He was grateful to the Employer and Worker Vice-Chairpersons for their collaborative efforts, and the secretariat for its assistance and hard work through long days and nights. He thanked the Chairperson for his fair and effective facilitation of discussions, and he commended the Government members for their active participation and dialogue.
- 476.** The Chairperson closed the meeting, observing that the Committee, which had produced an excellent report, had demonstrated the ILO at its best: commitment to social dialogue that allowed problems to be solved through consensus. He expressed his appreciation to the two Vice-Chairpersons for their positive and forward-looking attitudes, as well as the Reporter for her meticulous attention to the draft report. He thanked the Government members for their contributions and sound advice; they now bore a heavy responsibility for taking forward many of the proposals in the conclusions. He expressed his gratitude to members of the Drafting Group, as well as the secretariat, translators, representative of the Legal Adviser and typists, led by the representative of the Secretary-General. All had contributed to the success of the Committee.

Geneva, 13 June 2009.

(Signed) F. Arthur
Chairperson

M. Hanartani
Reporter

Resolution concerning gender equality at the heart of decent work

The General Conference of the International Labour Organization, meeting at its 98th Session, 2009,

Having undertaken a general discussion on the basis of Report VI, *Gender equality at the heart of decent work*,

1. Adopts the following conclusions; and
2. Invites the Governing Body of the International Labour Office to give due consideration to them in planning future action on gender equality in the world of work and to request the Director-General to take them into account both when implementing the Programme and Budget for the 2010–11 biennium and allocating such other resources as may be available during the 2008–09 biennium.

Conclusions

Introduction

1. It is universally recognized that equality for women and men in the world of work is a core value of the International Labour Organization. Since 1919, through the ILO Constitution, international labour standards and the 1998 ILO Declaration on Fundamental Principles and Rights at Work, and the various International Labour Conference resolutions and Governing Body decisions on gender equality, to the 2008 ILO Declaration on Social Justice for a Fair Globalization, a common aim has been to eliminate sex discrimination in work and to promote gender equality.
2. Progress has been made over the last decades to advance gender equality in the world of work. International and regional policy statements have strongly endorsed it. In many countries, national policy and legislative frameworks, as well as enforcement of laws, have improved. In some countries, labour administration and labour inspection systems have better monitored and/or enforced the application of laws and regulations on gender equality. Many employers, employers' groups, trade unions and their organizations have promoted gender equality. On a voluntary basis, many employers and employers' groups have promoted gender equality, beyond legal requirements. Awareness of workers' rights to equal opportunity and treatment has increased. Many governments have adopted active labour market policies addressing gender inequality within the larger objectives of job-rich growth, as well as full employment and decent work and sustainable enterprises. Gender equality is now globally accepted as a necessity for sustainable development and poverty reduction for women and men, improving living standards for all.
3. However, major challenges remain. Women are a diverse group that includes workers in the informal economy and rural, migrant, indigenous, minority and young women, each with specific needs. Poverty has been increasingly feminized; the gender pay gap persists; and there is a lack of work in all its forms, including full-time work. Discrimination related to pregnancy and maternity occurs and horizontal and vertical segregation persists in the labour market. Women predominate in involuntary part-time work. During the course of a woman's life, transition phases also tend to create specific challenges. Despite advances in educational levels, women are over-represented in low-paying jobs; women are under-represented in executive, management and technical positions; many women suffer poor working conditions; gender-based violence occurs at all stages of women's lives; in some situations paid domestic labour has remained as one of the few options for women including migrants; HIV/AIDS increasingly affect young, poor females. It is important to create conditions for men's active participation in family responsibilities to fulfil the need to reconcile work and personal life, especially in relation to childcare and dependant care. More women than men work in the informal economy, where decent work deficits are the most serious. Lack of social security, the gender pay gap, low pay in general, inadequate working conditions, exploitation and abuse including sexual harassment, and the absence of voice and representation are exacerbated for women because of the additional responsibilities of their reproductive role and lack of access to resources and affordable services. Efforts to formalize the informal economy will be of special benefit to women. Formalizing the informal economy requires a policy mix taking into account all four ILO strategic objectives of employment, social protection, social dialogue and tripartism, and principles and rights at work.

The rationale for gender equality at work

4. Gender equality is a matter of social justice and is anchored in both a rights-based and an economic efficiency approach. When all actors of society can participate, there are much better chances for social justice and economic efficiency, as well as economic growth and development. Cultural, economic and social barriers have to be identified and overcome in order for women's human rights to be respected. Sex discrimination frequently interacts with other forms of discrimination. Policies and programmes should be put in place to address multiple forms of discrimination against women. There is a strong link between fertility rates, improved education, high labour force participation of women, and non-discrimination policies which are aimed at balancing work and family responsibilities. Benefits of achieving gender equality through realizing better access to quality education and skills development, vocational and occupational training and lifelong learning for the creation of a competitive workforce cannot be overestimated. Decent work can be achieved when there are productive and quality employment opportunities for both women and men. Strategies should take into account a life cycle perspective, looking especially at situations of transition in lives of women and men.
5. Sexual harassment and other forms of harassment are serious forms of discrimination across the world that undermine the dignity of women and men, negate gender equality and can have significant implications. Gender-based violence in the workplace should be prohibited; policies, programmes, legislation, and other measures, as appropriate, should be implemented to prevent it. The workplace is a suitable location for prevention through educating women and men about both the discriminatory nature and the productivity and health impacts of harassment. It should be addressed through social dialogue, including collective bargaining where applicable at the enterprise, sectoral or national level.

Men and gender equality

6. Work–family reconciliation measures are not just about women but also about men. A variety of new measures (such as provision of paternity leave and/or parental leave) have succeeded in permitting working fathers to be more involved in the sharing of family responsibilities and could be replicated. This applies to caring for children and dependent family members. There is evidence that when the participation of women in the workforce increases, more men take parental leave. The birth rate has also been seen to improve; and men's long working hours can be alleviated. In some societies, today's fathers take paternity leave and share more in family responsibilities, showing a gradual attitudinal shift and breaking down of gender stereotypes. Innovative legislation and proactive policies, as well as awareness raising on "paternity" as a social value and responsibility, could enhance this shift. Care must be taken to ensure that low-skilled men do not become more vulnerable.

New scenarios – Globalization

7. Globalization has brought about major changes impacting on the lives of all men and women, ushering in rapid growth and transformation in some countries, including new technologies. On the one hand, this progress has reduced barriers for women, creating more employment opportunities. On the other hand, some of the new jobs are often in precarious and informal employment which are not decent work, and are characterized by low pay, and little or no access to social security, social protection, social dialogue, as well as an absence of the full enjoyment of workers' rights. As globalization affects men and women differently, the different needs of both women and men – through gender analysis in both policy development and impact assessments – deserve further reflection.

-
8. Achieving policy coherence includes the ILO examining and considering all international economic and financial policies in the light of gender equality.

The current economic crisis

9. Crises should not be used as excuses to create even greater inequalities nor undermine women's acquired rights. The current crisis is having serious effects in the world of work with enterprises closing and workers losing their jobs. Placing economic recovery, and as a consequence, employment, at the heart of the crisis response should be a priority. During times of economic crisis, not respecting fundamental principles and rights at work would represent both a failure to uphold universally recognized rights and a failure of economic policy to ensure growth and recovery. This current crisis should be viewed as an opportunity to shape new gender equality policy responses.
10. Recovery packages during economic crises need to take into account the impact on women and men and integrate gender concerns in all measures. Short-term measures can include generating and saving jobs, income-replacement measures to assist women and men caring for family members, skills training and retraining, and support for small and medium-sized enterprises (SMEs). These measures should be consistent with the long-term objectives of sustainable economic, social and environmental development, including gender equality.
11. Medium and long-term measures should seek to revise legislation, including labour laws where appropriate, to provide better opportunities for women and men to reconcile work and family responsibilities. Policies should also cover training for women in non-traditional areas of work, including as entrepreneurs; retraining women and men for jobs that break through occupational segregation; use of modern technology; and active labour market policies, including, for instance, affirmative action for women. In times of economic crisis, government investment in public and community services should be strengthened where appropriate, including in rural areas. Governments and social partners should work to combat gender stereotypes which may impact on women's experience of the crisis. There should be a focus on greater sharing of care and home responsibilities so that women and girls do not continue to carry the majority of domestic tasks. In all discussions on recovery packages, both regarding their design and assessing their success, women must have an equal voice with men.

Climate change and green jobs

12. With the development of renewable and clean energy industries, new green jobs are being created and should be pursued as an avenue for training and employment for women and men. In order to promote a socially just transition to green jobs, both women and men should benefit from education and training initiatives and labour market policies that facilitate the development of skills necessary for new green jobs and the transition for workers who will lose their existing jobs.

Gender and the Decent Work Agenda

13. As stated in the 2008 Declaration on Social Justice for a Fair Globalization, the ILO's four strategic objectives of employment, social protection, social dialogue and tripartism, and fundamental principles and rights at work, implemented through, among other means, international labour standards, are inseparable, interrelated and mutually supportive, and gender equality must be considered cross-cutting in these objectives. Efforts to ensure that gender equality is at the heart of decent work must therefore be of a holistic nature.

Employment

14. Sustained, productive job-rich growth is needed to create decent work opportunities for women and men through which societies achieve their goals of economic development, good living standards and social progress. Gender-sensitive employment policies are a key means of achieving poverty reduction and equitable and inclusive growth. Evidence demonstrates that equality measures lead to productivity gains, stimulate economic growth, and ensure that labour markets are able to function more effectively and provide decent work. Addressing gender equality should therefore be a central element in all aspects of employment creation, including supportive macroeconomic frameworks, active labour market policies, skills and employability development, enterprise development and employment-intensive infrastructure development policies.
15. Regarding macroeconomic frameworks, it is well established that economic growth on its own may not be sufficient to generate employment and reduce poverty. In accordance with the Global Employment Agenda, employment policies must be at the centre of broader economic and social policies. Gender-sensitive employment policies are critical to ensure that the poor, particularly women, are able to benefit from, and participate in, economic growth. Special attention must be given to the situation of young women and men. Macroeconomic policies and national development frameworks, such as Poverty Reduction Strategy Papers (PRSPs), need to be designed using a gender lens to ensure that their employment content does not lead to adverse effects on women as compared to men. They should take into account the structural inequalities facing women, which might include gender occupational segregation and unequal power relations in the labour market.
16. Active labour market policies, for their part, are the tools enabling policy-makers to balance the supply and demand for labour with a particular focus on women. They can therefore be an important means of ensuring equality of access to employment opportunities for women and men. Targeted measures (for example, temporary goals or quotas, according to national regulation and practice) can help overcome persistent discrimination in access to employment.
17. Since a skilled workforce is a necessary prerequisite for sustainable enterprises and for meeting the challenges of global competitiveness, education and skills development for women and men is a first priority. Traditional occupational segregation concentrates women into low-skilled, “traditionally female” economic activities, often characterized by low pay. It is therefore critical to appropriately recognize the importance and value of the jobs, sectors, and activities where women are over-represented and to make these attractive employment options for both men and women. Provision should also be made for women to acquire the skills that are related to jobs, activities and sectors that are growing and offering decent work opportunities. To avoid the accumulation of disadvantages, education and skills enhancement policies should be oriented towards equality of opportunity for girls and women, and to encouraging men to assume care-giving responsibilities so that women can re-enter the labour market.
18. Unequal remuneration is a symptom of persistent inequality between women and men. Women’s skills and jobs have been historically undervalued, and women’s wages have not kept pace with their advancements in education. While more educated women have joined today’s workforce, the gender pay gap is only slowly diminishing. A minimum wage that provides a basic income can help reduce poverty and narrow the gender gap. Evidence from some countries has shown that freedom of association and collective bargaining could lead to narrowing the gender pay gap. Improved data on equal pay clauses in agreements are needed. Direct wage discrimination between a man and a woman performing the same job can be easily identified. The concept of equal remuneration between men and women for “work of equal value” is harder to identify and remedy.

Respect for this principle is essential, because of the sex segregation in the labour market. Efforts need to be taken so that the principle is understood and applied, as appropriate. Job evaluations on the basis of objective and non-discriminatory criteria are one way to implement equal pay for work of equal value.

19. Lifelong learning, apprenticeship opportunities, and vocational training policies need to be oriented and accessible to enable both women and men to adapt to changing skills and technological demands. Setting targets for gender balance within training, ensuring flexible training delivery times and methodologies, eliminating stereotypes in curricula, and awareness raising in the wider community can be helpful in facilitating equal access for women to these opportunities. Social dialogue and tripartite mechanisms in human resource development strategies are an important means of ensuring that skills-development policies are responsive to demand in the private sector and the wider labour market, and that women can benefit from new income-earning opportunities.
20. Fostering SMEs and women's entrepreneurship is a key means of generating employment and can offer the opportunity for social and economic empowerment of women as well as men and their families. The conclusions concerning the promotion of sustainable enterprises, adopted by the 96th Session of the International Labour Conference (2007), propose some basic conditions generally considered to be essential: (1) peace and political stability; (2) good governance; (3) social dialogue; (4) respect for universal human rights and international labour standards; (5) entrepreneurial culture; (6) sound and stable macroeconomic policy and good management of the economy; (7) trade and sustainable economic integration; (8) an enabling legal and regulatory environment; (9) rule of law and secure property rights; (10) fair competition; (11) access to financial services; (12) physical infrastructure; (13) information and communication technologies; (14) education, training and lifelong learning; (15) social justice and social inclusion; (16) adequate social protection; and (17) responsible stewardship of the environment.
21. Reducing precarious work situations, when characterized by insecure and unstable work in the economy, requires a policy mix of labour market regulation and active labour market measures from a gender perspective.
22. Women, particularly rural women, need enhanced access to and control over productive resources including land, technology, market information and credit to ensure the viability of their enterprises. Access to credit is a particularly important element given the barriers encountered by many women when approaching formal financial institutions. Limited public investment in rural areas manifests itself in poor infrastructure and services which intensify women's unpaid work and curtail their opportunities for income. Increased public investment in social infrastructure in rural areas can significantly alleviate women's family responsibilities and enable these women to move out of poverty.
23. Employment-intensive public works can be an important means of both generating employment and creating assets in poor communities. Yet much investment is concentrated on physical infrastructure instead of social infrastructure. Governments and social partners should take steps to ensure that these newly created jobs are equally available to women and men.
24. Export processing zones (EPZs) have proven successful for some economies. They may offer new job opportunities for women that do not always exist in the domestic economy. Some data suggest that EPZs may provide better wages and working conditions. There is concern that in some cases the lack of enforcement of labour standards results in unacceptable working conditions. Freedom of association and the right to collective bargaining and core labour standards should apply to all EPZs, and should be used to ensure respect for workers' rights, including gender equality.

Social protection

25. Social security is a powerful tool to alleviate poverty and inequality, yet not only are vast numbers of women and men outside such schemes and protection, but women are particularly vulnerable to social exclusion. Although most social security systems were initially designed around the male breadwinner model, with greater female labour force participation, systems are slowly being reformed. Pension schemes need to be made financially sustainable and should remove the unequal treatment of women, which leaves older women facing poverty. Well-designed, feasible and financially viable social policies can go hand in hand with strong economic performance. Social protection should be an incentive for the entry of workers into the formal economy. The approach set out in paragraph 16 of the 2007 conclusions on the promotion of sustainable enterprises will advance gender equality. It reads: “Sustainable tax-based or other national models of universal social security that provide citizens with access to key services such as quality health care, unemployment benefits, maternity protection and a basic pension, are key to improving productivity and fostering transitions to the formal economy.” Paternity and/or parental benefits should not be forgotten.
26. Occupational safety and health considerations had previously focused on dangerous jobs predominantly held by men. The increasing proportion of women in the workforce points to the usefulness of more research on the differentiated impact of workplace risks on women and men. Greater attention needs to be paid to men’s and women’s specific occupational safety and health needs, including reproductive health of both women and men, by promoting appropriate policies and practices for women and men.
27. The need for integration of maternity protection as part of governments’ responsibility for social and economic policy should be recognized and applied. Eliminating discrimination due to family obligations – particularly as regards hiring and firing policies that discriminate against women of childbearing age – through better legal frameworks and their effective application is necessary. With a view to making progress towards giving effect to the principle of paid maternity leave and paternity and/or parental leave, public support systems and other measures can and need to be developed.
28. Tensions in combining work and family responsibilities still hamper the full participation of women in the workforce and their economic empowerment. States should take measures to promote and encourage a better work–family balance, including working to ensure more and better quality services for care of children and dependants. Legislation and policies (such as paid paternity and/or parental leave) that encourage men to participate in care responsibilities have been shown to work across a variety of countries. Men’s behaviour needs to change, as shared parental responsibilities are key to changing gender stereotyped barriers. Readjusting the gender division of labour in the household to a more equitable distribution of tasks has significant benefits for both sexes. The reconciliation of work and family responsibilities is possible when approached in a holistic manner. The global decline in fertility – which has been predicted to eventually occur in all regions – has to be considered within the national realities of the levels of female education, access to maternity protection and access to affordable quality childcare and dependant care. When family-friendly policies are introduced, paid work and caregiving become compatible.

Principles and rights at work

29. International labour standards are a primary means to promote equality in the world of work for all workers. For gender equality to be anchored in a solid international framework for responses at work, the Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), need to be

ratified, implemented and monitored by all member States. An urgent call is launched for the universal ratification of these two fundamental Conventions.

- 30.** The Workers with Family Responsibilities Convention, 1981 (No. 156), and the Maternity Protection Convention, 2000 (No. 183), call on States to provide policy guidance and practical means for reconciling work and family responsibilities, and for protecting pregnant workers. Respect for these Conventions, in conjunction with facilitative policies, is acknowledged as important in achieving gender equality. It is important to note that Convention No. 156 applies to both men and women workers with responsibilities in relation to their dependants. Protecting maternity has received much attention from ILO member States. More analysis is required regarding the low number of ratifications of Convention No. 183 and efforts to promote it should be stepped up. The Part-Time Work Convention, 1994 (No. 175), and the Home Work Convention, 1996 (No. 177), provide international standards for decent, flexible work arrangements that can improve gender equality. It is important to note that most part-time and home work is done by women, often on an involuntary basis and by single heads of household.
- 31.** Sex discrimination often interacts with other forms of discrimination. Along with sex discrimination, Convention No. 111 enumerates six other prohibited grounds; it also acknowledges that new manifestations of discrimination may arise and permits ratifying States to add additional grounds of discrimination.
- 32.** While many countries have adopted legislation against discrimination based on sex, no society has achieved gender equality. Existing and new legislation needs to be looked at through a gender lens in order to ensure that laws do not have an adverse or discriminatory effect on women or men. Affirmative action laws have proven to be successful in many cases in redressing past and continuing sex-based inequalities in the labour market. The involvement of the social partners in the formulation and revision of legislation ensures that legal standards accurately reflect the socio-economic realities and needs or concerns of employers and workers. There is also a need for stronger implementation and enforcement of legal frameworks concerning equality of opportunity and treatment through gender-balanced and gender-sensitive labour administrations, labour inspectorates and courts that are equipped to address gender equality. Judges, labour inspectors and government officials need to be trained so that they can better identify and redress gender inequalities. The social partners play an important role in raising awareness among their members on legislation, and in reforming discriminatory texts.
- 33.** Experience shows that rights are better implemented when they are supported by credible and well-funded institutions, such as national equality machineries or other specialized bodies mandated to promote equality. Governments should therefore, together with the social partners, develop concrete policies and measures and make available the necessary resources for their effective implementation and functioning.
- 34.** Two fundamental Conventions are of particular relevance to gender equality, the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), which contain enabling rights to pursue gender equality. The application of these two Conventions is particularly important for the realization of all other rights, including the human rights of women.
- 35.** The ILO has a strong normative base for its work on the elimination of child labour. The Minimum Age Convention, 1973 (No. 138), and the Worst Forms of Child Labour Convention, 1999 (No. 182), urge immediate action against the worst forms of child labour, such as the use of any girl or boy under age 18 in forced or compulsory labour; armed conflict; prostitution, production of pornography, or for pornographic performances;

production and trafficking of drugs and work that is likely to harm the health, safety or morals of children. Convention No. 182 specifically provides for member States to take account of the special situation of girls. Efforts should therefore be taken to seek concrete ways in which member States can be more effective in taking into account gender differences and the special situation of girls in their Action Plans against Child Labour.

Social dialogue

- 36.** Social dialogue and tripartism are essential policy tools to advance gender equality in the world of work at international, regional, national, community and enterprise levels. When governments, employers' and workers' organizations engage in dialogue and consensus building, real progress can be achieved in designing and implementing non-discrimination legislation and gender equality policies and measures. For social dialogue to be effective, the participation of women needs to be increased. For this to occur, more women need to have access to leadership positions in governments, and employers' and workers' organizations. The inclusion of women in social dialogue, including in collective bargaining and at the International Labour Conference, is a crucial step in eliminating sex discrimination and should be stimulated among representatives of governments, employers and workers.
- 37.** Collective bargaining is a key means of determining terms and conditions of employment. Collective bargaining can ensure the systematic integration of gender dimensions into labour market and macroeconomic policies in general, and address specific issues such as the gender pay gap, enhanced protection against discrimination, work–family measures and childcare infrastructure, sexual violence and harassment, and the promotion of female employment. Tripartite dialogue, including through social and economic councils, national employment policy bodies and tripartite gender equality commissions, has been successful in achieving a more effective implementation of gender equality measures. Such tripartite bodies should be created or strengthened to institutionalize social dialogue on gender issues. Negotiators and other representatives, both men and women, from the three parties should be trained in gender equality and equal pay, and more women negotiators are needed.

Role of governments

- 38.** Governments need to affirm clearly their commitment to gender equality and demonstrate their political will to develop the legal policies and frameworks to make gender equality in the world of work a reality. Gender equality should be part of national development policies, including affordable and sustainable public programmes and child and dependent care services for all.
- 39.** Governments can create a conducive environment for gender equality in the world of work through ensuring ratification of ILO equality Conventions, as well as the Part-Time Work Convention, 1994 (No. 175), the Home Work Convention, 1996 (No. 177), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98); the adoption of non-discrimination legislation and gender-sensitive labour laws; and the development of gender equality policies and programmes, with special attention to the most vulnerable women in society, including indigenous, migrant, minority, young and rural women. Governments should enforce these laws and promote the implementation of these policies and programmes through well-resourced labour inspectorates and courts that do not discriminate on the basis of sex, as well as through gender-sensitive macroeconomic policies, entrepreneurship development and gender-responsive budget initiatives.

-
40. Governments should adopt or update national gender policies and institutions so as to ensure national policy coherence. Gender issues should not be the sole responsibility of a single ministry, but be integrated into all state structures so as to introduce greater gender equality in overall national planning and programming. Governments should consider the impact of budgets from a gender perspective and monitor and report on their outcomes for women and men more generally.
 41. Governments need to secure affordable quality health, education and public services for all, which can create jobs. As an employer, the public sector must ensure that non-discriminatory employment practices are applied to achieve gender equality. Governments need to ensure effective access of girls and boys to education, thus strengthening the human capital of women from the start, breaking through gender stereotypes in education. Education, skills development and vocational training should proactively meet the demands of the labour market which includes the needs of the workers and employers, providing young women and men with the skills of the future.
 42. Governments need to develop, together with the social partners, adequate policies allowing for a better balance of work and family responsibilities for women and men in order to allow a more equal sharing of these responsibilities. Such policies should include parental and/or paternity leave (with incentives for men to use them since, when available, men do not often take advantage of them). Infrastructure for childcare and dependant care, backed by appropriate human and financial resources, should be pursued.
 43. Governments have the lead role in taking appropriate measures to formalize the informal economy, where women are often in precarious, atypical, and poorly paid jobs. Governments should take steps to extend the coverage of social security and social protection to all.
 44. Governments should provide a conducive environment for social dialogue, enabling the social partners to represent their positions in conditions of freedom and respect. The social partners and governments should ensure that women are equitably represented in tripartite bodies. Affirmative action policies can be used, including measures such as quotas.
 45. Governments should develop gender equality indicators, regularly compile, publish and disseminate sex-disaggregated data on these indicators and set up systems to measure and monitor progress towards agreed targets. Such indicators could include labour market participation rates, childcare and dependant care provision, gender pay gap, violence against women in the workplace, women's entrepreneurship development and women in leadership positions.
 46. Governments should provide consistency in policy development regarding sex discrimination and provide effective enforcement mechanisms. To complement this, governments can actively promote awareness raising of workers' rights and of opportunities available to men and women. Governments should strengthen the capacity of national statistical offices and, when necessary, develop measurement systems, to collect comprehensive information effectively on all categories of activities, including through time-use surveys, to inform policy development that facilitate the sharing of all unpaid work between women and men.
 47. In order to achieve Millennium Development Goals leading to the advancement and empowerment of women, in particular MDG3 on equality, governments should make budgetary allocations on financing for development.

Role of employers' organizations

48. Employers recognize the benefits of gender equality, the importance of female participation in the workforce and the vital contribution of women to economic development. Gender equality means more and better candidates to choose from, allowing for a selection process based on skills, competencies, merit and expertise, leading to a more diverse, productive and competitive workforce.
49. Employers' organizations can contribute to achieving gender equality in the workplace by:
- (a) representing the employers' point of view in policy discussions on gender equality and legislative reform;
 - (b) stimulating entrepreneurship among women and advocating for public policies that allow women to become entrepreneurs, and promoting networking among women entrepreneurs;
 - (c) assisting members in the development of gender-sensitive workplace policies and measures through communication platforms to share best practices, the organization of training and workshops, and action plans to provide women with better access to resources, knowledge and information;
 - (d) promoting fundamental principles and rights at work among their members, including awareness raising, training and technical assistance on the right to non-discrimination, and especially sex-based discrimination; and
 - (e) developing voluntary codes, conducting research and ensuring that any data collected are sex-disaggregated.

Role of workers' organizations

50. Workers' organizations should continue to contribute to achieving gender equality in the workplace by:
- (a) strengthening representation of informal, migrant, rural and domestic workers, who are mostly women;
 - (b) establishing concrete measures to ensure the active participation of women in their organizations at all levels of the organization and in its processes and activities;
 - (c) ensuring that collective bargaining is approached through a gender lens;
 - (d) representing the workers' point of view from a gender perspective in discussions on issues such as legislative reform, labour inspection, courts and industrial tribunals;
 - (e) continuing to play their role as an agent of change for gender equality, by disseminating information, building capacity and strengthening expertise on gender equality in areas such as employment policy, training programmes, family support, pension and social security, equal remuneration, maternity protection and parental leave.

Role of the ILO

51. In giving effect to the 2008 Declaration on Social Justice for a Fair Globalization, the Organization should strengthen its policy and programme of work for promoting gender equality at the heart of decent work. Action will draw upon the ILO's comparative advantage of international labour standards and its tripartite structure. The policy approach should be holistic, involving the promotion of rights, decent and productive employment, social protection and social dialogue. The ILO should take into account relevant conclusions from previous International Labour Conference discussions, including those on the Promotion of rural employment for poverty reduction (2008); Skills for improved productivity, employment growth and development (2008); Promotion of sustainable enterprises (2007); and Decent work and the informal economy (2002). The ILO should ensure that gender equality objectives are visible in the strategies, indicators and activities of Decent Work Country Programmes. The gender perspective should be a well-integrated and specific part of the "Decent work for domestic workers" item on the agenda of the 2010 and 2011 sessions of the International Labour Conference.
52. Regarding knowledge and capacity building to support gender-sensitive policy formulation, the ILO should:
- (a) strengthen its research agenda and knowledge base on emerging issues, especially in the context of the global economic crisis, so as to identify new trends and patterns in the world of work, and links between economic efficiency, social justice and gender equality; this includes making more systematic use of sex-disaggregated data so as to inform policy formulation and new monitoring mechanisms to track achievements in gender equality, using key indicators on sex discrimination in the world of work and gender-responsive budgeting. The purpose of data collection should be well defined so that it is used in a focused and meaningful manner;
 - (b) support efforts for more effective policy development for specific vulnerable groups of women;
 - (c) collect information on pressures placed on boys and men to conform to gender stereotypes in the world of work;
 - (d) build the capacity of labour statisticians and improve labour market information systems so as to provide better sex-disaggregated data in areas such as labour market participation rates, childcare and dependant care provision, by levels of remuneration, including the gender pay gap, violence against women in the workplace, occupational representation, women's entrepreneurship development, gender provisions in collective agreements, the value attributed to paid and unpaid care work, and women in leadership positions. Data on precarious employment should be systematically collected;
 - (e) develop measurement systems to create incentives for progress in formalizing the informal economy, increasing the participation of women in the formal economy and increasing the proportion of women in the workforce;
 - (f) use the ILO Participatory Gender Audit as a tool for assessing progress towards gender equality, and disseminate good practices arising from its application;
 - (g) ensure that the ILO International Training Centre in Turin and the Inter-American Centre for Knowledge Development in Vocational Training (CINTERFOR) are adequately resourced so they can provide support in capacity building and training on gender equality; gender should be integrated into all training courses; and

-
- (h) fully involve the social partners in the design of Decent Work Country Programmes and ensure their greater participation in the implementation of these programmes which must be developed with a gender lens and specify how their intended outcome will affect both women and men.

53. Regarding employment and job creation, the ILO should:

- (a) assist with the development of labour market policies and tools designed to build the capacity of constituents in the fields of employability, skills and competencies of women, including their entry into male-dominated trades and sectors; similar efforts should be made to include men in female-dominated occupations in order to overcome sex-based job segregation;
- (b) extend programmes to foster women's entrepreneurship and economic development;
- (c) focus on providing decent work for women in EPZs, in particular promoting and monitoring freedom of association and the right to collective bargaining and core labour standards, with the objective of improving women's wages and working conditions in consultation with ILO constituents;
- (d) work with the governments and the social partners to ensure implementation of freedom of association, and the right to collective bargaining and other core labour standards in EPZs;
- (e) compile and disseminate good practices promoting women's participation in private sector development and sustainable enterprises;
- (f) monitor progress of the Global Employment Agenda in promoting gender equality within its ten core elements;
- (g) implement targeted interventions for the creation of decent and productive employment for women and men who are unemployed, underemployed, in the informal economy, and in rural areas; and
- (h) advocate gender-responsive employment creation as part of national policies and national development frameworks, poverty reduction strategies and policy coherence with macroeconomic policies.

54. Regarding social protection, the ILO should:

- (a) develop policy options to help constituents upgrade social security systems so that they are inclusive and take into account the needs of workers with family responsibilities, cover women in vulnerable situations, and offer policy options to help formalize workers in the informal economy;
- (b) develop and disseminate tools and undertake research to prevent and eliminate sexual harassment of women and men and violence against women at work;
- (c) strive to improve the understanding of the principle of equal remuneration for men and women for work of equal value and its application in practice, among other means, through technical assistance in applying objective job-evaluation methods free from gender bias;
- (d) compile and disseminate good practices on parental leave and paternity and maternity leave and benefits, and provide technical support to governments to develop effective laws and policies;

-
- (e) develop work-related policy options for governments in response to HIV/AIDS that address the different impact that the epidemic has on women and men; and
 - (f) promote gender-sensitive occupational safety and health policies, cultures and systems.

55. Regarding social dialogue and tripartism, the ILO should:

- (a) strengthen women's engagement in social dialogue by supporting female participation in decision-making processes at the international, regional, national and local levels;
- (b) provide technical assistance to national social dialogue institutions to help them mainstream gender equality in their work and strengthen national gender machineries such as tripartite equal opportunity commissions, gender committees within ministries responsible for labour, and women's units within employers' and workers' organizations;
- (c) through concrete measures, improve the representation of women at all levels, in all ILO meetings – including sessions of the Governing Body and the International Labour Conference – and develop a set of gender indicators to measure the impact of the ILO field structure review on male and female staff;
- (d) provide technical assistance to constituents on promoting decent employment relationships, using the Employment Relationship Recommendation, 2006 (No. 198); and
- (e) build the capacity of the social partners to develop programmes and policies to promote gender equality within their structures.

56. Regarding principles and rights at work, the ILO should:

- (a) through a practical plan of action, strive for universal ratification and effective implementation of the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), and the Equal Remuneration Convention, 1951 (No. 100);
- (b) promote improved ratification rates, and analyse obstacles to ratification, of the Workers with Family Responsibilities Convention, 1981 (No. 156), the Maternity Protection Convention, 2000 (No. 183), the Part-Time Work Convention, 1994 (No. 175), and the Home Work Convention, 1996 (No. 177), and ensure their effective implementation;
- (c) support the ratification, implementation and enforcement of the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87), and the Right to Organise and Collective Bargaining Convention, 1949 (No. 98), inter alia, in sectors employing large numbers of women in vulnerable and precarious jobs;
- (d) provide technical assistance to strengthen national legislation and policies in line with the Worst Forms of Child Labour Convention, 1999 (No. 182), and integrate gender perspectives into approaches towards combating the worst forms of child labour; and
- (e) support the strengthening of labour inspection systems and courts so that they are able to monitor more effectively the application of key equality Conventions and issues of sex discrimination at work.

57. In leveraging international partnerships to promote gender equality, the ILO should:

- (a) promote policy coherence on issues of decent work and gender equality at the international level, notably within the UN system and with the International Monetary Fund, the World Bank, the G8 and the G20;
- (b) strengthen partnerships in areas of mutual interest with regional groups and institutions such as the European Union, and the African Union, so as to share existing knowledge on gender equality within the world of work;
- (c) systematically include the goal of gender equality in arrangements involving resource mobilization, knowledge sharing and technical cooperation, in partnership with donors; and
- (d) promote the benefits of social dialogue and the involvement of the social partners throughout the UN system.

Implementation

58. Within the parameters of the programme and budget, the Office should ensure that the conclusions of this Committee are implemented in a coordinated and efficient manner by the relevant programmes at headquarters and in the field. Arrangements should be put in place to monitor progress and impact adequately. In addition, progress in the follow-up to these conclusions should be reported to the Governing Body.

CONTENTS

	<i>Page</i>
<i>Sixth item on the agenda: Gender equality at the heart of decent work (general discussion)</i>	
Report of the Committee on Gender Equality.....	1
Resolution concerning gender equality at the heart of decent work	64
Conclusions	65