



THIRD ITEM ON THE AGENDA

**Matters arising out of the work of the
98th Session (2009) of the International
Labour Conference**

**Follow-up to the adoption of the resolution
concerning gender equality at the heart of
decent work**

1. At its 98th Session (June 2009), the International Labour Conference adopted a resolution concerning gender equality at the heart of decent work (see appendix). The resolution includes the conclusions of the general discussion on this topic and invites the Governing Body “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”.
2. The conclusions:
 - examine the current state of women and men in the labour market, the progress made towards greater equality and the remaining challenges to make gender equality in the world of work a reality;
 - outline the roles of governments, employers’ and workers’ organizations and the ILO, and identify action and ways forward under the four pillars of the Decent Work Agenda, in accordance with the 2008 ILO Declaration on Social Justice for a Fair Globalization; and
 - request the Office to implement them in a coordinated and efficient manner through the relevant programmes at headquarters and in the field, put in place arrangements to monitor progress and impact, and report to the Governing Body on the follow-up.
3. This paper illustrates the approach by the Office to give effect to the conclusions. It is based on Office-wide consultations, during which linkages were made with the Programme and Budget for 2010–11 to pinpoint common priorities and identify activities for the implementation of the conclusions. Further consultations will take into account the development of outcome-based workplans for next biennium. These workplans establish priority areas of action and resource allocations, based on Decent Work Country Programmes outcomes, in order to achieve the targets for each programme and budget outcome.

Dissemination and advocacy

4. Following the Conference, the conclusions were disseminated at a number of national, regional and international advocacy and training activities, including the annual session of the UN Economic and Social Council (Geneva, July 2009); the 15th World Congress of the International Industrial Relations Association (Sydney, September 2009); the Latin American Workshop for Tripartite Gender Equality Commissions, where ten countries participated (Asunción, August 2009); the National Workshop on Employment Strategies and Women's Work, involving a network of academics, researchers, government officials and social partners (New Delhi, July 2009); and several workshops conducted by the International Training Centre in Turin (Turin Centre). The conclusions were posted on the ILO web site, and include hyperlinks to relevant programmes mainstreaming gender.¹

The current economic crisis

5. The response to the global crisis outlined in the conclusions is consistent with the Global Jobs Pact.² The Pact, which makes several references to the gender dimensions of the crisis, states:

24. This current crisis should be viewed as an opportunity to shape new gender equality policy responses. Recovery packages during economic crises need to take into account the impact on women and men and integrate gender concerns in all measures. In discussions on recovery packages, both regarding their design and assessing their success, women must have an equal voice with men.

6. The conclusions also call on the Office to strengthen its research agenda and knowledge base on emerging issues, especially in the context of the current crisis, so as to identify new trends and patterns in the world of work. The ILO report *Protecting people, promoting jobs* to the G20 Leaders' Summit (Pittsburgh, September 2009) notes that the crisis has affected women and men differently.

Decent Work Agenda

Employment

7. The conclusions underline the need for employment creation to be gender-sensitive so that the poor, particularly women, can benefit from, and participate in, economic growth. The Office will pursue its ongoing efforts to mainstream gender into various employment areas, through the development of policy advice, additional tools, technical cooperation and capacity building of the constituents, and thus promote decent and productive employment and income opportunities for both women and men. The promotion of equal employment opportunities for women and men through the existing gender guidelines encompassing the Global Employment Agenda's policy areas will continue. A test version of the *Guide on country-level assessment of crisis impact on employment* will better integrate gender concerns.

¹ www.ilo.org/gender/Events/lang--en/WCMS_111473/index.htm.

² For the follow-up to the Conference debate and decisions on the economic and employment crisis, see GB.306/3/1.

8. To foster women's entrepreneurship by contributing to women's economic empowerment and mainstreaming gender equality issues into enterprise development, the ILO is pursuing initiatives based on the Women's Entrepreneurship Development Programme (WED). WED is preparing new brochures, as part of the *Voices of Women Entrepreneurs* series, highlighting personal experiences of successful women entrepreneurs in Rwanda, Mali, Nigeria, Cameroon and Senegal and their actions in response to the crisis. The Forum on Women's Entrepreneurship Development (Cairo, October 2009) provides a platform for the integration of the Global Jobs Pact in Africa and offers women entrepreneurs space to exchange good practices on sustainable women-owned enterprises in the context of the current crisis and beyond.
9. With regard to skills development, a new initiative to upgrade skills of domestic workers and enhance their employability and living and working conditions was launched in India in July 2009. Developed in collaboration with the Government of India, this initiative views skills development as an entry point for professionalizing and organizing domestic workers. Training courses will be provided through public-private partnerships with technical support from the ILO, targeting 250 women and men trainees before scaling up.
10. The workshop on gaps, trends and current research in gender dimensions of agricultural and rural employment: differentiated pathways out of poverty (Rome, March-April 2009), jointly organized by the ILO, the Food and Agriculture Organization (FAO) and the International Fund for Agricultural Development (IFAD), identified challenges and analysed best practices regarding the gender dimensions of agricultural and rural employment to better support policy-makers. The findings will lead to the development of joint policy briefs, including one on making rural public works more gender-sensitive.

Social protection

11. Effective social protection contributes to fair growth, social stability and enhanced productivity. The Conference conclusions recognize that social security is a powerful tool to alleviate poverty and inequality. The most efficient form of providing effective income security and access to health care is through the provision of social security benefits. These benefits will, in particular, support women in the informal economy, in precarious and irregular employment and those with family responsibilities. The ILO and the World Health Organization (WHO), in cooperation with other UN agencies, are leading an effort to develop a common concept of a social protection floor, which could consist of essential social services, a basic set of cash transfers and access to health care. Support mechanisms for countries to plan and implement sustainable social transfer schemes are being developed. The Tripartite Meeting of Experts on Strategies for the Extension of Social Security Coverage (Geneva, September 2009), further developed the social transfer component and confirmed that the social protection floor is a key element in the ILO's Global Campaign on Social Security and Coverage for All.
12. The Office is giving further consideration to gender-related questions about men's and women's specific occupational safety and health needs. New global estimates on occupational accidents and diseases, disaggregated by sex and age, are being compiled. The new estimates will be presented at the World Congress on Safety and Health at Work (Istanbul, 2011), where a session will be devoted specifically to gender and occupational safety and health. An updated version of SOLVE, a training package addressing the management of psychosocial problems at work, comprising violence and HIV/AIDS and leading to the development of a comprehensive policy at the enterprise or organization level, is being prepared. Training sessions are scheduled to start in 2011. In addition, the Office is planning to increase joint technical cooperation programmes on gender and

HIV/AIDS to address the underlying structures that perpetuate gender inequalities and vulnerability to HIV infection.

13. With regard to working conditions, the Office continues to address issues relating to persistent unequal remuneration between women and men for work of equal value. An update of the first edition of the *Global Wage Report* includes an important gender pay-gap component, differentiating the impact of the economic crisis on wages for both women and men. In its efforts to promote decent working conditions for domestic workers and respond to the mounting work–family conflicts of workers with family responsibilities, the Office continues preparatory work for the standard-setting item on domestic workers to be discussed by the Conference in 2010 and 2011. By the end of 2009 it will release a publication on workplace partnerships for childcare, which seeks to help policy-makers and social partners to find practical solutions for childcare. Promotional activities envisaged to launch this publication include tripartite workshops. In the framework of the Office’s global and national strategies to promote the Millennium Development Goals (MDGs) 4 and 5 on newborn, child and maternal health through better maternity protection at work, a maternity protection resource kit is being prepared in partnership with the WHO. This tool will be pilot-tested in Cambodia, China, Philippines and United Republic of Tanzania.
14. The overall approach to the protection of migrant workers focuses on assistance in the formulation and implementation of gender-sensitive labour migration policies. Support to constituents to protect female migrant workers will focus on specific occupations, such as domestic work, and will be based on the Multilateral Framework on Migration.

Principles and rights at work

15. The Conference conclusions state that international labour standards are a primary means to promote gender equality in the world of work for all workers. The ratification of fundamental Conventions continues to be part of the Director-General’s ratification campaign, which calls for universal ratification by 2015.³ Accelerating the ratification and implementation of these Conventions is a priority, particularly in the light of the relevant outcomes of the Strategic Policy Framework 2010–15.⁴ The conclusions call for a practical plan of action for the universal ratification of the Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111); and for support for the ratification 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). Given the high ratification rates of the fundamental Conventions and the work that has been done in many countries to promote ratification, a more targeted approach will be used, taking into account the particular situation of each country.
16. Action to promote and implement other Conventions highlighted in the conclusions – 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) – will be determined on a case-by-case basis in response to the needs and demands of constituents and the comments of the supervisory bodies.

³ ILO: *Decent work: Some strategic challenges ahead*, Report of the Director-General, Report I(C), International Labour Conference, 97th Session, Geneva, 2008.

⁴ See outcomes 14, 15, 16 and 17 in the Strategic Policy Framework 2010–15 (GB.304/PFA/2(Rev.)).

17. The conclusions emphasize the need to strengthen national legislation and policies on child labour and to integrate gender perspectives into approaches towards combating its worst forms. Considerable work on the implementation of the Minimum Age Convention, 1973 (No. 138) and the Worst Forms of Child Labour Convention, 1999 (No. 182) has already been undertaken, particularly through the International Programme on the Elimination of Child Labour (IPEC), and will continue. The Global Conference on Child Labour in 2010 will emphasize the special situation of girls in child labour. The reference in the conclusions to the 1998 ILO Declaration on Fundamental Principles and Rights at Work offers an opportunity to contribute to work on the important gender dimensions of forced or compulsory labour.
18. To support compliance efforts, strong and effective labour administration and inspection systems will be promoted. National and international networking will be encouraged in order to improve government capacity to monitor and enforce the application of policy, laws and regulations on gender equality. Training programmes targeting judges, labour inspectors and other government officials will be intensified, and new tools will be developed, so that a gender lens is applied to the implementation of equal employment opportunity and settlement of discrimination disputes. Training programmes of this nature conducted by the Turin Centre in recent years have shown positive results. A new global training package for labour inspectors that comprises gender equality as a cross-cutting theme is being finalized. The Office continues to assist member States by carrying out labour administration and inspection audits, including a review of how these government services reflect and enforce principles of gender equality.

Social dialogue

19. 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. The Office has assisted many member States to establish tripartite dialogue institutions that have led to effective gender mainstreaming in social dialogue or labour policies. For example, in Argentina, Brazil, Chile, Paraguay and Uruguay, tripartite social dialogue bodies were created. They successfully supported the inclusion of gender dimensions into collective bargaining, addressing issues such as equal opportunities, the promotion of women in decision-making positions, work–life balance and equal pay. Lessons learned can be incorporated into a guidance tool for the establishment and functioning of such bodies, to be developed in cooperation with the Turin Centre.
20. The Office continues to support workers' and employers' organizations in building capacity with regard to policy-making, research and information dissemination on achieving gender equality in the workplace. One example is the comparative study on how gender equality issues are promoted through social dialogue under way in ten countries across all regions (for publication and dissemination by the end of 2009).
21. The sectoral dimensions of social dialogue will be strengthened. A forthcoming activity is the Arab States tripartite workshop for oil-producing countries (Beirut, late 2009) that aims at analysing the employment situation of women and young workers in the oil industry.

Knowledge and capacity building

22. The ILO Participatory Gender Audit is central to the efforts to assess and monitor the achievement of gender equality both within the Organization and in the world of work. This tool has assisted UN Country Teams in Africa and Asia in integrating gender into the "Delivering as One" programme. Training for gender audit facilitators will continue so that

a multiplier effect is achieved and capacity created for constituents, national gender experts and UN staff.

23. Efforts across the Office's statistics framework are continuing to improve capacity to track achievements in gender equality, using the Key Indicators of the Labour Market and for sex-disaggregated data analysis. The development of decent work indicators has been important in this respect. Reporting labour market data separately for men and women, including in areas such as gender provisions in collective agreements, women in leadership positions and precarious employment, will be promoted among constituents. Work is continuing to generate sex and age disaggregated data on forced labour and trafficking. IPEC's Statistical Information and Monitoring Programme on Child Labour (SIMPOC), fully takes into account the gender dimensions in its methodologies.
24. As a response to the training and capacity-building needs expressed in the conclusions, the Turin Centre will maintain and update its regular residential and online course on *Mainstreaming gender issues in the world of work*, in a number of languages. Courses and dedicated workshops on gender budgeting will be held as required. Training activities on gender issues to address vulnerable groups in the framework of non-discrimination (including persons with disabilities, ageing populations and indigenous peoples) and on equal remuneration, tailored at the regional level, are being expanded.
25. While recognizing the substantial existing knowledge base, the Conference conclusions recall the continuing need for research into the determinants of persistent inequalities between women and men in the world of work. The annual *World of Work Report* (published by the International Institute for Labour Studies) will contribute to fill the knowledge gaps. Areas for new research could include: in-depth social policy analysis regarding the impact of the current crisis on certain vulnerable groups, such as female-headed households, and care work. A 2010 issue of the *International Labour Review* will focus on care work, analysing women's labour market participation and its interaction with the distribution of unpaid care work at the household level.

Development cooperation and partnerships

26. Through the development of outcome-based workplans, the Office will seek to steer necessary resources to gender equality outcomes both at the national and global levels, as well as to any identified needs for gender mainstreaming in technical cooperation programmes and projects. The ILO's quality assurance procedures for technical cooperation will continue to appraise all programmes and projects for their contribution to gender equality and non-discrimination and the use of gender mainstreaming methodology. Gender equality will continue to be promoted through partnership agreements with donors, as a follow-up to the Conference conclusions and to meet the growing demand for technical assistance.
27. The UN reform process will be supported as gender equality is one of the five programming principles. In leveraging international partnerships, the Office will promote the benefits of social dialogue and the involvement of social partners throughout the UN system for attaining the goal of gender equality.
28. The next ILO Action Plan for Gender Equality, to be presented in 2010, will reflect medium and longer term efforts to ensure implementation of the conclusions. Linkages between the conclusions and each outcome of the Strategic Policy Framework 2010–15 will help the Office chart longer term strategies and build on existing successful policies and programmes for promoting gender equality in the world of work. The Governing Body will be able to examine how the strategy integrates the conclusions when it considers the

Director-General's Programme and Budget proposals for 2012–13, to be submitted in 2011.

29. *The Governing Body may wish to request the Director-General to:*

- (a) communicate the Conference resolution concerning gender equality at the heart of decent work to the governments, employers' and workers' organizations of member States;*
- (b) take steps to give effect to the Conference conclusions concerning gender equality at the heart of decent work in a coordinated and efficient manner at headquarters and in the field, and report regularly to the Governing Body on progress and results achieved; and*
- (c) continue the follow-up actions outlined in this paper and develop new initiatives, in particular in the context of the current crisis.*

Geneva, 5 October 2009.

Point for decision: Paragraph 29.

Appendix

Resolution concerning gender equality at the heart of decent work¹

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.

¹ Adopted on 17 June 2009.

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.