

- (a) such conduct is unwanted, unreasonable and offensive to the recipient;
- (b) a person's rejection of, or submission to, such conduct on the part of employers or workers (including superiors or colleagues) is used explicitly or implicitly as a basis for a decision which affects that person's access to vocational training, access to employment, continued employment, promotion, salary or any other employment decisions;
- and/or
- (c) such conduct creates an intimidating, hostile or humiliating work environment for the recipient;
2. CALLS ON the Member States to:
1. develop campaigns of information and awareness for employers and workers (including superiors and colleagues), taking account of the best practice which exists in various Member States, to counter unwanted conduct of a sexual nature or other conduct based on sex affecting the dignity of women and men at work;
  2. promote awareness that the conduct described in paragraph 1 may be, in certain circumstances, contrary to the principle of equal treatment within the meaning of Articles 3, 4 and 5 of Council Directive 76/207/EEC;
  3. remind employers that they have a responsibility to seek to ensure that the work environment is free from:
    - (a) unwanted conduct of a sexual nature or other conduct based on sex affecting the dignity of women and men at work;
    - (b) victimization of a complainant or of a person wishing to give, or giving, evidence in the event of a complaint;
4. develop appropriate positive measures in accordance with national legislation in the public sector which may serve as an example to the private sector;
5. consider that both sides of industry, while respecting their autonomy and subject to national traditions and practices, could examine in the context of the collective bargaining process the question of including appropriate clauses in agreements, aimed at achieving a work environment as described in paragraph 3;
3. CALLS ON the Commission to:
1. continue its efforts to inform and make aware employers, workers (including superiors and colleagues), lawyers and members of courts, tribunals and other competent authorities of the importance of the concept set out in paragraph 1 and of the fact that, in certain circumstances, failure to respect this concept may be contrary to the principle of equal treatment within the meaning of Articles 3, 4 and 5 of Directive 76/207/EEC;
  2. draw up, by 1 July 1991, in consultation with both sides of industry and following consultation with the Member States and national equal opportunities authorities, a code of conduct on the protection of the dignity of women and men at work which will provide guidance, based on examples and best practice in the Member States, on initiating and pursuing positive measures designed to create a climate at work in which women and men respect one another's human integrity.
4. CALLS ON the institutions and organs of the European Communities also to:
1. respect the concept set out in paragraph 1;
  2. develop positive action measures aimed at achieving a work environment as described in paragraph 2 (3).

## COUNCIL RESOLUTION

of 29 May 1990

on action to assist the long-term unemployed

(90/C 157/03)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the commitment of the Community to economic and social cohesion,

Having regard to the conclusions drawn by the chairman at the close of the 37th and 38th meetings of the Standing Committee on Employment on 12 May and 10 November 1989, respectively,

Whereas, in its resolution of 19 December 1984 on action to combat long-term unemployment<sup>(1)</sup>, the Council

<sup>(1)</sup> OJ No C 2, 4. 1. 1985, p. 3.

considered that specific measures should be employed to take account of the serious problem of long-term unemployment, requiring both individual and joint action by governments and both sides of industry at local, regional and national levels, which should be supported at Community level;

Whereas, in its resolution of 7 June 1984 on the contribution of local employment initiatives to combating unemployment <sup>(1)</sup>, the Council recognized the contribution which such initiatives could make to the objectives of the fight against unemployment by virtue of the possibilities they offered for the maintenance or creation of jobs, particularly in small undertakings;

Whereas, in its resolution of 22 December 1986 on an action programme on employment growth <sup>(2)</sup>, the Council considered that further action was urgently needed, *inter alia*, in promoting and encouraging schemes in Member States which would be of benefit to the long-term unemployed, in the adoption of a Community approach, taking account of the experience and individual circumstances of Member States, with regard to recruitment aids for the long-term unemployed and in the identification of other means of helping more long-term unemployed people into jobs following discussions of the means of doing so with both sides of industry;

Whereas Article 4 of Regulation (EEC) No 2052/88 of 24 June 1988 on the tasks of the Structural Funds and their effectiveness and on coordination of their activities between themselves and with the operations of the European Investment Bank and the other existing financial instruments <sup>(3)</sup> provides for partnership in relation to Community operations;

Whereas Article 3 of Regulation (EEC) No 2052/88 states that the European Social Fund (ESF) has, as priority missions, to provide support throughout the Community for vocational training measures and aids for employment and for the creation of self-employed activities, in order to combat long-term unemployment,

HEREBY ADOPTS THIS RESOLUTION:

### 1. Seriousness of long-term unemployment

The Council notes that:

- there are at present over seven million persons unemployed for over a year in the Community; long-term unemployment constitutes over 50 % of total unemployment,

- for most Community countries, recent economic growth and decreases in unemployment have not contributed significantly to a reduction in the number of long-term unemployed,
- young people have benefited more from the decline in unemployment than have older age groups,
- the long-term unemployed are concentrated mainly in urban 'black spots' which often suffer many disadvantages, including poverty, bad housing, high crime rates, health problems and poor education,
- long-term unemployment is a complex problem which, although it particularly affects workers with inadequate or obsolete skills and living in areas of high unemployment, can also affect workers who are skilled and/or are living in areas of low unemployment,
- the Community, in view of the demographic situation in most Member States, will need to utilize all its labour resources, including the long-term unemployed, in order to reach its economic potential.

### 2. Responses to long-term unemployment

- (a) The Council considers that the long-term unemployment of adults and young people is one of the essential labour market problems and that national and Community actions must reflect this.

While it is recognized that competence for labour market policies lies principally with the Member States, a response is called for at Community, national and local level, involving the Commission, governments, employers and trade unions, in order to make actions in favour of the long-term unemployed more effective.

- (b) The Council recognizes that long-term unemployment is a social as well as an economic problem. Policy responses should aim primarily at re-insertion of the long-term unemployed into the labour market and must be relevant to the social circumstances of the long-term unemployed as well as the labour market situations that they face.

Thus, policy measures should:

- be appropriate for the individual's needs and circumstances,
- reflect the local and regional labour market needs and circumstances,
- subject to national labour market policies and practices, embody counselling, advice, support, work experience and efforts to assist the transition to stable employment in addition to whatever vocational training support is needed,

<sup>(1)</sup> OJ No C 161, 21. 6. 1984, p. 1.

<sup>(2)</sup> OJ No C 340, 31. 12. 1986, p. 2.

<sup>(3)</sup> OJ No L 185, 15. 7. 1988, p. 9.

- combine the efforts of the various agencies concerned, especially at the local level,
- aim to prevent people entering long-term unemployment through a systematic approach to increased preventive measures in the form of information, counselling, aptitude testing and training.

### 3. Responsibilities for action

- (a) The Council considers that public authorities, both sides of industry and individuals themselves have a distinct role to play, each within its own area of responsibility, in tackling the problem of long-term unemployment.

Public support can be strengthened by making measures fully relevant to individual and employers' needs.

- (b) Employer responses are crucial in the re-integration of the long-term unemployed.

Employers, in order to meet their own need for skilled workers, will need to turn to the long-term unemployed.

In addition, they should assist public authorities in identifying the most appropriate forms of support in order to assist the recruitment of the long-term unemployed.

- (c) Public authorities should pay special attention to coming up with specific measures designed to assist the re-insertion into the labour market of those long-term unemployed who are particularly disadvantaged.

### 4. Evaluation of policy measures

The Council recognizes the need to continue and intensify the efforts of the Member States, with a view to bringing about a significant reduction in long-term unemployment.

In this connection, and while recognizing the primary role of the Member States in evaluating their own labour market policies, the Council awaits with interest the results of the evaluation of Community activities, notably within the

framework of the European Social Fund and the Ergo and Leda programmes.

### 5. Community action

- (a) The Council takes note with interest of the Commission's intention to undertake actions in the framework of a Community initiative within the meaning of Article 11 of Regulation (EEC) No 4253/88 <sup>(1)</sup>, inspired particularly by successful actions already taken to assist the long-term unemployed.

The initiative would facilitate the transfer of good practices, assisting re-insertion of the long-term unemployed into the labour force, between Member States and between local labour markets, on the basis of experimental, innovative pilot projects.

Such projects would demonstrate the best ways of assisting re-insertion of the long-term unemployed into the labour force. The projects would cover such matters as particularly disadvantaged groups (such as those who have several personal disadvantages in obtaining work or who have been unemployed for a particularly long time). The projects would also cover preventive measures, guidance, counselling, relevant training, work experience, entrepreneurship, the role of employers, initiatives taken by the two sides of industry and integrated approaches to the problem of long-term unemployment.

The Council notes that the Commission will involve the Member States in the drawing up of the guidelines and the selection of projects, in accordance with Articles 14 and 28 of Regulation (EEC) No 4253/88.

- (b) The Council, in the context of the partnership between the Commission and the Member States, attaches considerable importance to the principles underlying the actions which the Commission intends to undertake to assist the long-term unemployed. The Council considers that the Community initiative should in particular benefit specific target groups among the long-term unemployed.

The Council calls on the Commission to report to it on its proposals in the framework of the Community initiative, and their implementation, on a regular basis in the context of the reports provided for under Articles 25 and 31 of Regulation (EEC) No 4253/88.

<sup>(1)</sup> OJ No L 374, 31. 12. 1988, p. 1.