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Non-discrimination based on sex and inter-generational solidarity

P6_TA(2009)0039

European Parliament resolution of 3 February 2009 on non-discrimination based on sex and inter-generational solidarity (2008/2118(INI))

(2010/C 67 E/05)

The European Parliament,

- having regard to Articles 2, Article 3(2) and Article 141 of the EC Treaty,
- having regard to the resolution of the Council and of the Ministers for Employment and Social Policy, meeting within the Council of 29 June 2000 on the balanced participation of women and men in professional and family life ⁽¹⁾,
- having regard to its resolution of 15 December 2000 on the Communication from the Commission 'Towards a Europe for all ages - promoting prosperity and intergenerational solidarity' ⁽²⁾,
- having regard to its resolution of 9 March 2004 on reconciling professional, family and private lives ⁽³⁾,
- having regard to the European Youth Pact adopted by the Brussels European Council of 22 and 23 March 2005,
- having regard to its resolution of 23 March 2006 on demographic challenges and solidarity between the generations ⁽⁴⁾,
- having regard to the Commission Communication of 12 October 2006 entitled 'The demographic future of Europe - from challenge to opportunity' (COM(2006)0571),
- having regard to its resolution of 19 June 2007 on a regulatory framework for measures enabling young women in the European Union to combine family life with a period of studies ⁽⁵⁾,
- having regard to the Commission Communication of 10 May 2007 entitled 'Promoting solidarity between the generations' (COM(2007)0244),
- having regard to the Opinion of the European Economic and Social Committee on the Communication from the Commission on 'Promoting solidarity between the generations' ⁽⁶⁾,
- having regard to its resolution of 27 September 2007 on equality between women and men in the European Union - 2007 ⁽⁷⁾,
- having regard to the Commission Staff Working document entitled 'Europe's demographic future: facts and figures' (SEC(2007)0638),
- having regard to its resolution of 21 February 2008 on the demographic future of Europe ⁽⁸⁾,

⁽¹⁾ OJ C 218, 31.7.2000, p. 5.

⁽²⁾ OJ C 232, 17.8.2001, p. 381.

⁽³⁾ OJ C 102 E, 28.4.2004, p. 492.

⁽⁴⁾ OJ C 292 E, 1.12.2006, p. 131.

⁽⁵⁾ OJ C 146 E, 12.6.2008, p. 112.

⁽⁶⁾ OJ C 120, 16.5.2008, p. 66.

⁽⁷⁾ OJ C 219 E, 28.8.2008, p. 324.

⁽⁸⁾ Texts adopted, P6_TA(2008)0066.

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- having regard to its resolution of 3 September 2008 on equality between women and men - 2008 ⁽¹⁾,

 - having regard to Rule 45 of its Rules of Procedure,

 - having regard to the report of the Committee on Women's Rights and Gender Equality (A6-0492/2008),
- A. whereas women and men are equal in terms of human dignity and rights and obligations,
- B. whereas equal treatment of women and men is a principle that informs the legal system and as such must be taken into account and observed whenever laws are interpreted and enforced,
- C. whereas considerable gaps between women and men persist in all other aspects of work quality, for instance reconciling professional and private life; whereas the employment rate for women with dependent children is only 62,4%, as compared with 91,4% for men; whereas 76,5% of part-time workers are women,
- D. whereas the Lisbon Strategy aims to ensure that 60% of women able to work are in employment; whereas the quantitative and qualitative objectives of the Lisbon Strategy and the new Integrated Guidelines for Growth and Jobs ⁽²⁾ - especially where female and adult employment is concerned - are dictated by the realisation that, from the point of view of sustainability, it is intolerable to allow the resources in question and their potential go to waste, and that the stability of pension and welfare systems is in jeopardy,
- E. whereas the principle of equal treatment of women and men implies that there must be no discrimination whatsoever, be it direct or indirect, based on gender, least of all on account of motherhood, the fact of shouldering family responsibilities, or marital status,
- F. whereas the figures quoted in the above-mentioned Commission Communication of 12 October 2006 show that countries and regions with a high female employment rate that have social protection systems also have a higher birth rate,
- G. whereas the three main challenges facing the EU – demographic change, globalisation, and climate change – demand intergenerational solidarity based on a wide-ranging pact not just between generations, but also between genders,
- H. whereas the pact between gender and generations must be built on the possibility for individuals to organise their working and private lives and reconcile the economic imperatives of production entailed in gainful employment with the possibility of choosing what tasks to devote themselves to and when, within a context of rights and responsibilities laid down by legislation and agreements,
- I. whereas intergenerational responsibility requires public authorities to adopt a proactive approach, and all social stakeholders to play a leading role, in order to guarantee high standards in services of general interest and provide for the necessary welfare and social security systems on a sufficient scale,

⁽¹⁾ Texts adopted, P6_TA(2008)0399.

⁽²⁾ See Commission Communication of 11 December 2007 entitled 'Integrated guidelines for growth and jobs (2008-2010)' (COM(2007)0803).

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- J. whereas the presence of women on the labour market is linked to cultural changes and reforms designed to give effect to policies making for a work-life balance and a redistribution of roles; whereas such policies cover a variety of fundamentally interconnected areas ranging from temporarily shorter working hours, to be achieved by converting employment contracts into part-time working contracts, and leave arrangements (maternity, paternity, parental, and family leave) to the network of personal care services,
- K. whereas demographic changes are having a significant impact on people's personal and working lives; whereas inadequate services, low wage levels, delay in entering the labour market, lengthy successions of fixed-term contracts, and insufficient incentives for young women and men are among the reasons why they choose not to start a family and have children until later; whereas rigid working patterns and the difficulty of returning to the labour market after spending time as a carer make it difficult to enter freely into decisions, whether they are intended to achieve a work-life balance or involve alternation of work and family life,
- L. whereas non-discrimination based on gender, relates, *prima facie* and as a general rule, not just to women/mothers but also to men/fathers; whereas political action in this field should no longer focus solely on women, and European and national policies should henceforth take into consideration the needs and abilities of men/fathers in this area,
- M. whereas it is necessary to begin to focus on the concept of care-related discrimination, linked to the fact of taking up maternity, paternity, parental, and family leave, the object being to determine whether discrimination in such instances constitutes forms of discrimination based on gender; whereas it is necessary to agree upon a Europe-wide definition of the concept of multiple discrimination,
- N. whereas the concept of intergenerational solidarity is not limited to childcare alone but also extends to responsibility for the elderly and dependent, contributing to respect for human dignity and its promotion among future generations,
- O. whereas great poverty must not be a discriminatory factor in the area of intergenerational solidarity, and whereas the poorest families also maintain links and activities that are an expression of solidarity among generations,
- P. whereas persons who devote their time and skills to looking after and bringing up children or caring for the elderly should receive social recognition and this could be done by giving such persons individual rights, particularly regarding social security and pensions,
- Q. whereas the educational role played by parents towards children and by children towards elderly and dependent persons and the role of women and men as caregivers towards the elderly and dependent persons are essential for the advancement of the common good and should be recognised as such by cross-cutting policies, including policies for women and men who make a free choice to devote all or part of their time to this activity,
- R. whereas since October 2003 the Commission has been holding consultations with the social partners on the subject of the work-life balance; whereas those consultations, which have entered a second phase, are predicated on the importance of finding policies and means enabling 'good jobs' to be combined with women's and men's responsibilities as caregivers,
- S. whereas there is a key role to be played by men in achieving genuine equality,

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- T. whereas the principles of flexicurity as applicable to women were set out in its resolution of 29 November 2007 on Common Principles of Flexicurity ⁽¹⁾, and whereas working time arrangements in most parts of Europe do not seem to provide much support for people with children and employees with children seem to be less likely to work in jobs with flexible working arrangements than those without ⁽²⁾,
- U. whereas the right balance can only be struck between family plans, private life and professional ambitions if the people concerned have genuine freedom of choice, in economic and social terms, and are supported by political and economic decisions at the European and national level without being penalised, and if the requisite infrastructure is in place,
- V. whereas there is a risk of being 'forced' to work part-time, particularly for women/mothers, this choice often being imposed upon them due to the lack of viable childcare structures, and there is also a risk that the switch from full time to part time might not be allowed, making it difficult, not to say impossible, to achieve a work-life balance,
1. Emphasises that the principle of solidarity between generations is one of the structural keys to the European social model; asks that, in order to maintain this principle, an active approach be taken by the public authorities at various levels, and that all social stakeholders be involved in guaranteeing high-quality social services of general interest for families, young people and all those unable to support themselves;
2. Points out that care policies and the provision of care services are intrinsically related to the achievement of equality between women and men; criticises the lack of affordable, accessible and high quality care services in most Member States, which is linked to the fact that care work is not equally shared between women and men, which in turn has a direct negative impact on women's ability to participate in all aspects of social, economic, cultural and political life;
3. Emphasises that good-quality affordable childcare facilities, operating at hours which suit parents and children, as well as affordable good-quality care structure for older people and other dependents, must be central elements of the EU social model and key elements in facilitating women's access to the labour market and paid employment, making use of their abilities in order to achieve economic independence;
4. Reminds the Member States of their commitments, agreed at the Barcelona European Council of 2002, to eliminate obstacles to the equal participation of women and men in the labour market and to introduce by 2010 childcare for 90% of children between three years old and the mandatory school age and for at least 33% of children under three years old; calls on the Member States to put forward similar targets for facilities for care for the elderly and sick relatives;
5. Refers to the huge imbalance between men and women in the sharing of domestic and family responsibilities, leading mainly women to opt for flexible working arrangements or even to give up work altogether, with an impact on women's career development, on the continuing wage gap between men and women and on the accumulation of pension rights;

⁽¹⁾ OJ C 297 E, 20.11.2008, p. 174.

⁽²⁾ Eurostat, *The life of women and men in Europe*, 2008, p. 89.

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6. Fears that the Czech Presidency's proposal for childcare as a 'fully fledged alternative to a professional career' is geared towards the traditional division of labour between men and women, that is to say the traditional concept of a worker being male, available on a full time basis, whose personal needs are taken care of by 'invisible hands' (women) organising the home and the family;
7. Is very concerned by the fact that, especially in times of economic recession, the Czech Presidency's proposal forces women to give up their jobs in order to follow their 'natural' path, i.e. to look after children and other dependents; urges the Council and the Member States to make every effort to achieve the Barcelona childcare goals;
8. Underlines that full participation by a parent or parents in work with decent pay can help to avoid in-work poverty and helps to combat the risk of poverty in single-parent households, which suffer a much higher poverty rate (32%);
9. Points out that pension schemes in the Member States still leave many women with only derived rights based on their husband's employment record, with the consequence that the majority of older people living in poverty are women;
10. Calls on the Member States to address the structural factors contributing to inequality in pension schemes, including the organisation of care and combining family and work life, inequalities in the labour market, the gender pay gap and direct discrimination in second and third pillar pensions;
11. Calls on the Commission to bring forward a proposal for a new directive regarding specific rights and safeguards in relation to the reconciliation of working and family life where there are dependent family members (children, elderly and disabled people);
12. Calls for research facilities and institutes to invest more resources to better effect in the ecological improvement of products aimed at children or those who are reliant on care, or intended for household use in general;
13. Calls on Eurostat to develop measures to present statistics on childcare and care for dependents broken down by gender;
14. Calls on the Commission to present specific initiatives to validate the skills acquired in carrying out educational tasks, caring for dependent persons and household management so that these skills are taken into consideration upon re-entry into the labour market; points out that soft skill assessment is central to skill assessment according to the best traditions of national experimentation with systems to make demand for labour intersect with the labour supply;
15. Calls on the Commission to conduct an awareness-raising campaign and introduce pilot projects to facilitate the balanced participation of women and men in professional and family life;
16. Calls on the Member States to consider flexible working hours for parents (as a result of free choice) and flexible times for childcare institutions, to help both women and men to combine work and family life more successfully;

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17. Asks the Commission to monitor Member States' good practices in relation to carers and to communicate these best practices to all the Member States, in order to show that carers play a central role in the field of intergenerational solidarity and to encourage implementation of a strategy for carers in Member States;
18. Calls on the Member States to support and promote the operational programmes launched by the Commission in the context of the European Alliance for Families; asks the Commission to step up the development of tools for the systematic exchange of best practices and research in this field;
19. Calls on the public authorities to take the necessary steps to enable working mothers and fathers to be assisted under policies aimed at promoting a work-life balance and to have access to the means serving to achieve that end;
20. Calls on the Member States to support leave arrangements (parental leave, adoption leave, solidarity leave) applicable to persons wishing to interrupt their careers to look after a dependant;
21. Believes that steps need to be taken to improve the treatment not just of maternity leave, but also of paternity and parental leave, with particular reference to the leave taken by working fathers, bearing in mind that in all of the Member States only a small percentage of men make use of their leave entitlements;
22. Insists that all persons wishing to interrupt their formal careers or reduce the number of hours they work for the sake of intergenerational solidarity should be able to benefit from flexible working arrangements; calls therefore on small and medium-sized enterprises to cooperate more willingly and on the public authorities to exhibit greater financial flexibility in their State aid budget forecasts;
23. Calls on the Commission, in collaboration with the Member States and the social partners, to launch a review of work-life balance policies, particularly by:
- guaranteeing that the cost of maternity/paternity is not borne by the employer, but by the public purse, in order to eliminate discriminatory behaviour within companies and to support demographic renewal,
 - improving accessibility to care and assistance services for those who are reliant on care (children, people with disabilities and the elderly) and the flexibility of such services, including services in the home, in the framework of solidarity between generations, by defining a minimum number of structures that are open at night, in order to meet the requirements of both work and private life;
24. Welcomes the proposal to include a separate article on work-life balance in Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of working time ⁽¹⁾ and points to the need to allow for such a provision when laying down the working week and on-call time arrangements;
25. Calls on the Member States to ensure that all persons who have temporarily interrupted their careers to bring up children or care for elderly or dependent persons can (re)enter the labour market and retain the right to return to their former position and level of career advancement;
26. Points out that women's own income and paid employment remains the key to their economic autonomy and to greater equality between women and men in society as a whole;
27. Stresses that solidarity with our elders must become stronger, but emphasising that it must also be met with reciprocal solidarity towards children and young people; whereas, while older people can pass on wisdom, knowledge and experience, the younger generations offer energy, dynamism, joie de vivre and hope;

(¹) OJ L 299, 18.11.2003, p. 9.

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28. Believes that intergenerational solidarity should be promoted by means of judicious fiscal policies (in the form of transfers, deductions, and rebates), measures to promote active ageing, skills development policies, and integrated service networks for children, older people, people with disabilities, and those who cannot look after themselves, assessing how they facilitate or adversely affect personal choices and the work-life balance;

29. Reminds the Commission and the Member States that it is necessary to adopt affirmative measures for the benefit of women and men to facilitate their return to employment after a period of carrying out family duties (bringing up children and/or caring for a sick or handicapped parent), by promoting policies of (re) integration into the employment market with a view to enabling them to regain financial independence;

30. Calls on the Member States to promote a fiscal policy that takes account of household financial obligations, and particularly the costs of childcare and looking after elderly and dependent persons through a system of taxation or tax breaks;

31. Calls on the Member States to review their tax systems and set tax rates based on individual rights and consequently demands the individualisation of pension rights as well as social security system rights;

32. Calls on the institutions and the Member States, with a view to giving effect to the principle of equality between women and men, to take specific measures in favour of women in order to remedy manifest instances of de facto inequality in relation to men; considers that measures of this kind, which should apply for as long as such situations continue to exist, must be reasonable and, in every case, proportionate to the objective being pursued;

33. Asks national and local authorities to develop programmes targeted at young people that incorporate the intergenerational dimension, so that the younger generation understand that the current levels of prosperity and welfare are due to the efforts and hardships of previous generations;

34. Calls on the institutions of the European Union and all public authorities to take the principle of equality between women and men actively into account when adopting and implementing regulations, drawing up public policies, and pursuing their activities as a whole;

35. Asks the media to give positive and consistent attention to intergenerational relationships, through coverage of intergenerational issues, discussions among different age groups and, more generally, positive reflection of the older generations' contribution to society;

36. Maintains that the principle of equal treatment and opportunities has to be taken into account in all economic, employment, and social policies, as this will help to avert segregation on the labour market and eliminate pay gaps, as well as boosting the growth of female entrepreneurship;

37. Believes, given the changes in the family model and women's gradual entry into the labour market, that it is essential to reform the traditional care arrangements for dependants; recommends that the Member States broaden and add to the protection afforded by their social services so as to ensure that the right of self-fulfilment can invariably be exercised on an equal footing and that dependants are cared for;

38. Instructs its President to forward this resolution to the Council, the Commission, the Economic and Social Committee, the parliaments and national statistical offices of the Member States, the ILO, the OECD and the UNDP.