



**Review of the  
CER-ETF Joint Recommendations on  
Better integration and participation of  
Women in the Rail sector**

**Report of CER-ETF Task Force**

**SSD Plenary 15.11.2018**

## A look back: actions on gender equality in SSD Railways

- **2004-5: Study** to identify the representation of women in various railway occupations
- **2007:** elaboration and signature of **Joint Recommendations (JR)**
- **2008-9: mid-term monitoring** of implementation of JR
- **2011-12: WIR/Women in rail project:** good practice and implementation guide concerning with 4 thematic areas
- **2013-18:** Surveys with quantitative indicators among railway undertakings to elaborate **annual reports** on implementation of JR
- **2017-18:** starting the review of JR to identify priorities for follow-up actions, including topics for negotiation

# STEPS for a pathway to review and follow-up

Step 1	<b>Evaluation</b> of the current state of play about gender equality in Rail Undertakings	See: WIR annual reports
	<b>Mapping EU gender equality legislation:</b> directives, resolutions, recommendations, etc.	What is mandatory for Rail Companies by EU law?
	<b>Mapping gender equality measures</b> implemented at company level	Which companies have CBAs, agreements or unilateral measures on gender issues and what are the commitments?
Step 2	<b>Communication</b> about this pathway and <b>Involvement</b> of Rail Companies & Trade Unions to collect information. <b>Commitment</b> about future gender equality plans <b>Sharing</b> proposals and SSD elaborations	Find partners for communication (and translations?): Eurofound, UIC, Shift2Rail, ERA, EC DG JUST/MOVE/EMPL, EIGE, companies, Platform for Change.
	<b>Draft fact sheets on selected gender issues (cfr 8 gender equality areas)</b>	Elaborate short examples from gender equality measures implemented at company level
Step 3	<b>Identify priority areas and agree on the follow-up</b>	Identify topics for negotiations
	<b>Revision of WIR Joint Recommendation</b>	

# Focus of the review: 8 gender equality areas

1. **Access to work:** recruiting and retention
2. **Reconciliation** of working and family life (**Work-life balance**)
3. **Promotion** and **career development**
4. **Pay** and Pay Structures (equal pay; gender pay gap)
5. **Health & safety** and **work environment:**
  - Hygiene conditions, comfort available on the job
  - Preventing aggressions from 3rd party violence
  - Gender-designed health-and-safety devices
6. **Dignity at workplace:** preventing and managing **harassment**
7. **Corporate policy:** e.g. involvement of management and top-down approach
8. **Measures** introducing **targets** on women's presence

# Review of JR to identify follow-up actions

## Method

- Creation of a **CER-ETF Task Force** (secretariats + members)
- **May-October 2018**: 7 video conferences; 1 meeting in Brussels
- Ad-hoc involvement of other CER and ETF members

# Review of JR to identify follow-up actions

## Activities

- Definition of **scope** of the review: **JR + Good practice guide + Do's and don't's**
- Identification of **8 gender equality policy areas**
- Mapping of **EU applicable legislation (*EU acquis*)**
- **Evaluation** of the current state of play (WiR reports)
- **Review of the WiR JR**: up-to-date? Still relevant?
- Information about companies **equal opportunity bodies**
- Collecting information and mapping examples of **social partner autonomous agreements** according to art. 155 TFUE, implemented by the social partners

# Review of JR to identify follow-up actions

## Deliverables (1/2)

- **JR review table**

Input from: DB, FSI, MÁV Group, ÖBB, SBB, SNCF (CER), NJF, VSZ, CGIL-FILT (ETF)

- **Table on equal opportunities bodies**

Input from: CFL, DB, FSI, "Infrastructure of Serbian Railways" JSC, ÖBB, SBB, "Serbia Train" JSC, SNCF, SŽDC, ZSSK (CER); CGIL-FILT, CGSP-Cheminots, FGTTB (ETF)

# Review of JR to identify follow-up actions

## Deliverables (2/2)

- **Updated EU gender equality acquis**
- **Mapping of existing autonomous agreements** concluded by EU sectoral social partners
- **Further analysis of 5th Women in Rail annual report:** company measures grouped based on gender equality policy areas
- **Thematic tables** with proposals for an approach to negotiations on the different gender equality policy areas



# Review of JR to identify follow-up actions

## Main findings (1/2)

- Overall, content of the JR is **still relevant**, but..
- In some of the **gender equality policy areas** there are **no joint recommendations**
- **Different levels of commitment to the topic, maturity in dealing with it, and concrete actions/tools** among surveyed companies
  - Very different situations found via the **survey on equal opportunity bodies**
  - Among the most „mature“ companies: not only a focus on gender topics but also a broader focus on diversity topics

# Review of JR to identify follow-up actions

## Main findings (2/2)

- Evolution of the **EU gender acquis**
- Increased societal awareness/commitment on fight to **harassment/violence**
- The **application of the JR also within trade unions**, vis-à-vis their female members has not been analysed so far and should be taken into account in the review
- **Simplifying/clarifying** the topics
- **Concrete examples** on the actions to be taken

## Proposals for follow-up actions

- Update/streamline/improve the Joint Recommendations
- (basis: JR review table; CER proposal for review; WiR reports)

**and/or**

- Prepare the negotiation of a social partner autonomous agreement (basis: task force results, CER proposal for review and ETF thematic tables)

**In order to do so:**

Maintain the Task Force, with a renewed mandate



**Thank you for your attention!**



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**ETF proposal  
for an approach to negotiations  
on gender equality policy areas**

**SSD Plenary 15.11.2018**

# Different companies, different gender policy

Among rail companies there are different levels of commitment to the topic of gender equality, a different maturity in dealing with it and concrete actions implemented. **There are companies that:**

## **1. are about to start their gender equality policy**

the hardest question for them is “where do we start?”

## **2. have recently started**

question: “what does progress look like?”

## **3. have already started their gender equality policy**

questions: “how can we make faster progress?”

“how can we achieve more impact from our effort?”

- **Not all gender strategies suit all organisations the same way.**
- **Companies need to consider what is appropriate for their workplace, staff and business needs.**
- **The 10 thematic tables are concrete examples that help answer the above questions and shows an approach for prioritising initiatives.**

# 10 thematic tables on 8 gender equality areas

## Minimum, medium & advanced level of implementation

### ■ **Content of thematic tables:**

- Statement from Joint Recommendation
- examples from the products elaborated within WIR activity
- Examples from equality plans and actions adopted by rail companies
- Gender plans toolkits from other sectors

### ■ **they can be completed with:**

- Reference to EU applicable legislation (EU acquis)
- References to companies that have already implement each measure and specific examples

### ■ **Measure suggested:**

- are concrete, feasible, realistic and flexible
- are tailored to be implemented at **3 levels**: minimum, medium, advanced
- can be a base catalogue to start a social partner discussion for an agreement.

## Thematic tables 2: Reconciliation (Work-life balance)

### advanced

Training for management **on flexibility**

The employer has **to inform the employees in parental leave** and **Provide a keep in touch program**

Provide **through intranet website information.**

**training** for female staff before and after pregnancy on **“Maternity as a master”**.

Regular reporting of **staff on parental leave to check the vocational competences** and related training needed.

Adopt **teleworking or smart working**

### medium

Put **Reconciliation** in **CBA or agreements**

**flexible arrangements not only for staff employed on offices.**

Measures to **support paternity**  
Before suggesting **part time implement other flexibility arrangements**

**Part-time for all hierarchical levels**  
**Give priority to workers asking Part time** for work life balance.

**Care** is an issue for parents of young children, but **also for adolescents and elderly persons.**

**Reconciliation do not mean lack of commitment.**

**Revise Performance evaluation.**

**Training projects for superiors and staff who re-enter from maternity or parental leave.**

### minimum

**Flexibility advantages workers and comp.**

Discuss work-life bal. in **soc. dialogue**

Achieve work schedules the core **functions working in shifts and alternating shifts**

Flexibility for **Working parents**

**flexible arrangements are not detrimental to** an employee's **career progression.**

**employees on leaves are part of the team**

**Develop a return to work framework.**

**Right to return to her/his job after maternity, pat. Planning hours for meeting** during working hours.

**Recognise the right to ‘switch-off’.**

**Recognise leave periods for career progression.**



# Thematic tables 6: Dignity at workplace: preventing and managing harassment

## advanced

As suggested in **92/131/EEC: Commission Recomm. of 27.11. 1991 on the protection of the dignity of women and men at work:**

1. **adopt the “Code of practice on measures to combat sexual harassment”**, as is the model in the Annex,
2. **implement actions** as indicated in **92/131/EEC point 5 RECOMMENDATIONS TO EMPLOYERS:**
  - a) **Prevention:** Policy statements, Communicating the policy, Responsibility, Training,
  - **Procedures to manage cases:** Resolving problems informally, Advice and assistance, Complaints procedure, Investigations, Disciplinary offence

## medium

As suggested in **92/131/EEC: Recomm. of 27.11.1991 on the protection of the dignity of women and men at work:**

1. **adopt the “Code of practice on measures to combat sexual harassment”**, as is the model in the Annex,
2. **implement actions** as indicated in **92/131/EEC point 5 RECOMMENDATIONS TO EMPLOYERS:**
  - a) **Prevention:** Policy statements, communicating the policy.
  - **Discuss with trade unions how to manage cases:** informal way, Advice & assistance, Complaints procedure, Investigations, Disciplinary offence.

## minimum

As suggested in **92/131/EEC: Commission Recommendation of 27.11.1991 on the protection of the dignity of women and men at work:**

1. **Adopt the “Code of practice on measures to combat sexual harassment”**, as is the model in the Annex.
2. **Communicating the policy to all employees** to make them aware of the likely consequences of engaging in sexual harassment.
- **Define a future timeline for implementing** the preventative and procedural recommendations

## What's an autonomous agreement

An autonomous agreement is an agreement signed by the European social partners at cross-sector or sector level.

The “autonomous agreement” is implemented by the social partner **themselves** at national, sectoral and/or company level.

The social partners at national level **chose their preferable option**.

With an “**autonomous agreement**” the social partner **commit themselves to implement the agreement**.

With the signature it **is binding for the social partners**.

The EC requires the social partners to **report on the implementation**.

It is possible to assign a certain role to the EC in the implementations and supervision.

However, there are no legal instruments available  
**in the case of non-implementation, there are no sanctions.**

# Content example of an autonomous agreement

1. **Preamble** > reasons why the parties have given priority attention to the topic
2. **General considerations**
3. **What the signatory parties have agreed - Clauses:**
  1. **Purpose** > the objective of the agreement
  2. **Scope** > whom the agreement is applied to
  3. **Definitions** > meaning of some terms used
  4. **Principles** > connected to the topic of the agreement
  5. **measures to be implemented**, obstacles to be identified and reviewed, information, etc.
  6. **Provisions on implementation**

# ETF proposal for follow-up actions

## NOW WE HAVE ALL ELEMENTS AVAILABLE

1. **5° WIR annual report**
2. **Task force results, CER proposal for review of JR**
3. **ETF thematic tables:** can give the social partners the base to discuss and draft the main points of a strategy to implement gender issues taking into account the differences of the companies (minimum, medium, advanced level examples can be picked from the tables).  
This can be transformed into clauses of an **autonomous** agreement.

**These points provide all the elements to start negotiations for an autonomous agreement.**