

# WORK - EQUALITY IN THE WORKPLACE

## IV. CONCLUDING OBSERVATIONS

### CERD

- Republic of Korea, CERD, A/51/18 (1996) 48 at para. 319.

The adoption of administrative guidelines on the protection of foreign industrial trainees, in order to ensure them protection on an equal basis with national and legally registered foreign workers, is in the spirit of article 5 of the Convention.

- China, CERD, A/51/18 (1996) 57 at paras. 406 and 419.

#### *Paragraph 406*

Concern is expressed at the under-representation in business in some areas of persons of minority groups, which may be indicative of structural obstacles to their enjoyment of increases in economic prosperity. Concern is also expressed with regard to allegations that members of minority nationalities may not enjoy the same working conditions as persons of Han origin.

#### *Paragraph 419*

Further necessary legal, administrative or other appropriate measures should be taken to ensure that there is no discrimination against members of minority nationalities, in either the public service or private employment, with respect to the right to just and favourable conditions of work and the right to just and favourable remuneration.

- Bulgaria, CERD, A/52/18 (1997) 39 at para. 282.

Concern is expressed that the economic crisis has affected people from ethnic minorities disproportionately. It is noted that the Roma face *de facto* discrimination in the enjoyment of their economic, social and cultural rights, which increases their vulnerability in a context of economic crisis. Concern is expressed about discrimination against minorities in the workplace, especially for Roma, most of whom have relatively little training and education.

- Panama, CERD, A/52/18 (1997) 46 at paras. 341 and 354.

#### *Paragraph 341*

Concern is expressed that workers from Panama are not accorded the same rights as foreign workers employed in the Canal Zone, which has a special legal status.

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### *Paragraph 354*

With regard to the special status of the Canal Zone, the State party should take appropriate measures to ensure that the rights enumerated in the Convention, especially article 5, are enjoyed equally by all residents and workers in that specific area.

- Norway, CERD, A/52/18 (1997) 77 at para. 608.

Concern is expressed that foreigners and persons belonging to minority groups may not be sufficiently protected, especially in the fields of labour and housing.

- Israel, CERD, A/53/18 (1998) 30 at para. 83.

The State party should reinforce its efforts to reduce the persisting gap between the living standards and the involvement in national affairs of the Jewish majority and the Arab minority. This should be done in a manner consistent with the measures adopted for assisting the integration of Ethiopian Jews. The State party is encouraged to adopt new labour legislation in order to secure the protection against ethnic discrimination of the rights of Palestinians working in Israel on a daily basis. The rights of migrant workers, including undocumented workers, are also a matter of concern.

- Cuba, CERD, A/53/18 (1998) 64 at para. 350.

The policy of promoting blacks to managerial positions at all levels within the country, including the highest political organs, is welcomed.

- Peru, CERD, A/54/18 (1999) 21 at para. 156.

With regard to the right to employment, reports that access to jobs and promotions are often influenced by racial criteria, while certain minor or disparaged jobs are left to persons of indigenous or African origin, are of concern.

- Spain, CERD, A/55/18 (2000) 34 at para. 167.

With reference to article 5 (e) of the Convention, concern is expressed about reports indicating the prevailing discrimination against persons of foreign origin, particularly in the field of employment.

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- The Netherlands, CERD, A/55/18 (2000) 55 at paras. 317 and 318.

### *Paragraph 317*

While the increase in employment among members of minorities is acknowledged, it is of concern that the unemployment rate among minority groups remains four times higher than among the native Dutch population.

### *Paragraph 318*

The Committee is concerned about insufficient protection against discrimination in the labour market; it regrets the privatization and the planned dissolution of the Women and Minorities Employment Bureau and wonders what institution is going to fulfil the Bureau's task in the future.

- China, CERD, A/56/18 (2001) 44 at para. 248.

Concern continues regarding the situation of foreign domestic workers in the Hong Kong Special Administrative Region, mainly from the Philippines, Indonesia and Thailand, and the existence of certain rules and practices, such as the so-called "two-weeks rule," which may be discriminatory in effect.

- Italy, CERD, A/56/18 (2001) 53 at para. 316.

The State party should intensify its efforts and its cooperation with other countries, including the countries of origin, in order to reduce illegal immigration, criminal trafficking and commercial exploitation of human beings. Noting that foreign employees regularly resident in the territory are guaranteed equality of treatment with Italian employees while irregular workers, who make up 30 per cent of the entire non-European Union labour force (and even up to 50 per cent in northern Italy), are subjected to different forms of exploitation, the State party should take all necessary measures to put an end to those illegal practices.

- United States of America, CERD, A/56/18 (2001) 64 at paras. 388 and 389.

### *Paragraph 388*

Recent measures, including the launching in 1997 of the "Initiative on Race," the establishment of the Minority Business Development Agency under the Department of Commerce in order to redress racial and ethnic discrimination in the industrial market, as well as the efforts made to eliminate the practice of racial profiling, are welcomed and the continuation of such initiatives is encouraged.

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### *Paragraph 389*

The continuous increase in the number of persons belonging to, in particular, the African-American and Hispanic communities in fields of employment previously predominantly occupied by Whites is a positive development. The efforts made to promote the employment of persons from minority groups within the police force are particularly welcomed.

### ICCPR

- Colombia, ICCPR, A/47/40 (1992) 83 at para. 393.

It is noted with concern that the principle of equal pay for men and women has not yet been fully applied in Colombia.

- Ireland, ICCPR, A/48/40 vol. I (1993) 119 at para. 614.

Further measures should be undertaken that are aimed at achieving equality of the sexes, particularly with regard to women in law enforcement, the legal profession and the judiciary.

- Japan, ICCPR, A/49/40 vol. I (1994) 23 at para. 107.

Concern is expressed at discriminatory practices that appear to persist in Japan against women with regard to remuneration in employment, and it is noted that *de facto* problems of discrimination more generally continue to exist. The situation regarding mentally ill persons has significantly improved, but problems continue regarding access to employment. Legal measures have been taken by the Japanese authorities to forbid those practices and there are comprehensive programmes to promote equal opportunity. However, it appears that a certain gap exists in Japan between the adoption of legislation and the actual behaviour of certain sectors of society. It is noted that recourse for settlement of claims of discrimination against trade-union activists is very protracted.

- Paraguay, ICCPR, A/50/40 vol. I (1995) 42 at paras. 207 and 218.

### *Paragraph 207*

It is of concern that, despite constitutional guarantees for the rights of women, women continue to receive unequal treatment in Paraguay, owing in part to outdated laws that clearly contradict the provisions of the Covenant. It is noted that labour laws do not adequately protect the rights of women. Domestic work, which is a principal occupation among women, is excluded from minimum wage laws.

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### *Paragraph 218*

All national legislation on women should be reviewed with a view to modernizing the outdated legal standards currently in force to bring them into line with the relevant provisions of the Covenant. The State party should review its laws on criminal offences committed against women and all labour laws that discriminate against women and take the measures necessary to overcome traditional attitudes concerning the role of women in society.

### *See also:*

- Bolivia, ICCPR, A/52/40 vol. I (1997) 35 at para. 211.
- Russian Federation, ICCPR, A/50/40 vol. I (1995) 65 at para. 375.

It is of concern that, despite guarantees of equality in the Constitution and in labour legislation, the *de facto* situation of women is one of continuing inequality. The failure to ensure equal remuneration for work of comparable worth and the persistence of attitudes and practices which impose child-rearing and other domestic responsibilities entirely on women contribute to this inequality and to discrimination in the workplace. The high incidence of unemployment among women is also alarming.

- Sweden, ICCPR, A/51/40 vol. I (1996) 17 at paras. 85 and 94.

### *Paragraph 85*

It is noted that there remain areas where women are subject to *de facto* discrimination, in particular with regard to equal remuneration. It is noted with concern that in certain areas, particularly in public offices, the situation of women with regard to equal remuneration for work of equal value has significantly deteriorated recently.

### *Paragraph 94*

The Government should continue its efforts to ensure that the principle of equal pay for equal work is effectively implemented.

- Estonia, ICCPR, A/51/40 vol. I (1996) 19 at para. 111.

Noting that the numerous rights and prerogatives, such as the right to participate in the process of land privatization and the right to occupy certain posts or practise some occupations, are granted solely to Estonian citizens, it is of concern that permanent residents who are non-citizens are thus deprived of a number of rights under the Covenant.

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- Guatemala, ICCPR, A/51/40 vol. I (1996) 33 at para. 249.

Violence (especially within the home) and acts of discrimination against women (such as sexual harassment in the workplace) should be established as punishable crimes.

- Brazil, ICCPR, A/51/40 vol. I (1996) 44 at para. 335.

Effective enforcement mechanisms should be put into place to prohibit the requirement of pregnancy and sterilization certificates and other discriminatory practices in employment.

- Switzerland, ICCPR, A/52/40 vol. I (1997) 19 at para. 108.

The authorities should make greater efforts to strictly implement the constitutional and legislative provisions relating to equal pay for men and women for work of equal value, particularly in the private sector.

- Portugal (Macau), ICCPR, A/52/40 vol. I (1997) 50 at para. 320.

Despite guarantees of equality in the Constitution and in labour legislation, *de facto* inequalities continue in regard to the situation of women and their remuneration. The persistence of certain traditional attitudes and practices contributes to this inequality and discrimination in the workplace.

- Finland, ICCPR, A/53/40 vol. I (1998) 40 at para. 263.

The continuing disparity in remuneration between the sexes and the relatively low proportion of women in higher levels of the public service are of concern. Further efforts are necessary to reduce these differentials.

- Italy, ICCPR, A/53/40 vol. I (1998) 50 at para. 340.

Structural and cultural problems preventing the full enjoyment by women of equal opportunities in public and political life and in employment remain and equal pay is often not given for work of equal value. Urgent steps should be taken, by way of education, encouragement and legal means, to reduce or eliminate these inequalities.

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- Iceland, ICCPR, A/54/40 vol. I (1999) 24 at para. 62.

Efforts to achieve full equality between men and women should be intensified, including in the employment sector. The Committee hopes that the "job evaluation" exercise undertaken under the Ministry of Social Affairs will contribute to eliminating discrimination in the workplace and to implementing fully the principle of equal wages for work of equal value.

- Libyan Arab Jamahiriya, ICCPR, A/54/40 vol. I (1999) 32 at para. 137.

While recognizing the progress achieved as far as equality in the workplace is concerned, much remains to be done to reach full equality, including equal wages. Efforts to guarantee full equal enjoyment by men and women of all their human rights should be intensified.

- Japan, ICCPR, A/54/40 vol. I (1999) 36 at para. 147.

The abolition of restrictions on women's eligibility to take the national public service examination, the abolition of discriminatory compulsory retirement, and of dismissals on grounds of marriage, pregnancy or childbirth are welcomed.

- Chile, ICCPR, A/54/40 vol. I (1999) 44 at para. 214.

Sexual harassment in the workplace should be an offence punishable by law.

- Poland, ICCPR, A/54/40 vol. I (1999) 65 at para. 345.

Further measures should be taken by the State party to counteract discrimination against women in the employment sector, such as low numbers of women holding high technical, managerial or political posts and relatively large numbers occupying less well-rewarded positions; average salaries earned by women which amount to only 70 per cent of those earned by men; the lack of equal remuneration for women for work of equal value; and pregnancy testing by employers.

- Republic of Korea, ICCPR, A/55/40 vol. I (2000) 29 at para. 140.

In order to ensure compliance with articles 3 and 26 of the Covenant, positive measures must be adopted to guarantee equality of opportunity and conditions of employment for women.

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- Portugal (Macau), ICCPR, A/55/40 vol. I (2000) 33 at paras. 169 and 170.

### *Paragraph 169*

Despite guarantees of equality in the Constitution, also reflected in the Basic Law and in labour legislation, *de facto* inequalities continue with regard to the status of women and their remuneration.

### *Paragraph 170*

Effective measures should be taken to eliminate inequalities with regard to the status of women and their remuneration.

- Cameroon, ICCPR, A/55/40 vol. I (2000) 36 at para. 196.

The equality of women with men, both in education and employment, particularly in employment of the woman's choice, and that women receive equal pay for work of equal value, should be ensured.

- Mongolia, ICCPR, A/55/40 vol. I (2000) 49 at para. 323.

Discrimination against women in private sector employment, with effective impunity of employers in the face of court judgements, remains of concern.

- Kyrgyzstan, ICCPR, A/55/40 vol. I (2000) 57 at para. 402.

The State party is urged to take all necessary measures to sensitize the population, so as to improve the condition of women by eradicating all traditional and stereotypical attitudes that deny women equality in education, the workplace, public life, and in access to public service. In particular, measures against discrimination should be enforced and positive measures taken to further the education of women at all levels.

- Ireland, ICCPR, A/55/40 vol. I (2000) 61 at para. 441.

Despite the many advances that have been made in regard to the participation of women in all aspects of political, social and economic life, there are continuing inequalities faced by women in Ireland, which are reflected in the under-representation of women in certain occupations and in political life and in the generally lower salaries paid to women as compared with men. The references to women made in article 41 (para. 2) of the Constitution could perpetuate traditional attitudes toward the role of women. In that provision, the State "recognizes that by her life within the home, woman gives to the State a support without which the common good cannot be achieved. The State shall, therefore,



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endeavour to ensure that mothers shall not be obliged by economic necessity to engage in labour to the neglect of their duties in the home.”

- Dominican Republic, ICCPR, A/56/40 vol. I (2001) 54 at para. 78(19).

The greater level of participation of women in political life is welcomed but concern is expressed over a number of issues where the rights of women are not properly respected, especially their rights to legal equality, equal opportunities in the workplace, their still limited participation in public and private life, and levels of domestic violence.

### **ICESCR**

- Senegal, ICESCR, E/1994/23 (1993) 51 at para. 260.

The extent to which women enjoy the rights contained in the Covenant, particularly with respect to articles 6 and 7, is of concern. While noting that some progress has been achieved in this regard, there are continuing impediments to equality of access to employment. The significantly lower literacy rates for women as well as certain cultural practices that seriously compromise their opportunities for employment and advancement are of particular concern.

- Mauritius, ICESCR, E/1995/22 (1994) 37 at para. 174.

With regard to article 7 of the Covenant, there exists no legislation requiring equal pay for equal work. In this regard, it is noted with concern that in the agricultural sector of the Mauritian economy, for work of the same value, women are paid lower wages on the stated assumption that their productivity is lower in such labour-intensive work.

- The Gambia, ICESCR, E/1995/22 (1994) 42 at para. 198.

It is noted with concern that income levels of females generally remain below the government minimum wage scale, particularly those of the female labour force working in contract farming production.

- Austria, ICESCR, E/1995/22 (1994) 50 at paras. 254 and 258.

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### *Paragraph 254*

It is noted that despite the considerable legislative efforts made by the State party to ensure equality between the sexes, inequality persists in practice, particularly in the matter of promotion, and sometimes in the provision of social benefits.

### *Paragraph 258*

The Austrian authorities should continue their efforts to ensure *de facto* equality between men and women, especially in the areas of access to employment, remuneration for equal work, working conditions, the right to social security and participation in higher education.

- United Kingdom of Great Britain and Northern Ireland (Dependent Territories), ICESCR, E/1995/22 (1994) 52 at paras. 273, 292 and 301.

### *Paragraph 273*

It is noted with concern that insufficient measures have been taken to address the apparent disparities in employment patterns and opportunities of certain minority groups and between men and women. In the latter regard, it is regretted that women are still employed disproportionately in lower-paid occupations.

### *Paragraph 292*

Concern is expressed over the legal and social position of foreign employees known as domestic helpers in Hong Kong. These workers' economic, social and cultural rights are seriously impaired by the so-called two-week rule which provides that a worker may neither seek employment nor stay more than two weeks in Hong Kong after the expiration of original employment; by the fact that maximum working hours are not set; and by the discriminatory practice of not being allowed to bring their families to Hong Kong, while professional migrant workers from developed countries are allowed to do so.

### *Paragraph 301*

The two-week rule should be repealed and a review of the employment conditions of foreign domestic helpers should be undertaken to provide the full enjoyment of their rights under the Covenant.

### *See also:*

- United Kingdom of Great Britain and Northern Ireland (Hong Kong), ICESCR, E/1997/22 (1996) 58 at para. 335.
- Hong Kong Special Administrative Region (China), ICESCR, E/2002/22 (2001) 39 at para. 177.

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- Republic of Korea, ICESCR, E/1996/22 (1995) 24 at paras. 74 and 82.

### *Paragraph 74*

Particular concern is expressed as to the wage differential between men and women and to other discriminatory practices in the workplace, including an apparently high rate of sexual discrimination in recruitment.

### *Paragraph 82*

The State party should extend the regulations on safety in the workplace and on minimum wages to enterprises with fewer than 10 employees. All improvements in conditions of work should be applied equally to national and non-national workers, and existing discriminatory practices against those non-nationals currently employed should be eradicated.

- Portugal, ICESCR, E/1996/22 (1995) 28 at para. 97.

The authorities should continue their efforts with a view to ensuring *de facto* equality between men and women, particularly in the fields of access to employment and equal pay for equal work.

### *See also:*

- Spain, ICESCR, E/1997/22 (1996) 27 at para. 107.
- The Netherlands, ICESCR, E/1999/22 (1998) 37 at para. 188.
- The Netherlands (Aruba), ICESCR, E/1999/22 (1998) 40 at para. 205.
- The Netherlands (Antilles), ICESCR, E/1999/22 (1998) 41 at para. 216.

- Colombia, ICESCR, E/1996/22 (1995) 41 at para. 186.

Concern is expressed about extensive discrimination against women. For example, it is noted that the wages of women are on average 30 per cent lower than those of men.

- Norway, ICESCR, E/1996/22 (1995) 45 at paras. 223 and 226.

### *Paragraph 223*

Concern is expressed that although it is effective in the law, equality between men and women, especially with regard to remuneration, is not yet fully achieved in practice, and women still experience more obstacles than men in advancing to higher professional positions.

### *Paragraph 226*

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The Government should intensify its efforts to ensure that equality between men and women, in particular with regard to labour matters, is effective in practice.

- Mauritius, ICESCR, E/1996/22 (1995) 47 at para. 237.

Despite encouraging developments in legislation, women in the State party continue to occupy a subordinate role in society affecting their full enjoyment of economic, social and cultural rights, particularly in the area of equal pay for men and women. The explanation of "differentiation but not discrimination" in the agriculture sector is not satisfactory.

- Ukraine, ICESCR, E/1996/22 (1995) 50 at para. 263.

Grave concern is expressed at the lack of practical measures aimed at creating adequate working conditions for women and at eliminating discrimination against them. Concern is expressed about the possible discriminatory effects of imposing different retirement ages for men and women, particularly in market economies where one's standard of living and professional fulfilment depend largely on one's employment. The violence perpetrated against women, the generally low professional qualifications of women and their consequently high representation among low-paid workers and the unemployed are also matters of concern. The Government and the authorities as a whole have not made all necessary efforts to understand and face the phenomenon of discrimination, by collecting and analysing relevant data, by trying to eliminate the phenomenon through legislative measures and education, and by providing protection to victims of discrimination and violence against women.

- Paraguay, ICESCR, E/1997/22 (1996) 22 at paras. 72, 84 and 86.

### *Paragraph 72*

Concern is expressed at the many forms of discrimination against women. Discrimination in employment is a serious problem, particularly in the form of unequal pay for equal work.

### *Paragraph 84*

The Government should pursue policies designed to achieve genuine equality of rights between men and women and eliminate the discriminatory provisions that are still contained in civil, criminal, trade and labour laws, as well as in family law.

### *Paragraph 86*

An affirmative action policy should be adopted to improve the social status of women at the workplace. All necessary measures should be taken for the full implementation of legislation on equal pay and equality of opportunity.

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- Spain, ICESCR, E/1997/22 (1996) 27 at para. 100.

It is noted with concern that, despite the new legislative provisions in force, discrimination continues against women with regard to the right to equal treatment at work, the right to equal pay and access to education.

- El Salvador, ICESCR, E/1997/22 (1996) 34 at paras. 161, 162 and 177.

### *Paragraph 161*

It is noted with concern that discrimination against women, both at work and in the home, remains a major problem in Salvadoran society, and while noting that efforts have been made to change the legislation, it is emphasized that the law still contains discriminatory provisions, particularly in the Civil and Penal Codes.

### *Paragraph 162*

Concern is expressed at the adverse consequences for economic, social and cultural rights of the way in which economic adjustment, austerity and privatization programmes have been implemented, especially in the short term. It is noted that working conditions in the duty-free zones have deteriorated and that difficulties have resulted from the inadequacy of resources available to enable the factory inspectorates to enforce legislation on the minimum wage, equal remuneration for men and women, industrial safety and hygiene, and wrongful dismissal.

### *Paragraph 177*

The State party should take the necessary efforts to implement the Salvadoran legislation on minimum wages, safe and healthy working conditions, equal pay for equal work by men and women, and arbitrary dismissal. To this end, sufficient resources should be allocated to labour inspection services to enable them to carry out the tasks entrusted to them.

### *See also:*

- Peru, ICESCR, E/1998/22 (1997) 33 at para. 161.
- Guinea, ICESCR, E/1997/22 (1996) 39 at para. 199.

It is noted that the unequal treatment of men and women is increasing, particularly in the informal sector of the economy. Steps should be taken on a national level to implement the principle of equal pay for equal work, which derives from the principle of non-discrimination against women proclaimed in the Covenant, in ILO Convention No. 111 of 1958 concerning Discrimination in Respect of Employment and Occupation, and in the 1990 Constitution.

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- Dominican Republic, ICESCR, E/1997/22 (1996) 44 at para. 233.

Of particular concern is that the enjoyment by women of economic, social and cultural rights is undermined by, *inter alia*: a traditional and persistent male-dominated society; the failure to ensure that single women heads of household benefit from the agrarian reform or the Government's housing programme; the absence of any administrative mechanism that allows women to file complaints in cases of discrimination by the Dominican Agrarian Institute; the failure of the Government to protect women workers from discrimination and arbitrary dismissal related to pregnancy, including failure to discourage employers from the practice of pregnancy testing; and the failure to develop and promote family-planning services.

- Belarus, ICESCR, E/1997/22 (1996) 51 at paras. 283 and 290.

### *Paragraph 283*

Concern is expressed at the rise in unemployment, particularly in relation to its disproportionate impact on women. Discrimination against women in appointment to jobs is also of concern.

### *Paragraph 290*

The Government is called upon to adopt legislation and practical steps to combat discrimination against women in employment.

- Finland, ICESCR, E/1997/22 (1996) 55 at paras. 306 and 314.

### *Paragraph 306*

It is of concern that, although equality between men and women is established in the law, it is not fully achieved in practice, in particular in relation to equal remuneration, and that, in general, women continue to encounter more obstacles than men in advancing to higher professional positions.

### *Paragraph 314*

The Government should intensify its efforts to ensure that equality between men and women, in particular with regard to employment and salary matters, is effective in practice.

- United Kingdom of Great Britain and Northern Ireland (Hong Kong), ICESCR, E/1997/22 (1996) 58 at paras. 338, 342 and 359.

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### *Paragraph 338*

It is of concern that the principle of equal pay for work of equal value as elaborated in the non-binding Code of Practice of the Sex Discrimination Ordinance has not been reflected in Hong Kong labour law, thus giving rise to discrimination against women.

### *Paragraph 342*

It is of concern that Hong Kong labour legislation does not provide protection against unfair dismissal and does not provide for a limitation on hours of work, for a paid weekly rest period or for compulsory overtime pay. This situation is a major hindrance to the enjoyment of just and favourable conditions of work.

### *Paragraph 359*

The government policy in relation to unfair dismissal, minimum wages, paid weekly rest time, maximum hours of work and overtime pay rates, should be reviewed with a view to bringing such policy into line with the obligations set forth in the Covenant.

### *See also:*

- Hong Kong Special Administrative Region (China), ICESCR, E/2002/22 (2001) 39 at paras. 177, 190 and 196.
- Russian Federation, ICESCR, E/1998/22 (1997) 27 at paras. 101 and 117.

### *Paragraph 101*

Concern is expressed that women appear to be disproportionately affected by unemployment and that little concrete action has been taken by the State party to discourage discriminatory dismissal or hiring on the basis of sex or to provide meaningful remedies to the victims of such discrimination.

### *Paragraph 117*

Vigorous steps should be taken to ensure the protection of women against sexual discrimination in employment, and victims of sexual discrimination should receive compensation from employers who act illegally.

- Libyan Arab Jamahiriya, ICESCR, E/1998/22 (1997) 38 at para. 184.

Reports that foreigners who have come to work in the State party in connection with the Great Man-made River project are living and working in appalling conditions are of concern. Foreign employees in the State party who are accused of infringing disciplinary rules may be punished by penalties of imprisonment which can include compulsory labour. The State party also maintains different rates of payment of pensions for foreign and Libyan workers, which is discriminatory.

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- Dominican Republic, ICESCR, E/1998/22 (1997) 43 at para. 231.

The Government should pursue its policies designed to achieve full equality between men and women in all areas of economic, social and cultural life. In particular, a thorough review of domestic legislation should be undertaken with a view to eliminating any remaining discriminatory legal provisions, especially with respect to labour, family, criminal, civil and social security laws; specific remedies should be made available to women victims of sexual discrimination; and information and education campaigns should be carried out. Positive measures should also be taken to promote the participation of women, on an equal basis with men, in public life, in the labour market and in social and cultural activities.

- Iraq, ICESCR, E/1998/22 (1997) 50 at para. 258.

With respect to article 3 of the Covenant, concern is expressed about discrimination against women in law and in practice, in the areas of inheritance rights, freedom of movement, family law, equal remuneration for equal work and access to employment. It is noted with concern that the unemployment rate is higher among women than among men.

- United Kingdom of Great Britain and Northern Ireland, ICESCR, E/1998/22 (1997) 56 at para. 295.

There continues to exist to a significant degree *de facto* discrimination against women, Blacks and other ethnic minorities. It is noted that women continue to occupy a significantly lower percentage of managerial positions, particularly in the private sector, and a disproportionate percentage of lower-paid jobs and part-time work. A substantially higher rate of unemployment among Blacks and other ethnic minorities is noted as is their disproportionate numbers in lower-paid jobs. Alarm is expressed that the rate of unemployment among Catholics in Northern Ireland is approximately twice that of Protestants and is substantially above the national rate.

- Uruguay, ICESCR, E/1998/22 (1997) 67 at para. 372.

The continued existence in practice of discrimination between men and women in terms of salaries received for equal work is of concern.

- Luxembourg, ICESCR, E/1998/22 (1997) 69 at paras. 391 and 400.



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### *Paragraph 391*

Concern is expressed that a clear definition of the principle of gender equality is not expressly entrenched in the Constitution. The persistence of inequitable gender disparities, particularly in conditions of work and in salary scales in the private sector is noted.

### *Paragraph 400*

The State party should take all appropriate measures to ensure equal treatment of men and women in employment, especially in the private sector.

- Saint Vincent and The Grenadines, ICESCR, E/1998/22 (1997) 72 at para. 423.

With respect to article 3 of the Covenant, it is noted that women are accorded low wages, low status and little opportunity for economic development. Moreover, it is noted that obstacles remain for women at the tertiary education level, that occupational segregation in the labour market persists, in particular at the decision-making level and in the public sector, and that women have limited access to credit and land ownership.

- Sri Lanka, ICESCR, E/1999/22 (1998) 22 at paras. 75 and 89.

### *Paragraph 75*

Deep concern is expressed at the lack of anti-discrimination mechanisms in the area of employment with regard to women and minority groups. It is noted that while a system of ethnic recruitment quotas is in place in the public sector, there is no effort to ensure that promotions in the public sector and employment in the private sector are free from discrimination. In particular, the concept of equal pay for work of equal value is not applied effectively in Sri Lanka, particularly in the private sector where women have no legal protection against discrimination in employment.

### *Paragraph 89*

The State party should adopt policies and implement relevant measures to combat discrimination in employment against women and minority groups in both the private and public sectors. Particular attention should be paid to the enjoyment by women and men of the right to equal pay for work of equal value.

- Nigeria, ICESCR, E/1999/22 (1998) 27 at para. 108.

It is of concern that women suffer discrimination in the workplace, particularly with respect to access

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to employment, promotion to higher positions and equal pay for work of equal value.

- Poland, ICESCR, E/1999/22 (1998) 32 at paras. 152 and 161.

### *Paragraph 152*

It is of deep concern that the right to work is not fully enjoyed by women. It is noted that the principle of equal pay for equal work is not being respected. The fact that women earn on average only 70 per cent of the wages earned by men, despite their generally higher levels of education is deplored. The existence of discriminatory practices such as job advertisements specifying the preferred gender of the employees sought and women candidates for jobs being asked to take pregnancy tests, despite the existence of legislation prohibiting such practices, is also noted.

### *Paragraph 161*

The right to work should be fully protected for women as well as for men on the basis of equal pay for equal work. A study should be undertaken on the subject.

- The Netherlands, ICESCR, E/1999/22 (1998) 37 at paras. 178-180, 189 and 190.

### *Paragraph 178*

The continuing discrimination against women at work is of concern. Their higher rate of unemployment, their lower position on the wage scale and their disproportionate representation in part-time work reveal that the principle of equality established by the law is not effectively enforced.

### *Paragraph 179*

Racial discrimination can be seen to exist in labour matters, contributing to some extent to unemployment among immigrants.

### *Paragraph 180*

A third group which suffers from discrimination in the labour market is that of persons 55 to 65 years of age, whose unemployment rate is over 50 per cent.

### *Paragraph 189*

The Government should continue its endeavours to root out racial discrimination in the labour market with a view to facilitating the integration of immigrants and their families into the national life.

### *Paragraph 190*

Measures should be adopted to promote the access of persons between the ages of 55 and 65 to the labour market.

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- The Netherlands (Antilles), ICESCR, E/1999/22 (1998) 41 at paras. 219 and 224.

### *Paragraph 219*

The existence of three minimum wage levels on each island is of concern, since such situations may give rise to or reflect situations of discrimination.

### *Paragraph 224*

Legislation for the standardization of minimum wages throughout the islands should be promulgated.

- Israel, ICESCR, E/1999/22 (1998) 43 at paras. 241, 242 and 263.

### *Paragraph 241*

It is noted with regret that more than 72 per cent of persons with disabilities are unemployed. The new Law of Equality for People with Disabilities 1998 has not set any quota for the employment of such persons.

### *Paragraph 242*

The Committee is alarmed that only half of the workers entitled to the minimum wage actually get it, and that foreign workers, Palestinians and "manpower contractor" workers are particularly vulnerable in this regard.

### *Paragraph 263*

All necessary steps should be taken to reduce unemployment and to ensure proper enforcement of Israel's protective labour legislation, including assigning additional personnel to enforce such legislation. Special attention should be accorded to enforcing the Minimum Wage Law, the Equal Pay for Men and Women Law, and the Equal Opportunities in Employment Law.

- Cyprus, ICESCR, E/1999/22 (1998) 50 at paras. 284 and 291.

### *Paragraph 284*

The continued existence of discrimination between men and women, including inequalities in, among other things, professional opportunities, wages and salaries for work of equal value (especially in the private sector), protection under social security, the transmission of nationality to children and the conferment of refugee status on children (only children of displaced men are so treated), is of concern. This appears to be caused by structural and cultural factors.

### *Paragraph 291*

The State party should intensify its efforts to guarantee the equal enjoyment by men and women of their economic, social and cultural rights, including by taking all necessary steps to guarantee fully

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the principle of equal pay for work of equal value, in particular in the private sector of the economy.

- Germany, ICESCR, E/1999/22 (1998) 54 at para. 315.

It is noted with alarm that only 12 per cent of public servants in the science and technology sector of the former German Democratic Republic, including teachers, scientists and professionals, have been re-employed and that the rest remain without employment or adequate compensation or a satisfactory pension plan. It is feared that the majority of the affected people may have been dismissed from their positions for political rather than for professional or economic reasons. It is noted in this connection that the issue of discrimination in the employment of teachers in the new Länder was raised in 1993 by the ILO Committee of Experts on the Application of Conventions and Recommendations. Similar concerns have been raised by German non-governmental organizations.

- Switzerland, ICESCR, E/1999/22 (1998) 59 at paras. 355 and 356.

### *Paragraph 355*

It is noted with concern that, in many areas, such as access to higher education, access to posts of responsibility and equal remuneration for work of equal value, equality between men and women has not yet been achieved in practice.

### *Paragraph 356*

The relatively high proportion of women in lower paid jobs and among part-time and "on-call" workers, and also the comparatively low proportion of women in higher education is regretted.

- Canada, ICESCR, E/1999/22 (1998) 63 at paras. 391 and 428.

### *Paragraph 391*

The inadequate legal protection in Canada of women's rights guaranteed under the Covenant, such as the absence of laws requiring employers to pay equal remuneration for work of equal value in some provinces and territories, restricted access to civil legal aid, inadequate protection from gender discrimination afforded by human rights laws and the inadequate enforcement of those laws are matters of concern.

### *Paragraph 428*

The necessary measures should be adopted to ensure the realization of women's economic, social and cultural rights, including the right to equal remuneration for work of equal value.

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- Denmark, ICESCR, E/2000/22 (1999) 29 at paras. 106 and 114.

### *Paragraph 106*

Although equality between men and women is established in law, it is a concern that it is not fully achieved in practice, in particular in the field of equal remuneration, and that, in general, women continue to encounter more obstacles than men in advancing to higher professional positions.

### *Paragraph 114*

The State party should continue its endeavour to eliminate the persisting inequality between men and women in relation to equal wages for work of equal value.

- Tunisia, ICESCR, E/2000/22 (1999) 36 at para. 165.

The fact that inequalities between men and women continue to persist, including with regard to access to positions of responsibility and to remuneration, is of concern.

- Solomon Islands, ICESCR, E/2000/22 (1999) 40 at para. 199.

It is noted with concern that, despite a constitutional non-discrimination clause and the recent adoption of a national women's policy, women remain subject to patriarchy. Although women's place and role are respected, their status is nevertheless inferior to that of men. As a consequence, women have limited access to the political and economic life of the country. Women comprise only 3 per cent of administrators and managers and 27 per cent of professional and technical employees. Furthermore, women do not hold any government positions at the ministerial or sub-ministerial level; only one of the 47 members of Parliament is female.

- Argentina, ICESCR, E/2000/22 (1999) 49 at para. 265.

It is noted with concern that various *de facto* discriminatory practices against women exist, particularly in the areas of employment and pay.

- Georgia, ICESCR, E/2001/22 (2000) 30 at para. 89.

It is of concern that the laws addressing violence against women and sexual harassment in the workplace are inadequate and insufficient.

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- Italy, ICESCR, E/2001/22 (2000) 34 at paras. 116 and 129.

### *Paragraph 116*

The Roma on the whole live below the poverty line and are discriminated against, especially in the workplace, if and when they find work, and in the housing sector.

### *Paragraph 129*

Efforts should be stepped up to improve the situation of the Roma population, *inter alia* by replacing camps with low-cost houses; by legalizing the status of Roma immigrants; by setting up employment and educational programmes for parents; by giving support to Roma families with children at school; by providing better education for Roma children; and by strengthening and implementing anti-discrimination legislation, especially in the employment and housing sectors.

- Congo, ICESCR, E/2001/22 (2000) 43 at paras. 202 and 210.

### *Paragraph 202*

Deep concern is expressed about discrimination against women. Despite the provision in Congolese legislation that endorses the principle of equal pay for equal work, women in the formal sector are under-represented and encounter discriminatory promotion patterns. Women in rural areas are especially disadvantaged in terms of education and employment conditions, including wages.

### *Paragraph 210*

Appropriate measures should be taken, to guarantee, *inter alia*, the prohibition of discrimination, the elimination of forced or bonded labour, particularly of children under 16 years of age, and conditions for the enjoyment of the right to work, such as equal pay for equal work for men and women. These issues should be brought to the attention of ILO, with which the Government of the Congo is presently negotiating concerning follow-up measures to recently ratified ILO Conventions and possible technical cooperation programmes.

- Mongolia, ICESCR, E/2001/22 (2000) 53 at para. 281.

The State party is called upon to enforce efficiently in practice labour legislation prohibiting discrimination against women in employment, such as prohibition of the dismissal of pregnant women and the criminalization of sexual harassment.

- Portugal, ICESCR, E/2001/22 (2000) 70 at paras. 414 and 422.

### *Paragraph 414*

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Concern is expressed about the persistence of discrimination against women in the fields of employment and equality of wages and opportunity with men.

### *Paragraph 422*

The stricter application of the legal provisions guaranteeing men and women equal pay for equal work should be ensured.

- Belgium, ICESCR, E/2001/22 (2000) 77 at paras. 473 and 485.

### *Paragraph 473*

Concern is expressed about the persistent gap between the unemployment rates of men and women and the discrepancy between them with regard to wages.

### *Paragraph 485*

More active measures should be undertaken to address the inequality of employment between men and women and the discrepancy in wages between them, as well as to promote women's access to all levels of the labour market.

- Honduras, ICESCR, E/2002/22 (2001) 33 at paras. 120 and 139.

### *Paragraph 120*

Concern is expressed about the *de facto* inequality that exists between men and women in Honduran society, despite legislative guarantees of equality, which is particularly reflected in unequal wages for equal work, and the low-level of representation of women in public services and administration.

### *Paragraph 139*

The State party is urged to implement existing legislation vigorously and to incorporate a gender perspective in legislation, with a view to ensuring greater equality of men and women, especially in the areas of employment, labour conditions and representation in public services and administration.

- Hong Kong Special Administrative Region (China), ICESCR, E/2002/22 (2001) 39 at para. 197.

Legislation should be enacted on equal pay for work of equal value as provided for in the Covenant.

- Republic of Korea, ICESCR, E/2002/22 (2001) 45 at para. 226.

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The continued unequal status of women is noted with deep concern. Persisting problems include discrimination against women and sexual harassment in the workplace and a large gap in the average salaries paid to women and to men.

- Bolivia, ICESCR, E/2002/22 (2001) 52 at para. 270.

Notwithstanding the impressive number of legal instruments and policies adopted by the State party to ensure gender equality, concern is expressed about the *de facto* inequality between men and women, which is exacerbated by the perpetuation of traditional prejudices and social conditions, such as discrimination in education of the girl child in rural areas. Such discrimination is particularly reflected in the low level of representation of women in public service, the high female illiteracy rate, the unequal wages for work of equal value, and the high proportion of women working under inadequate conditions in the informal sector or as domestic workers.

- Panama, ICESCR, E/2002/22 (2001) 73 at para. 449.

Notwithstanding the important number of legal instruments and other measures adopted to ensure gender equality, there is concern about the flagrant inequality of wages for equal work and about the significantly higher rates of unemployment among women.

- Ukraine, ICESCR, E/2002/22 (2001) 78 at para. 491.

Concern continues to be expressed at the situation of women in society and the insufficient measures taken to eliminate discrimination against them. Most low-paid workers and 80 per cent of the unemployed are women. They are also frequently victims of violence in the family and of sexual harassment in the workplace.

- Nepal, ICESCR, E/2002/22 (2001) 83 at paras. 533 and 558.

### *Paragraph 533*

Concern is expressed about the *de facto* inequality that exists between men and women in Nepalese society, despite legislative guarantees of equality. The low representation of women in public service, the high female illiteracy rate and unequal wages for equal work are further noted with concern.



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### *Paragraph 558*

Existing legislation on gender equality should be implemented more vigorously, and a gender equality perspective should be incorporated in legislation, with a view to ensuring greater equality of men and women, especially in the areas of family, employment, labour conditions and representation in public services and administration.

- Japan, ICESCR, E/2002/22 (2001) 90 at paras. 594, 596, 621, 623 and 624.

### *Paragraph 594*

Concern is expressed about widespread discrimination against women and the *de facto* inequality that still exists between men and women in Japanese society in professional and decision-making positions, in political representative bodies, public services and administration, and in the private sector.

### *Paragraph 596*

The continuing *de facto* inequality in wages between men and women for work of equal value is of concern, particularly, the persisting practice in many enterprises of employing women primarily in the clerical services, with little or no chance of promotion to the professional ranks. These inequalities persist despite legislative, administrative and other measures, such as the 1997 amendment to the Equal Employment Opportunity Law.

### *Paragraph 621*

The State party is urged to implement more vigorously existing legislation and to adopt new legislation with an appropriate gender perspective, with a view to ensuring greater equality of men and women, especially in the fields of employment, labour conditions, wages and representation in higher positions in political representative bodies, public services and administration.

### *Paragraph 623*

The State party should continue to address the issue of *de facto* inequality between men and women regarding wages for work of equal value by more actively implementing existing legislation, such as the Equal Employment Opportunity Law, and relevant administrative and other programmes and policies, such as the guidelines concerning employment management differentiated by career track, as referred to by the ILO, and by adopting appropriate new measures to that effect.

### *Paragraph 624*

The State party should ratify ILO Conventions No. 105 (1957) concerning the abolition of forced labour, No. 111 (1958) concerning discrimination (employment and occupation) and No. 169 (1989) concerning indigenous or tribal peoples in independent countries.

- Germany, ICESCR, E/2002/22 (2001) 97 at paras. 661, 668, 679 and 686.

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### *Paragraph 661*

Concern is shared with the ILO about the persisting impediments to women in German society, in terms of promotion in employment and equal wages for work of equal value, both in the private and public sectors, and especially in federal bodies and academic institutions, despite the efforts to give a new impetus to the equal participation of women in the labour market.

### *Paragraph 668*

The shortage of child day care institutions constitutes an obstacle to women's equal participation in the labour market, as well as the efforts to promote gender equality.

### *Paragraph 679*

The necessary measures should continue to be undertaken, including legislative and administrative ones, to ensure that women enjoy full and equal participation in the labour market, particularly in terms of promotion and equal wages for work of equal value.

### *Paragraph 686*

The availability of child day care institutions should be increased, especially in the western Länder.

## CEDAW

- Guatemala, CEDAW, A/49/38 (1994) 23 at para. 80.

Concern is expressed at the discrepancies that exist to the detriment of women with regard to education and employment, remuneration and involvement in economic activity.

- New Zealand, CEDAW, A/49/38 (1994) 111 at para. 660.

Women's annual income is not equal with that of men, particularly because of their need to accommodate family responsibilities. Although the Government had taken measures to improve women's income, it has abolished pay equity legislation during the reporting period. More efforts need to be taken to alleviate the burden on women in this respect.

- Finland, CEDAW, A/50/38 (1995) 71 at para. 393.

The relative absence of women from high decision-making professional and administrative positions in both the public and private sectors (the glass-ceiling phenomenon) is of concern, though the recent legislation mandating 40 per cent representation of both sexes in governmental appointed bodies at

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national and local levels is noted.

- Norway, CEDAW, A/50/38 (1995) 89 at para. 491.

The high number of women working part-time and the pay differentials which are also reflected in the pensions are matters of concern.

- Russian Federation, CEDAW, A/50/38 (1995) 99 at para. 548.

Concern is expressed over the fact that women's unemployment has increased ninefold and that it equally hit women with little as well as with high level training. Concern is also expressed about the fact that women receive on average 30 per cent less pay than men.

- Ethiopia, CEDAW, A/51/38 (1996) 19 at para. 150.

The low representation of women at the higher decision-making levels is noted with concern. The effectiveness of programmes formulated and adopted with the involvement of women at those levels is doubtful. The efficiency of any measures to eradicate poverty as long as the percentage of women in Government remained as low as it is at present is also doubtful.

- Belgium, CEDAW, A/51/38 (1996) 22 at para. 191.

To address the wage gap, job re-evaluation and reclassification should be explored, with a view to upgrading women's job categories, should be explored.

- Cuba, CEDAW, A/51/38 (1996) 26 at para. 226.

An empirical study is needed to determine whether women are paid the same wages as men for work of equal value and to document occupational segregation and its relationship to income.

- Morocco, CEDAW, A/52/38/Rev.1 part I (1997) 11 at para. 65.

Discrimination is not limited to the private sphere but also affects the public realm. Blatant inequalities

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can be observed in women's recruitment, wages and leave entitlements, as well as in legal restrictions on women's, but not men's, employment, which reflects stereotypical attitudes regarding appropriate work for women.

- Slovenia, CEDAW, A/52/38/Rev.1 part I (1997) 15 at paras. 105, 106 and 115.

### *Paragraph 105*

That women are clustered in certain jobs and professions and at certain job levels is noted with concern. The feminization of the medical profession and the low wages in that sector are also noted. The high number of young unemployed women who are looking for a first job is alarming. Failure to find such employment might confine women to the role of homemaker. In that context, account is taken of the unfortunate fact that market economies tend to favour male employees who, by virtue of traditional roles and work allocation, are deemed to be unencumbered by family responsibilities.

### *Paragraph 106*

Concern is expressed over the fact that temporary work for women might be institutionalized and that women would thus be marginalized in the labour market and become victims of indirect discrimination. It is also of concern that occupational health standards for women might result in discrimination against women in employment.

### *Paragraph 115*

Revised labour legislation should contain equality and anti-discrimination provisions and strong sanctions for non-compliance. Temporary special measures with concrete numerical goals and timetables are also recommended in order to overcome employment segregation. The adoption of parental leave legislation in which part of the leave must be taken by the father is strongly recommended.

- Denmark, CEDAW, A/52/38/Rev.1 part I (1997) 34 at para. 267.

Temporary special measures should be maintained and strengthened, particularly in the areas of reducing unemployment among women; ensuring that women and men receive equal pay for work of equal value; increasing women's participation in private-sector decision-making; increasing the number of female university professors and researchers; and encouraging men to devote more time to child care and housework. Such initiatives should include quantitative targets, time limits for their achievement, specific measures and sufficient budgetary resources.

- Armenia, CEDAW, A/52/38/Rev.1 part II (1997) 78 at para. 58.

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The paternalistic restrictions imposed by the labour laws, which were aimed at protecting maternity and resulted in the legal limitation of women's employment opportunities and choices, are noted with concern.

- Israel, CEDAW, A/52/38/Rev.1 part II (1997) 87 at paras. 165 and 166.

### *Paragraph 165*

The existing marked disparity between the average earnings of women and men in many sectors and the fact that women are also disproportionately represented in part-time employment are matters of concern.

### *Paragraph 166*

Concern is expressed over the fact that many more women than men work in the informal sector and perform unpaid work, thereby prospectively limiting their access to benefits associated with the formal sector.

- Luxembourg, CEDAW, A/52/38/Rev.1 part II (1997) 92 at para. 217.

The gap between women and men in the labour force, particularly in the context of part-time work, should be examined.

- Antigua and Barbuda, CEDAW, A/52/38/Rev.1 part II (1997) 97 at paras. 255 and 268.

### *Paragraph 255*

The low level of occupational achievement by educated women and male dominance in technical and professional fields, on the one hand, and the concentration of women in the lower-paid service sector, including the tourist industry, on the other, is of concern.

### *Paragraph 268*

International Labour Organization (ILO) Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value should be considered for ratification and the necessary measures should be taken for its implementation.

- Argentina, CEDAW, A/52/38/Rev.1 part II (1997) 101 at paras. 300, 303 and 308.

### *Paragraph 300*

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The very low number of women occupying managerial posts in the private sector is of concern.

### *Paragraph 303*

Concern is expressed over the fact that there are no regulations to penalize sexual harassment in the workplace in the private sector.

### *Paragraph 308*

Efforts should be made to increase the number of women pursuing technical careers and occupying positions considered to be a male preserve, and to ensure that men share with women the task of caring for children.

- Australia, CEDAW, A/52/38/Rev.1 part II (1997) 111 at para. 396.

New legislation on industrial relations providing for the negotiation of individual contracts between employer and employee might have a disproportionately negative impact on women. Part-time and casual workers, of whom women formed a disproportionate share, were usually in a weaker position than other workers to negotiate favourable working agreements, in particular with regard to benefits. The reservation to the Convention with regard to paid maternity leave, and Australia's non-ratification of ILO Convention No. 103 concerning maternity protection, remain a concern for women workers with family responsibilities.

- Czech Republic, CEDAW, A/53/38/Rev.1 part I (1998) 16 at para. 195.

The prevailing wage disparities between women and men and the segregation of women in low-paying and low skilled work, which have been the results of privatization and economic rationalization, are of concern.

- Indonesia, CEDAW, A/53/38/Rev.1 part I (1998) 24 at paras. 292 and 299.

### *Paragraph 292*

Concern is expressed over the information provided which demonstrates that women are still employed in lower-paid and lower-skilled work. Concern is also expressed over the predominant view which appears to be that married women might provide supplemental income for a family, but that there is very little emphasis on the right of women to develop a career of their own.

### *Paragraph 299*

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The extent of unemployment amongst women, particularly those from female-headed households, in light of the current economic crisis, is of serious concern. The wage disparities between female and male workers, job-segregation in the workforce, with women disproportionately occupying low-skilled and low-paying jobs, as well as women's unequal access to social security, employment and health benefits are also of concern.

- Dominican Republic, CEDAW, A/53/38/Rev.1 part I (1998) 28 at paras. 336 and 348.

### *Paragraph 336*

The situation of workers' safety laws, including compliance with International Labour Organization Conventions, is of concern. Women's overall high unemployment rate, the particularly insecure situation of domestic workers and single mothers are also of concern. Further concern is expressed over the fact that women often have higher levels of education than men but are paid less than men for work of equal value.

### *Paragraph 348*

Vocational and technical training and career counselling for young women should be strengthened and information activities regarding non-traditional jobs for women should be increased in order to reduce job segregation patterns and the wage gap between women and men.

- Mexico, CEDAW, A/53/38/Rev.1 part I (1998) 32 at para. 391.

The situation of women workers in factories where, according to information received from various sources, Mexican labour legislation, particularly legislation on the reproductive rights of women workers, is being violated is of concern. The situation in certain areas where the principle of equal salary for work of equal value is not applied and where women of child-bearing age are subject to mandatory pregnancy tests as a condition of employment is also noted.

- Slovakia, CEDAW, A/53/38/Rev.1 part II (1998) 55 at paras. 87, 89 and 90.

### *Paragraph 87*

The highly segregated labour market is accompanied by low pay for women. The segregation of women and men into different employment sectors is not a valid justification for unequal pay between women and men. Job descriptions that link "physically demanding" elements to male physical strength and to higher pay for men is of concern as it may be based on a one-sided understanding of those elements. These descriptions may underestimate other physically demanding elements found

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in women's work, thereby discriminating against women in terms of pay.

### *Paragraph 89*

Although social services are available for children aged two years and above, there are no social services available for women with children under the age of two years. Furthermore, the decrease in pre-school childcare is particularly detrimental to women's equal opportunity in the employment market since, owing to lack of childcare, they have to interrupt their employment career, which again has negative effects on their employment status pay and promotion.

### *Paragraph 90*

The Government should provide options to women who have children and choose to work, including establishment of and access to public day-care facilities. The funding and support of pre-school childcare centres, at both the local and national levels, to ensure women the opportunity to work is also recommended.

- New Zealand, CEDAW, A/53/38/Rev.1 part II (1998) 68 at para. 274.

Further efforts, including through legislation and innovative policies, should be undertaken to reduce the gender pay gap. The impact of the Privacy Act on women's ability to seek redress in court for discriminatory unequal pay should be examined. The Government should also consider developing an "equal pay for work of comparable value" strategy, and reinstate respective legislation measures.

- Peru, CEDAW, A/53/38/Rev.1 part II (1998) 72 at paras. 333 and 334.

### *Paragraph 333*

The situation of women in employment is of concern. Attention is drawn to the need for programmes and projects designed to increase the access of the working female population in the labour force and to increase the number of women in all occupational categories, since they are currently concentrated mainly in commerce, services and jobs where the pay is extremely low. Many women are underpaid and they are paid less than men for work of equal value.

### *Paragraph 334*

Greater efforts should be made to achieve the principles of equal pay and equal pay for work of equal value, to educate women so as to enable them to enter the labour force, to provide training and re-training programmes so as to encourage women to gain access to non-traditional jobs, to guarantee their right to social security and thus to ensure that women are able to be active elements in the development of the country.



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- Republic of Korea, CEDAW, A/53/38/Rev.1 part II (1998) 76 at paras. 378 and 379.

### *Paragraph 378*

Concern is expressed over the situation of: (a) Sexual harassment in the workplace; (b) Insufficient social protection of female workers in the private sector; (c) Occupational segregation, including concentration in traditional female occupations; (d) Lack of employment opportunities for highly qualified women, as well as the wage differential between women and men; (e) Insufficient support to women entrepreneurs, particularly in non-traditional areas; (f) Situation of women in agriculture, especially of elderly women and in rural areas; and (g) Early lay-off and an increase in the number of part-time women workers.

### *Paragraph 379*

The Committee recommends: (a) Provision of statistical data on the growing number of part-time workers in social protection schemes; (b) Implementation of the principle of equal pay for work of equal value and recognition of women's unpaid work; (c) Provision of equal social protection for women in both the public and private sectors including extension of paid maternity leave to the private sector to bridge the gap between the working conditions in these sectors; (d) Ratification of International Labour Organization conventions, especially Convention Nos. 110 and 111; (e) Elimination of gender-restrictive recruitment and advertisements; and (f) Awareness-raising campaigns and training programmes to encourage the reporting and elimination of sexual harassment in the workplace.

- Liechtenstein, CEDAW, A/54/38/Rev.1 part I (1999) 18 at para. 163.

The Government should practice equal pay for work of equal and comparable value in order to overcome pay inequity. The Government should also review the existing system of social security, particularly with regard to marginal part-time work and the law on parental leave, with a view to ensuring that the system, including in its effects, does not discriminate against women.

- China (Hong Kong), CEDAW, A/54/38/Rev.1 part I (1999) 26 at para. 332.

The principle of equal pay for work of equal value should be included in relevant legislation and criteria should be established to determine the measure of equal value in a largely gender-segregated labour market.

- Colombia, CEDAW, A/54/38/Rev.1 part I (1999) 33 at para. 388.

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Appropriate measures should be taken to improve the status of working women, including through the establishment of child-care centres and the introduction of training programmes to promote the integration of women into the labour force and to diversify their participation, through the implementation of legislative measures and through greater efforts to achieve equal pay for work of equal value.

- Belize, CEDAW, A/54/38/Rev.1 part II (1999) 49 at para. 55.

The Government should implement a single minimum wage. A national childcare policy should also be developed to support working mothers. The Government is urged to assess the reasons for women's lower earnings, and for their voluntary departure from the labour market with a view to adopting adequate measures to reverse this trend. The Government is also encouraged to intensify its programmes for women entrepreneurs, including access to loans, credits and skill development, as well as to ensure that educational and vocational training opportunities for girls include non-traditional and emerging areas of the economy, such as the information and communications field. The Government is also invited to ensure that women can fully exercise their right to unionize, and that all applicable legislation in this regard is enforced, including in special economic zones.

- Georgia, CEDAW, A/54/38/Rev.1 part II (1999) 53 at para. 108.

The Government of Georgia is urged to identify the causes of the wage gap, particularly between female- and male-dominated public labour market sectors. Consideration of innovative measures, such as the introduction of provisions for equal pay for work of comparable value, are recommended.

- Nepal, CEDAW, A/54/38/Rev.1 part II (1999) 57 at para. 156.

The Government is urged to adopt labour legislation prohibiting wage discrimination. The Government should also introduce special measures to encourage women to participate in all sectors of employment, and develop special credit facilities for women to enable them to establish small enterprises.

- Ireland, CEDAW, A/54/38/Rev.1 part II (1999) 60 at paras. 181 and 182.

### *Paragraph 181*

It is of concern that almost no women over the age of 50 years are in paid employment. It is also a concern that women hold the majority of part-time jobs and earn less than men, and that little

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progress is being made in assessing and valuing work of comparable value.

### *Paragraph 182*

The Government is urged to ensure that legislation and policies create the structural and systemic framework that will lead to women's long-term participation in the labour force on a basis of equality with men. In particular, the Government should take further measures to reduce the pay gap in women's earnings, taking into account developments that have refined the concepts of equal pay for work of comparable value, and should assess the impact of cultural stereotypes and women's reproductive responsibilities on the continuing pay gap.

- United Kingdom of Great Britain and Northern Ireland, CEDAW, A/54/38/Rev.1 part II (1999) 71 at para. 308.

The Government should use its new employment policies to address the pay gap between women's and men's earnings, taking into account developments that have refined the concepts of equal pay for equal work and for work of comparable value. The Government should also assess the impact of cultural stereotypes and women's reproductive responsibilities on the continuing pay gap. In this regard, the Government is invited to pursue its efforts towards providing men more opportunities to take on roles traditionally assumed by women and to continue to review and rationalize maternal and parental leave and benefits.

- Jordan, CEDAW, A/55/38 part I (2000) 16 at paras. 184 and 185.

### *Paragraph 184*

The fact that women make up only 13.6 per cent of the paid labour force, a situation that appears to be largely due to social constraints rather than discriminatory legislation, is of concern. Restrictive employment legislation in the area of night work and regulations on jobs banned to women reinforce women's difficulties in obtaining paid employment. Although Jordan has ratified ILO Convention No. 100 on equal pay for work of equal value, concern is expressed that there continues to be a wage gap to women's disadvantage. The difference in entitlement to maternity leave in the public and private sectors is also a matter of concern.

### *Paragraph 185*

The Government is called upon to review its legislation and policy in the employment sector to facilitate full implementation of article 11 of the Convention. The Government is also called upon to review ILO recommendations concerning maternity leave, to adapt its national situation to these recommendations and to consider coverage of such leave through social insurance schemes in order to prevent private employers from discriminating against women in recruitment.

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- Burkina Faso, CEDAW, A/55/38 part I (2000) 25 at paras. 279 and 280.

### *Paragraph 279*

It is stressed, with concern, that although the laws prohibit all discrimination against women at the level of employment, men and women are segregated and differentiated at the time of recruitment and in the allocation of responsibilities, as well as in levels of remuneration.

### *Paragraph 280*

The State party should ensure strict respect for labour laws and take measures to eliminate discrimination in employment, in both the public and private sectors.

- Germany, CEDAW, A/55/38 part I (2000) 29 at paras. 299, 311 and 312.

### *Paragraph 299*

The Government is commended on its women and work programme aimed at ensuring women's equal participation in all sectors of society.

### *Paragraph 311*

Concern is expressed at the continuing disadvantages women face in many aspects of work and the economy. The persistence of the wage gap between women and men, notwithstanding women's high educational achievements, with women earning on average 77 per cent of men's earnings, is of particular concern. It is of concern that, in 1997, although women accounted for 42.1 per cent of the gainfully employed population, they comprised 88 per cent of the persons working in part-time employment and 55.9 per cent of the unemployed. It is a matter of concern that those differences are indicative of the persistence of indirect discrimination against women in the labour market. The fact that part-time work tends to be in low-skilled employment, offering fewer opportunities for professional advancement, is also of concern.

### *Paragraph 312*

The Government is called upon to ensure that the definition of discrimination contained in article 1 of the Convention, in particular the Convention's prohibition of indirect discrimination, is fully integrated into its legislation, especially its labour legislation. In this regard, the Government's intention to prepare a report on equal pay which will examine the primary causes of wage discrimination, is welcomed. The State party should examine existing formulae for the determination of equal work and work of equal value, with a view to developing guidelines or directives to assist the partners in collective wage bargaining in determining comparable wage structures in sectors dominated by women. The Government is urged to monitor closely the impact of its new programme on women and work so as to ensure that it achieves its stated aims of advancing equal opportunities of women and men in the working world and in the family and does not perpetuate gender stereotypes.

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- Belarus, CEDAW, A/55/38 part I (2000) 34 at paras. 365 and 366.

### *Paragraph 365*

Concern is expressed at the economic situation of women, which is characterized by poverty and unemployment, displacement of women from the labour market and even from sectors previously dominated by women. Re-employed women hold positions below their levels of education and skills. Concern is also expressed over the fact that women are employed predominantly in low paying jobs and that a wage gap between women and men persists. The economic situation of particularly vulnerable groups of women, such as those with sole responsibility for families, older women and women with disabilities, is an additional matter of concern.

### *Paragraph 366*

The Government is urged to establish a legislative basis that ensures women equal access to the labour market and equal opportunities to work and to create protection against direct and indirect discrimination with regard to access and opportunities. The Government should implement unemployment policies targeted at women. In particular, measures to facilitate women's entry into growth sectors of the economy, rather than into traditionally female-dominated employment, are recommended. The Government should support women's entrepreneurship through the creation of a conducive legislative and regulatory environment and access to loans and credit.

- Luxembourg, CEDAW, A/55/38 part I (2000) 38 at paras. 396, 408 and 409.

### *Paragraph 396*

The legislation of July 1998 requiring the appointment of equality officers in enterprises with at least 15 employees, is welcomed. The law on implementation of the national action plan on employment, which introduced the right to non-transferable parental leave of six months for every parent, covered by State benefits, is also welcomed.

### *Paragraph 408*

Concern is expressed at the lack of equality of opportunity of women in the labour market, as expressed in the relatively low percentage of women in the labour force (37 per cent of the active population), the wage gap between women and men, the higher number of women in part-time work, the ongoing segregation of the labour market and the stereotypical attitudes that tend to portray men as heads of households and breadwinners and women primarily as mothers and homemakers. That there is insufficient understanding of the structural causes that perpetuate the wage gap is also of concern, as women's work remains undervalued compared with men's work.

### *Paragraph 409*

The Government should undertake studies on the causes of the wage gap to improve the factual basis

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for labour negotiations where collective wages are set. The Government is also urged to analyse the projects now under way to broaden women's participation in the labour market so that the findings can be used for the development of comprehensive policies and legislation to secure the gains made by women in this area.

- Republic of Moldova, CEDAW, A/55/38 part II (2000) 56 at paras. 107 and 108.

### *Paragraph 107*

Concern is expressed over the situation of women in the labour market, including women's unemployment levels, job segregation and the fact that, because of lack of opportunity at home, many women seek employment abroad, often without obtaining work permits. That the country's protective labour laws may create obstacles to women's participation in the labour market is also of concern.

### *Paragraph 108*

Legislation should be put in place prohibiting both direct and indirect discrimination against women in the labour market, and guaranteeing to women equal opportunities in accordance with article 11 of the Convention and relevant ILO conventions ratified by the State party. The Government should consider establishing an equal opportunities ombudsman to monitor implementation of such legislation, and with the power to receive complaints about violations. It is also recommended that the Government review protective legislation with a view to reducing barriers for women in the labour market. The Government's labour market and employment policies should target explicitly those groups of women who are particularly disadvantaged by the impact of transition. The Government is invited to increase measures to adopt the sharing of family responsibilities between spouses. Sexual harassment in the workplace should be covered by legislation that is fully implemented.

- Lithuania, CEDAW, A/55/38 part II (2000) 61 at paras. 138, 144 and 145.

### *Paragraph 138*

The persistence of traditional stereotypes regarding the role of men and women in the family, in employment and in society, is of concern. Further concern is expressed about the lack of targeted educational programmes, mass media campaigns and temporary special measures in education, employment and politics to eliminate these stereotypes.

### *Paragraph 144*

The fact that the position of women in the labour market is characterized by discrimination, in

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particular of women with children, and by a strong occupational segregation with a concomitant wage differential, is noted with concern. That there may be hidden discrimination against women in the training programmes offered by the Labour Exchange Offices, is also a matter of concern.

### *Paragraph 145*

Efforts should be made to eliminate occupational segregation through efforts in education, training and retraining. There should be additional wage increases in female-dominated sectors of public employment to decrease the wage differential in comparison with male-dominated sectors.

- Iraq, CEDAW, A/55/38 part II (2000) 66 at paras. 199 and 200.

### *Paragraph 199*

Concern is expressed about women's low participation in the labour market, and the absence of a law establishing minimum wages, which makes it extremely difficult to determine whether women are being paid equal pay for work of equal value. It is of concern that the flexibility granted to employers in labour relations has a negative impact on women's employability and security of employment. Differences in maternity benefits granted to women in the public and the private sector are also a cause of concern.

### *Paragraph 200*

The Government should ensure that women do not bear a disproportionate portion of the economic difficulties facing the country. In particular, non-discriminatory labour legislation should be put in place and be effectively enforced. The Government should also ensure that women's reproductive function does not lead to discrimination against them in employment, job security and social benefits.

- Austria, CEDAW, A/55/38 part II (2000) 70 at paras. 219 and 233-235.

### *Paragraph 219*

The imminent withdrawal of the reservation to article 7 of the Convention in respect of women and the military is welcomed. At the same time, the Government is called upon to make efforts to withdraw the reservation to article 11 of the Convention in respect of night work.

### *Paragraph 233*

In the area of women's employment, it is of concern that women continue to remain segregated in low-paid jobs in the labour market.

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### *Paragraph 234*

Action should be taken to decrease the wage discrepancy between female-dominated jobs and male-dominated jobs, especially in the private sector. The Federal Government is also urged to adopt a proactive comprehensive policy, with appropriate budgetary allocations as incentives to provincial and local authorities, so as to develop childcare facilities that enable women's equal participation in the labour force.

### *Paragraph 235*

The State Party should strengthen the powers of the Equal Treatment Commission in order to allow it to be more effective in its efforts to combat discriminatory practices and to guarantee equal opportunity and treatment for women in the workplace.

- Romania, CEDAW, A/55/38 part II (2000) 77 at paras. 312 and 313.

### *Paragraph 312*

The situation of women in the labour market, especially women's higher unemployment rates, the decrease in women's share in the economically active population and the concentration of women particularly in low-paid occupational areas and sectors, are matters of concern. Concern is also expressed over the high percentage of women working as unpaid family workers, especially in rural areas.

### *Paragraph 313*

The Government's labour market and employment policies should explicitly address the situation of women workers in order to ensure that women do not carry a disproportionate share of the burden of the transition to a market-based economy. Urgent targeted measures should be put in place to facilitate women's entry into new growth sectors of the economy, including women's entrepreneurship, and to ensure that women's health and retirement benefits are protected. The Government is encouraged to ensure that women can take full advantage of jobs created by foreign investment, ensuring non-discriminatory protection of their rights. The Government should adopt, as a matter of priority, a forward-looking equal opportunities law that extends to the private sector and includes the creation of a specific office of ombudsman for equal opportunities for women, with powers to receive complaints of violations of the laws on equal opportunities and to investigate discriminatory situations experienced by women.

- Kazakhstan, CEDAW, A/56/38 part I (2001) 10 at paras. 99-102.

### *Paragraph 99*

While noting with appreciation the high level of education among women in a wide range of disciplines, the low representation of women in senior decision-making positions, as well as in highly



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paid jobs, is of concern.

### *Paragraph 100*

The Government is encouraged to analyse the correlation between the high level of educational attainments of women and their income levels. Measures to accelerate the representation of women at all levels of decision-making should be introduced. The Government is urged to implement the planned curriculum reform and revision of textbooks in order to combat the traditional attitudes towards women, and to help create an enabling environment for promoting women's presence in high-level and well-paid positions.

### *Paragraph 101*

The situation of women in the labour market is of concern, in particular with the high level of women's unemployment and discrimination in recruitment and dismissal. It is also of concern that the present structuring of the social benefits system and the protective labour legislation might create additional obstacles to the employment of women in the labour market, especially in the process of transition to a market economy.

### *Paragraph 102*

The State party is urged to enforce appropriate legislation and to ensure equal opportunities for women and men in the public and private sectors of the labour market. The structuring of the social benefits system and of protective legislation should be reviewed with a view to reducing the barriers against the participation of women in the labour market. Also, training and retraining programmes should be designed and implemented for different groups of unemployed women according to their percentage of the unemployed population and their skills and education. Wage increases in female-dominated sectors are further recommended, in order to decrease the wage differentials between those and male-dominated sectors.

- Uzbekistan, CEDAW, A/56/38 part I (2001) 18 at paras. 182-184.

### *Paragraph 182*

The State party's efforts to keep women in the labour market are recognized, but concern is expressed over the existing occupational segregation in the labour market and the considerable wage differential between men and women, especially the gap between female- and male-dominated sectors of employment. The high level of unemployment is of serious concern. Concern is also expressed over indirect discrimination in the recruitment, promotion and dismissal of women. The absence of statistical data on wages disaggregated by sex is noted.

### *Paragraph 183*

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Equal opportunities for women and men in the labour market should be ensured, including through the use of temporary special measures. Regular reviews of legislation should be conducted with a view to reducing the barriers for women in the labour market. Special training and retraining programmes for different groups of unemployed women should be designed and implemented.

### *Paragraph 184*

The problem of occupational segregation should be addressed and the principle of equal pay for work of equal value should be implemented.

- Finland, CEDAW, A/56/38 part I (2001) 29 at paras. 297-302.

### *Paragraph 297*

Continuing discrimination in employment is of concern. In particular, the wage gap that exists between women and men, owing primarily to the “horizontal” and “vertical” gender segregation of the labour market is of concern.

### *Paragraph 298*

Efforts should be increased to eliminate stereotypes in women’s education, biased perceptions in job evaluations and pay relating to traditional areas of employment for women. In particular, efforts to encourage cross-vocational training in typical female and male-dominated areas and to address the issue of the negative impact on women of policies of time-fixed contracts are recommended. The increase of incentives for men to use their rights to parental leave and to set up stronger monitoring mechanisms for the plans under the Equality Act are also urged.

### *Paragraph 299*

Concern is expressed over the low percentage of women in high-ranking posts in many areas, particularly in academia, where the presence of women has been declining as they move up the academic ladder and where they currently hold only 18.4 per cent of professorships. The current system of hiring professors by invitation, instead of open competition, places women at a disadvantage.

### *Paragraph 300*

Efforts should be made to facilitate an increase in the number of women in high-ranking posts. Proactive measures should be adopted to encourage more women to apply for high-ranking posts and temporary special measures, such as quotas, should be implemented where necessary.

### *Paragraph 301*

The high level of sexual harassment in the workplace is of concern.

### *Paragraph 302*

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All necessary measures should be implemented in order to empower individuals and non-governmental organizations to take action with regard to sexual harassment.

- Andorra, CEDAW, A/56/38 part II (2001) 49 at paras. 45 and 46.

### *Paragraph 45*

The situation of women in employment is of concern. The highly segregated labour market and the large percentage of women in low-paid jobs and in unpaid family labour are also matters of concern. Further concern is expressed at the wide gap in pay between women and men, that women may not receive equal pay for work of equal value, and the fact that there is no specific legislation which prohibits discrimination in employment in general, and which guarantees equal pay for work of equal value in particular.

### *Paragraph 46*

The situation of women with respect to paid employment and unpaid family labour should be consistently monitored. The State party should consider the introduction of legislation on equal employment opportunities and for positive action as provided in article 4.1 of the Convention. The State party should avail itself of existing research and practice with regard to equal pay for work of equal and comparable value in order to overcome pay inequity.

- Singapore, CEDAW, A/56/38 part II (2001) 51 at paras. 78, 85 and 86.

### *Paragraph 78*

The Employment Act should be amended so that it covers certain sectors and the reservation to article 11 should be withdrawn.

### *Paragraph 85*

It is of concern that disparities between women's and men's wages may be due to discriminatory attitudes of employers and to gender-stereotyped job and workplace evaluation.

### *Paragraph 86*

The issue of wage differentials between women and men should be reviewed, including through consideration of existing research on the concept of equal pay for work of equal value, both in the public and private employment sectors. The Government is also urged to remedy the situation in the public employment sector where applicable and to initiate sensitization campaigns to encourage social partners to address this issue.

- Guyana, CEDAW, A/56/38 part II (2001) 60 at paras. 166-169.

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### *Paragraph 166*

It is of concern that women do not seek legal redress when they suffer discrimination in employment because they are deterred by the delays in litigation caused by the enormous backlog of civil cases.

### *Paragraph 167*

Employment arbitration should be provided as an option and measures taken to prevent delays in litigation. Measures should be taken to increase women's awareness and understanding of their rights and legal aid facilities provided, where possible, in cooperation with non-governmental organizations.

### *Paragraph 168*

While there seems to be a policy on maternity leave, there is concern that women continue to be discriminated against on the grounds of pregnancy and maternity, particularly in the private sector, where contractual arrangements are made to circumvent the existing laws. Law enforcement is dependent upon prosecution by the Chief Labour Officer; this does not appear to provide effective remedies.

### *Paragraph 169*

Laws and policies on maternity should be brought in conformity with the Convention. A national policy for the private and public sectors should be developed that includes minimum mandatory and paid maternity and parental leave, and effective sanctions and remedies should be provided for violation of laws on maternity leave. Training programmes for the staff of the Labour Office should be established to facilitate prosecution and ensure the effective enforcement of existing laws for both the public and private sectors.

- The Netherlands, CEDAW, A/56/38 part II (2001) 63 at paras. 213, 214 and 216-218.

### *Paragraph 213*

Although efforts undertaken by the Government to solve the problem of discrimination faced by women at the workplace through all of the legislative measures aimed at improving women's economic status are acknowledged, concern is expressed over continuing discrimination in employment and business enterprises. Concern is also expressed with the "horizontal" and "vertical" gender segregation of the labour market, and the concentration of women in part-time employment. It is also of concern that, in the private sector, women earn on average 23 per cent less than men, although when adjusted in the light of the work they do and their personal characteristics, this differential is reduced to 7 per cent.

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### *Paragraph 214*

Efforts to eliminate stereotypes relating to traditional areas of employment and education for women should be increased. Efforts to improve the conditions for working women so as to enable them to choose full-time employment, rather than part-time employment in which they are currently over-represented, are recommended. The discrimination that part-time workers face in relation to overtime should also be eliminated.

### *Paragraph 216*

The low presence of women in high-ranking posts in all areas is of concern, particularly in academia where, according to 1996 figures, women hold only 5 per cent of professorships.

### *Paragraph 217*

The low participation of women in political and public life is of concern. In the present Government, women hold 26.75 per cent of posts in ministries whereas, according to 1998 figures, only 7.5 per cent of posts at the level of ambassador, permanent representative and consul-general are filled by women.

### *Paragraph 218*

Efforts should be made to facilitate an increase in the numbers of women in high-ranking posts, including in decision-making in politics, the economy and academia. Proactive measures should be adopted to encourage more women to apply for these posts and, where necessary, temporary special measures should be implemented, as provided for in article 4, paragraph 1, of the Convention.

- Viet Nam, CEDAW, A/56/38 part II (2001) 68 at paras. 272 and 273.

### *Paragraph 272*

The lack of information on segregation by sex in the labour market is noted with concern. It is also of concern that the impact of incentives to encourage the employment of women has not been assessed.

### *Paragraph 273*

Efforts to collect statistics and information on the position of women and men in the labour market should be increased, especially in the private sector.

- Nicaragua, CEDAW, A/56/38 part II (2001) 72 at paras. 306 and 307.

### *Paragraph 306*

It is of concern that women workers have been replaced by men in both the formal and informal sectors of the economy, that men's wages are three times greater than those of women and that the

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rates of unemployment and underemployment of women are high. Concern is also expressed at the indirect discrimination against women because they have limited access to credit owing to their lack of collateral.

### *Paragraph 307*

Measures should be taken to improve the status of working women, including the introduction of training programmes to promote the integration of women into the labour force and to diversify their participation. The State party should ensure the establishment of childcare centres, improved access to credit, with special emphasis on rural women, and greater efforts to achieve equal pay for work of equal value.

- Sweden, CEDAW, A/56/38 part II (2001) 76 at paras. 340, 341, 350, 351 and 356.

### *Paragraph 340*

While the Government has taken significant steps to address discrimination against women in the workplace through the passage of the Gender Equality Act and the establishment of the Equal Opportunities Ombudsman, concern is expressed that the wage gap between women and men, in both the public and private sectors, has not narrowed during the past 10 years. This disparity is linked to the persistence of gender segregation in the labour market.

### *Paragraph 341*

Policies and active measures should be adopted to accelerate the eradication of pay discrimination against women, including job evaluations, collection of data, further study of the underlying causes for the wage gap and provision of increased assistance to social partners in collective wage bargaining, in particular in determining wage structures in sectors dominated by women.

### *Paragraph 350*

Despite the high achievement of women in tertiary education, there are very few women professors in the universities and this is of concern. There also appears to be an imbalance in the access of women, as compared to men academics, to research grants and other resources.

### *Paragraph 351*

The State party is urged to facilitate, by means of its policies, an increase in the number of women in high-ranking posts at universities and to ensure that women professors are not discriminated against regarding access to resources, including research grants.

### *Paragraph 356*

Taking note of the efforts of the Government to combat discrimination, concern is expressed about the continuing discrimination against immigrant, refugee and minority women, including in education and employment, and at the gender-based discrimination and violence that they face in their own

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communities.

### **CRC**

- Iceland, CRC, CRC/C/50 (1996) 23 at para. 147.

Appropriate measures should be taken to counter the inequalities between men and women with regard to remuneration, since it may be detrimental to the child, in particular in homes headed by a single woman.