



## EU Audiovisual Sectoral Social Dialogue Committee Framework of Actions on Gender Equality

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The Framework of Actions was produced by the Joint Working Group on Gender Equality of the EU Audiovisual Sectoral Social Dialogue Committee in 2010-2011. The group was chaired by Dearbhal Murphy, FIA, and Emma Towell, BBC.

The Framework of Actions on Gender Equality was approved and adopted by the EU Audiovisual Sectoral Social Dialogue Committee at its plenary meeting on 27 October 2011.

Note: the chapters of the Framework of Actions are interconnected and of equal importance.

# EU Audiovisual Sectoral Social Dialogue Committee

## Framework of Actions on Gender Equality

### Introduction

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#### Introduction

The social partners on the Audiovisual Social Dialogue Committee (AV SDC) are committed to gender equality and have a role to play in its enhancement within the sector. The AV SDC has adopted the Framework of Actions (FoA) set out in this document to respond to, complement and support the work carried out by the European Commission and European social partners in the field of gender equality and extend it within the audiovisual sector.

The social partners recognise that the causes of gender inequalities in the workplace are complex. They reflect and are part of the gender divisions which exist within families and society as a whole. The audiovisual sector is however more than just a workplace; it has a product which has the ability to influence and change family life and culture. This is a huge responsibility and one which the social partners treat very seriously as it requires balancing and respecting both the rights to equality and freedom from discrimination with freedom of expression in order to safeguard editorial freedom and contents creation.

The AV SDC has identified the priorities which it believes can enhance gender equality while balancing the fundamental rights. These are set out within the FoA. In this FoA, the European social partners put forward joint considerations and recommendations for actions to their affiliates, that will be reviewed as set out in the section 'Actions and follow up' below.

Before examining the priorities, actions and follow up, it is necessary to place the FoA within the context of the authority for such actions, and the role of the AV SDC in the audiovisual sector.

#### Authorities

The European Union agrees on the fundamental importance of human values and equality of men and women. The European Charter of Fundamental Rights signed in December 2007 gives European citizens a catalogue of rights legally binding on the institutions and bodies of the European Union and on the Member States when they are implementing EU law<sup>1</sup>.

The Lisbon Treaty (December 2009) stipulates in article 2 that "The Union is founded on the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities. These values are common to the Member States in a society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men prevail." Article 3 specifies that "(the Union) shall combat social exclusion and discrimination, and shall promote social justice and protection, equality between women and men, solidarity between generations and protection of the rights of the child. "

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<sup>1</sup> European Union Charter of Fundamental Rights, 12 December 2007 (IP/07/1916): [http://www.europarl.europa.eu/charter/pdf/text\\_en.pdf](http://www.europarl.europa.eu/charter/pdf/text_en.pdf).

The European Commission priorities on gender equality are set out in the Women's Charter<sup>2</sup> presented in March 2010 and the Strategy for equality between women and men (2010-2015)<sup>3</sup> presented in September 2010. The Commission has in the past and is currently undertaking many initiatives in the field of gender equality. Many of these are set out on the Gender Equality<sup>4</sup> pages on the EC Europa website.

The Audiovisual Media Services Directive<sup>5</sup> prohibits discrimination based on sex, age, racial or ethnic origin, nationality, religion, belief, or disability

The European Social Partners' Framework of Actions on Gender Equality dated 1<sup>st</sup> March 2005 sets out very clearly the issues surrounding this topic. The priorities identified in that document are the ones which the AV SDC FoA has chosen to address, plus a subject unique to the sector, gender portrayal.

The International Labour Organisation (ILO) in Convention 183 (15.06.2000)<sup>6</sup>, known as the Maternity Protection Convention, supports and promotes equality of all women in the workforce and the health and safety of the mother and child.

## The Audiovisual Sector in the European Union

The audiovisual sector is both a practical resource and a primary source of information and entertainment across the EU. It provides the people of the EU with film, radio and television programmes delivered across the whole range of spectrum. Because of this it has a special significance in the protection and promotion of fundamental freedoms and democracy across the Member States of the EU.

The audiovisual sector contains both public and commercial organisations. As underlined by the Audiovisual Media Services Directive, the EU audiovisual landscape is characterised by what has been described as “the dual system”. The co-existence of public and commercial organisations creates a diverse range of programming. It contributes to media pluralism, cultural and linguistic diversity, editorial competition (in terms of content quality and diversity) as well as freedom of expression and the public’s right to information.

In the EU over 1.2 million people are estimated to work in the audiovisual sector. Of this figure, just under half (46%) are women, 82% have employee status and 75% are working full-time. In 2000, the audiovisual sector in the EU embraced 13600 TV and radio enterprises, 3657 musical production enterprises and 40100 entities in the film production and video subsector, although there is some domination by conglomerate organisations<sup>7</sup>.

It is thus a significant industry in terms of employment and also one with great social and political importance in the EU.

There are many persons who work in a self-employed capacity within the audiovisual sector across a huge range of occupations. The nature of these may be incidental but in some cases may involve establishing a working relationship over a period of time. Therefore, the FoA also aims at addressing this reality.

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<sup>2</sup> <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0078:FIN:EN:PDF>

<sup>3</sup> <http://ec.europa.eu/social/BlobServlet?docId=6568&langId=en>

<sup>4</sup> [http://ec.europa.eu/justice/gender-equality/index\\_en.htm](http://ec.europa.eu/justice/gender-equality/index_en.htm)

<sup>5</sup> Directive 2010/13/EU: [http://ec.europa.eu/avpolicy/reg/tvwf/index\\_en.htm](http://ec.europa.eu/avpolicy/reg/tvwf/index_en.htm)

<sup>6</sup> ILO C183 Maternity Protection Convention, 2000: <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C183>

<sup>7</sup> Source: European Sectoral Social Dialogue, Recent developments (EC 2010): <http://ec.europa.eu/social/main.jsp?catId=329&langId=en&pubId=570&type=2&furtherPubs=yes>

## **AV SDC Equal Opportunities Statement**

The AV SDC used the occasion of its fifth anniversary in June 2009 to confirm its position with respect to equal opportunities.

The parties to the AV SDC believe that all persons working within the audiovisual sector in the EU have the right to:

- fair and equal treatment in their engagement, selection and promotion, and in carrying out their daily work;
- equality of opportunity in all occupational sectors and at all levels within organisations;
- equality of opportunity in terms of training, life-long learning and career development;
- equal pay for equal work or work of equal value;
- a working environment that respects the rights of each individual, where colleagues treat each other with respect and which is free from bullying and harassment;
- a safe and healthy working environment;
- workplace standards which facilitate the reconciliation of work and family life.

This statement applies to all persons who work within the audiovisual sector, irrespective of their:

- gender, sexual orientation or marital status,
- ethnicity or nationality,
- religious belief,
- disability,
- age,
- membership or non-membership of a trade union.

Following from this statement the AV SDC took the decision to set up a Working Group on Gender Equality.

## **Mandate of the Working Group on Gender Equality**

At the Plenary meeting on 4<sup>th</sup> December 2009, the AV SDC set up a Working Group on Gender Equality in order to further develop joint actions in this field and to enhance gender equality in the sector across the EU.

The Working Group was mandated to elaborate a framework of actions on gender equality in the audiovisual sector in the EU for adoption by the Committee. The Framework of Actions should focus on priorities in the following key areas: gender portrayal, equality of pay, equality in decision making, gender roles in the work-place, the reconciliation of work and private life. These are all areas identified in the AV SDC Equal Opportunities Statement.

## **Priorities for Action**

The priorities set out in the mandate are interconnected and of equal importance. Although the FoA considers these in turn in the following pages, it is recognised that action to address the issues identified are best tackled in an integrated approach.

In drawing up the FoA the AV SDC recognises that there a number of issues which are important to the subject of gender equality and have a significance across all the key areas addressed in the FoA. They should therefore be clearly expressed in establishing the social partners approach.

### **The case for equality**

In addition to equality being a fundamental right, there is a clear business case for equality at work. It is simply expressed - in order to thrive in a competitive environment, all organisations need to be able to attract and retain the most talented people to work for them.

Employers who are known to offer equal opportunities for all – and what that means in terms of, inter alia, pay, career development, work-life balance – will be the ‘employers of choice’ and successful in these terms. In order to achieve these aims some organisations may find it appropriate to have a specific budget for equality policies.

Equality also leads to an improvement in employment opportunities for all those who have the talent to work in the audiovisual sector, thus enhancing the ability of the audiovisual sector to deliver content of quality and diversity.

### **Bullying and Harassment**

The Commission Recommendation on the Protection of the Dignity of Women and Men at Work<sup>8</sup> positions Member States in particular to take preventive measures to combat bullying and harassment in the workplace.

The AV SDC acknowledges that the prevention of bullying and harassment in the workplace sits hand in hand with promoting gender equality and creating an inclusive working environment through which both women and men can achieve their full potential. The existence of bullying and harassment in the workplace is simply not acceptable. It can stifle employee creativity, performance and motivation which in turn can have a knock on effect on career progression and personal development.

The AV SDC considers therefore that tackling bullying and harassment is an important step in achieving gender equality. Non-inclusive organisational cultures can prevent equality in decision-making and work-life balance and can negatively impact on the gender pay gap and the non-stereotypical portrayal and inclusion of women on-screen and on-air. Against this context, individual organisations can take action to tackle bullying and harassment at the workplace alongside their work to achieve gender equality by taking important steps such as developing a bullying and harassment policy and including dignity at work clauses in collective agreements as well as taking the steps set out in the following sections of this Framework of Actions.

### **Equal opportunities for all**

This FoA specifically addresses gender equality. As set out in the AV SDC Equal Opportunities Statement, equality of opportunities should be afforded to all persons, irrespective of their protected personal characteristics.

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<sup>8</sup> 92/131/EEC of 27 November 1991

Several correlations between gender and other protected personal characteristics have been identified and considered with care in the preparation of this FoA. For example, the 2008 study, 'Age, gender and performer employment in Europe', carried out by the FIA with the financial support of the EU, showed that depending upon a performers' gender, age affected many aspects of the employment conditions.

We recognise that the actions suggested by this FoA to address gender equality, inclusive of personal characteristics, can have positive cross-cutting outcomes for the diversity of the audiovisual sector as a whole. We would therefore encourage a similar approach to that outlined in this FoA across all protected personal characteristics for the benefit of all.

### **Actions and follow up**

A Framework of Actions is one of the formal outcomes of the work of the social dialogue committees. It is classified as a 'process oriented text' which means it must be followed up, and progress in implementing it must be regularly assessed.

Accordingly:

The social partners will promote this AV SDC Framework of Actions on gender equality among their member organisations.

After a period of one year from the adoption of the FoA the AV SDC Working Group on Gender Equality will reconvene to assess and evaluate developments and progress in the sector during the year. The Working Group will then report to the AV SDC and their evaluation may lead to a decision:

- to review the position after a further period of time, and/or
- to update the priorities within the framework of actions, and/or
- to assess whether or not additional action is required in any of the priority areas.

After a period of two years from the adoption of the FoA the AV SDC Working Group on Gender Equality will reconvene to consider commissioning an evaluation report on the implementation of the FoA in selected countries.

# Gender Portrayal

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## Introduction

When considering how the audiovisual sector can concretely develop and support gender equality, the issue of gender portrayal in audiovisual content must certainly be addressed. While working conditions and other workplace and work-life balance issues are naturally of vital importance in relation to equal opportunities, the audiovisual sector may also be instrumental in enhancing the perception of gender equality and diversity by European citizens.

In this section the social partners look at two fundamental freedoms in the EU:

- The right to dignity and freedom from discrimination;
- The right to freedom of expression.

In the AV sector we are deeply aware of these two fundamental principles – it influences our work and how we approach the issue of gender equality. Finding the right balance is a huge challenge but is one which must be addressed.

It is clear that the issue of gender portrayal is not something that solely applies to women. It is a concept that actually depends on an interpretation of the relationships between women and men. This interpretation is not fixed, but changeable. Evidence of changing views or interpretations of gender can be found throughout society – in politics, education, health care, business, media, and so on. Acceptance of the idea that men and women should have equal opportunities within society is a key principle in the EU and has led to the development of a significant body of European legislation in this area covering the areas of employment and training; social security and pensions; access to goods and services; professional, private and family life and implementing EU legislation.

In its on-going policy work in this area, the European Commission has also taken up the issue of stereotyping and gender portrayal in the media. The European Commission's Roadmap for Equality between Women and Men 2006-2010 (COM(2006)0092) and the related impact assessment (SEC(2006)0275) foster the elimination of gender stereotypes in the media and propose as key actions to “support awareness-raising campaigns and exchange of good practices in schools and enterprises on non-stereotyped gender roles and develop dialogue with media to encourage a non-stereotyped portrayal of women and men”.

An important step forward has been made with the adoption of the EU Audiovisual Media Services Directive<sup>9</sup>, adopted by the EU in 2007. The directive does not explicitly mention gender stereotypes, but it obliges Member States to ensure that audiovisual media services provided by media service providers under their jurisdiction do not contain any incitement to hatred based on sex (and race, religion or nationality). The directive further states that audiovisual commercial communications must not include or promote any discrimination based on sex (and racial or ethnic origin, nationality, religion or belief, disability, age or sexual orientation).

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<sup>9</sup> Directive 2007/65/EC of the European Parliament and of the Council of 11 December 2007 amending Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities (<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32007L0065:en:NOT>); revised in 2010 by Directive 2010/13/EU.

At international level, the challenge of gender stereotypes was addressed in the Declaration adopted at the United Nations Fourth World conference on Women in Beijing, 1995, which called on media owners and media professionals to develop and adopt codes or guidelines to promote a fair and accurate portrayal of women in the media.

The year 2010 saw the adoption of the report "Combating sexist stereotypes in the media" by the Council of Europe's Parliamentary Assembly (26<sup>th</sup> May 2010), and of the Opinion of the Advisory Committee on Equal Opportunities for Women and Men on "Breaking gender stereotypes in the media" (December 2010).

The use of gender stereotypes influences the public's perception of gender roles. For example, absence of gender balance and presence of ageism limit and reduce the role and experience of both genders and can be a real barrier to equal opportunities.

The version of reality created by the audiovisual sector comes into being during a production process which involves many choices; those of subjects, guests, script, plot, location, lighting, sound, camera angles and movements, editing, music, commentary, and so forth. Decisions on these and other issues influence the image of reality that reaches the audience. In this way, broadcasters, producers, programme makers, casting-directors and all those involved in the production chain contribute to how the world is seen by the audience.

In its consideration of gender portrayal, the social partners think a useful and valid distinction can be made between news, current affairs and factual programming on the one hand and creative content on the other. In relation to creative content there is a particular need to balance the arguments for gender equality in portrayal with the fundamental principle of free creative expression.

Women's participation in the media and in television has been the subject of debate throughout much of Europe for at least 25 years. The early focus was on equal opportunities but more recently the discussion has also moved on to consider stereotypes and how to avoid them and how to show diversity. There is an on-going perception that, despite progress made, broadcast media do not always provide a fair and balanced representation of men and women. There is also a growing awareness that, in the light of an ageing population and audience and with the appearance of new and more individualised means of access to audiovisual content, there is a business case for diversity<sup>10</sup> and gender equality.

The content produced by the audiovisual sector should serve to both reflect society and to foster and support fundamental principles. European social partners support fair and balanced gender portrayal while defending the fundamental principle of freedom of creative expression for film and broadcast creative content. Many of the European social partners represented in the AV SDC have undertaken useful initiatives in this regard in their specific areas. The Framework of Action on gender equality in the audiovisual sector offers a valuable opportunity to pool and exchange this experience.

The above principles, policies and legislative frameworks inform the suggested actions for social partners set out below. It is recognised that these suggested actions mainly address non-creative contents but they may also be relevant for the wider audiovisual sector as pointed to in the 2008 Euro-FIA Study "Gender, Age and Performers Employment" funded

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<sup>10</sup> Media 4Diversity Study from the European Commission, 2009.  
[http://www.media4diversity.eu/files/Media4Diversity\\_Publication\\_Web.pdf](http://www.media4diversity.eu/files/Media4Diversity_Publication_Web.pdf)



by the European Commission. Within the radio and television sector, it is the broadcasters who make and commission programmes that have a particular responsibility in this regard.

## Suggested Actions

European Social partners recommend to their affiliates to protect gender portrayal through the making of audiovisual content.

### 1. Awareness, training and information provision

It is key to highlight the importance of gender portrayal and awareness-raising is important to ensure proper engagement with the issue.

- Training for managers and production executives as well as staff (both male and female) and future professionals is an important way of raising awareness and fostering commitment. Such training could be jointly developed and managed by social partners.
- A review of existing gender policies adopted in the sector; for example, codes of conduct, editorial guidelines, and collective agreements.
- Development of joint toolkits (such as gender “check-lists”).

### 2. Mainstreaming a gender-sensitive approach to gender portrayal

Mainstreaming involves ensuring that gender perspectives and attention to the goal of fair and balanced gender portrayal are maintained across all activities – policy development, research, resource allocation and planning, implementation and monitoring of programmes and projects. Mainstreaming is not an end in itself but an approach and a means to achieve the goal of gender equality. It recognises both the fundamental rights about which we are concerned – the right to dignity and to freedom of expression.

Some areas for action include:

- Developing a strong editorial policy may be one way of approaching this in the context of broadcasters. Editorial policy has a direct effect on the commissioning process, for example, in the ‘pitches’ requested and TV productions commissioned by broadcasters.
- Programme Reviews is another useful tool in the broadcasting context. When specific programmes are chosen to be discussed by the senior managers, channel controllers, programme commissioners and executive producers, such reviews should have gender and diversity as standing items.
- Mainstreaming the issue of fair and balanced gender portrayal generally involves ensuring that consideration of this issue is automatically and inherently built into all aspects of the production process; subjects, guests, script, plot, location, lighting, sound, camera angles and movements, editing and commentary, as appropriate.

### 3. Positive Action

This involves setting out quantitative and qualitative positive action plans to achieve concrete change in terms of gender portrayal.

- Gender Equality Plans: in some European countries employers have a legal obligation to draw up three year action plans in this area and apply them. In others, such actions may be voluntary. For employers working in broadcasting, it is important to ensure that such

plans take in the issue of gender portrayal and set out what measures are being adopted.

- Formal adoption and application of relevant charters and codes on gender equality.
- Development of gender sensitive indicators in the media, as they exist in other sectors, to evaluate the place and role of women and men, develop a gender vision in the sector and improve the capacity requirements to meet the objectives set in the Beijing platform for action. These indicators will contribute to making broadcasters accountable towards their gender policies.

#### **4. Monitoring**

Without monitoring and follow-up, commitments to ensuring fair and balanced gender portrayal may be ineffective, if not meaningless. It is recommended that broadcasters ensure that they have the means to monitor gender portrayal in their output.

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# Addressing Gender Roles at Work

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## Introduction

Traditional gender roles continue to have a strong influence on the division of labour between men and women at home, in the workplace and in society at large. Although it is not the role of the social partners to interfere with private life, social partners do have a role to play in addressing gender roles in employment and in the workplace. In addition, as we see in the section on 'Gender Portrayal', the audiovisual sector has a real influence on the lives of all persons across the EU.

Despite women's employment rates having increased significantly in the last thirty years, this has not occurred equally in all sectors and occupations. Occupational segregation continues; women still tend to be over-represented in roles traditionally occupied primarily by female employees and be under-represented in roles traditionally occupied by male employees which in turn impacts on equal pay. In addition, occupational segregation continues to exist in decision making roles within professions and occupations. We have highlighted these aspects in the sections on 'Equality in Decision making' and 'Equal Pay' and additionally addressed the importance of the audiovisual sector in presenting women fairly in work and society in the section on 'Gender Portrayal'.

Breaking down cultural barriers to ensure that women and men follow a more diverse range of careers and to encourage their participation across the labour market is a complex task given the numerous socio-economic factors to be taken into consideration. It is nevertheless crucial to make sure that this takes place in order to achieve occupational gender equality in the audiovisual sector. Many organisations in the audiovisual sector do reflect on the influence cultural attitudes and gender roles have at the workplace. They check their internal practices and policies in order to ensure that they can attract and retain in their employment the most talented men and women.

There is also a good business case for taking action. EU countries will face a skills shortage in future and it will therefore become even more crucial to attract women, in particular, into a more diverse range of occupations at all levels, including those roles traditionally occupied by men.

## Suggested Actions

The Social Partners on the AV SDC recommend to their affiliates in the audiovisual sector that they contribute to the general commitment to break down occupational segregation for both women and men. This can be done in a number of ways depending upon organisation size and the environmental context within which they operate. Note that the following suggestions can equally be applied to men where they are under-represented.

- Looking at recruitment, promotion, and selection processes to ensure they are gender neutral and reach and consider all potential applicants.
- Looking at the way in which job titles and job descriptions are formulated to ensure that they are gender neutral.
- Ensuring training and development programmes are gender neutral and available across the workforce.

- Working on cooperation programmes with public and/or education authorities to raise awareness on labour market needs.
- Providing non-stereotyped careers information and participating in career fairs.
- Developing graduate schemes in partnership with universities to increase the feed of female graduates into occupations that continue to have an under-representation of female employees.
- Making a positive effort to attract women into those technical roles and professions where they are under-represented – this can also help address skills shortages.

Examples of practical tools to do so include:

- Encourage women to apply for and take up apprenticeships in technical and scientific professions;
  - Send women engaged in technical occupations as ‘ambassadors’ into schools and colleges to inform and raise awareness of young women about opportunities in technical professions;
  - Undertake targeted attraction activities of professional women in technical roles during technical recruitment processes;
  - Wherever possible advertise job opportunities clearly and widely to reach out to potential female applicants.
- Reviewing measures to ensure better reconciliation between work and private life.
  - Training managers on the benefits of diversity management and make them accountable for the implementation of the organisation’s diversity policy. Encouraging competence development for adults to allow men and women to evolve in their careers throughout life and to address deficits created by the structure of the education system in the past.

Examples of practical tools to do so include:

- Ensuring transparency and transferability of competences and qualifications;
- Promoting participation in further education and training and lifelong learning.

# Equal Pay

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## Introduction

Article 157 of the Treaty on the Functioning of the EU (TFEU) lays down the principles of the right to equal pay for equal work or work of equal value for female and male workers. This principle was introduced in the European Treaties early on. Today, EUROSTAT statistics show that there is still a significant gender pay gap across the EU. The European Commission underlines that one of the main causes is the way women's competences are valued compared to men's. The Commission further assesses that jobs requiring similar skills, qualifications or experience tend to be less well paid and undervalued when they are dominated by women rather than by men. Finally, the Commission stresses that the evaluation of performance, and hence pay level and career progression, may also be biased in favour of men.

The Framework of Actions on Gender Equality of the ETUC, BUSINESSEUROPE, CEEP and UEAPME underlines that social partners of all Member States have a clear obligation to ensure that the pay systems they put in place do not lead to pay discrimination between women and men. European social partners believe that the joint commitment of social partners at all relevant levels is key to tackle the gender pay gap.

In the audiovisual sector, social partners have started to tackle the issue of gender pay gap in various ways and at various levels including collective bargaining. In surveys carried out within European social partner organisations on equality between men and women the issue of equal pay has come up repeatedly. Among the various issues surfaced in collective bargaining and the surveys are: information and awareness, jobs structures (e.g. job descriptions, classifications), remuneration schemes and career development policies and training.

The AV SDC has started to exchange information and experiences across Member States and decided to include this important issue within its work for elaborating a joint framework of action on equality.

The European framework of action in the audiovisual sector is a tool for European social partners to work together toward the common objective to ensure equal pay for female and male workers in the sector and to promote equal pay policies across EU Member States.

## Definitions

“Pay” means the ordinary, basic or minimum wage or salary and any other consideration, whether in cash or in kind, which the worker receives directly or indirectly, in respect of his employment, from his employer (Art. 157 TFEU).

“Equal pay” means that pay:

- for the same work at piece rates shall be calculated on the basis of the same unit of measurement;
- for work at time rates shall be calculated on the same basis (i.e. seniority, relevant qualifications, performance, experience, etc.).

## Joint Considerations

The following elements are key to tackling the gender pay gap (non-exhaustive):

- Raising awareness among companies and workers;
- Information and regular assessment of the gender pay gap in each work place;
- Ensuring there is top management commitment to equality of pay;
- Review and possible adaptation of human resources policies and procedures;
- National or sectoral or company collective agreements or framework agreements;
- Training of social partner representatives;
- Ensuring employers recognise that those who are known for their equal pay policies become employers of choice.

## Joint Recommendations

The AVSDC recommends that social partners in the sector undertake actions to:

1. Raise awareness among companies and workers on the issue of gender pay gap:
  - Elaborate and distribute information material on equal pay and provisions of equality laws and policies;
  - Organise seminars for human resources professionals and others at various levels;
  - Exchange information and regularly assess the gender pay gap in each workplace;
  - Get better understanding of factors behind pay gap in the audiovisual sector.
2. Review and possibly adapt human resources policies and procedures:
  - Elaborate and implement equal pay action plans including aspects such as:
    - gender neutral remuneration systems;
    - specific aspects of salary evolution (e.g. adaptation of salary after return from maternity leave);
    - adaptation of job classification systems;
    - measures to eliminate segregation;
    - non-discrimination in evaluation systems.
3. Within existing national or sectoral or company collective agreements or framework agreements:
  - Negotiate and review specific chapters on equality and equal pay in collective agreements or in separate framework agreements;
  - Ensure that women are involved in these processes;

- Ensure that negotiators are trained on equal pay;
  - Mainstream the gender pay gap issue into all aspects of bargaining discussions.
4. With respect to training of social partner representatives:
- Develop toolkits to give background information to negotiators in collective bargaining processes;
  - Provide training courses on equality legislation and policies for HR departments and negotiators.
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# Equality in Decision Making

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## Introduction

More women than ever are working in the audiovisual sector. However, the percentage of women holding decision making positions remains low.

The AV SDC recognises that gender equality in decision making in the audiovisual sector is a key ingredient to delivering equity in pay, addressing portrayal and gender stereotyping, delivering equality of opportunity in the workplace and establishing work-life balance. It also enables relevant and quality decisions.

Equality in decision-making extends beyond gender equality at Executive Board or Senior Manager level and touches all roles that have key decision-making responsibilities.

## Legislative basis for equality in decision-making

In 1995, the Beijing Platform for Action denounced the lack of achievement of full participation of women in decision making positions. It stated in particular that “until women participate equally in both the technical and decision-making areas of communications and the mass media, including the arts, they will continue to be misrepresented and awareness of the reality of women’s lives will continue to be lacking”.

Article 11 of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) states that women shall have the same rights as men with regards to employment opportunities including the application of the same criteria for selection in matters of employment.

Promoting equal participation for women and men in decision-making is also a key priority of the EC’s Strategy for equality between women and men 2010-2015<sup>11</sup>.

## Important Questions for Employers

Organisations within the audiovisual sector considering the issue of gender equality in decision-making should reflect on the following core questions that will support them to consider whether their organisation enables equality in decision-making:

1. What is the representation of women and men at Executive Board, Senior Manager and other key decision-making positions?
2. Are there patterns of representation in positions that are stereotypically female or male?
3. Do women and men have equal access to the same or similar positions?
4. Do women and men have equal access to promotion opportunities?

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<sup>11</sup> <http://ec.europa.eu/social/main.jsp?catId=89&furtherNews=yes&langId=en&newsId=890>



5. Has the organisation developed equal opportunity policies?
6. Are women and men equally enabled to access development and training opportunities across all roles that will support them to secure promotion?
7. Does the organisation offer flexible working to both women and men?
8. Does the organisation offer facilities or support for parents with caring responsibilities?
9. Has the organisation implemented measures to sustain equal pay?

## Ideas for Action

It is suggested that organisations in the audiovisual sector should undertake the following activity in order to improve gender equality in decision-making within their own organisation.

### General Action

- Implement employment monitoring by gender that can be analysed by position, grade or level and by decision-making responsibility. A regular position mapping exercise that is shared with key stakeholders would enable awareness-raising.
- Recruit on merit – adopt clear and transparent recruitment strategies that include anti-discrimination clauses.
- Implement employment monitoring by gender for the recruitment and promotion processes and their outcomes.
- Job opportunities should be advertised where possible and gender neutral selection criteria used.
- Implement employment monitoring by gender to enable a review of the take up of Learning and Development opportunities.
- Engage executive managers and unions as appropriate to tackle any perceived or actual inequality in decision-making roles, using any monitoring data gathered.
- Understand the take up and impact of flexible working arrangements on women and men.
- Review whether organisational culture is enabling or prohibitive in relation to organisational networking opportunities for both women and men.
- Check that policies, processes and provisions are inclusive and transparent.

### Specific Action

**Training** – develop gender aware training for recruiters, those responsible for making promotion decisions and line managers who authorise career development opportunities for employees.

**Mentoring** – offer gender aware mentoring opportunities for non-executive staff to support their development and exposure to executive individuals and work at an executive level.

**Positive action** – where appropriate develop positive action initiatives or activity to improve women's access to leadership opportunities and to support their development whilst in a leadership position.

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# The Reconciliation of Work and Personal life: Work-Life Balance

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## Introduction

The European Social Model has a vision for the future of the employment relationship that seeks to balance the interests of individuals, employers and society in order to deliver performance, engagement and fairness.

The aim is a position where work is rewarding for employees and employers and of benefit to society. For employees, the aim includes: security; choice, flexibility and control over working hours; autonomy and control over the pace and timing of work and the working environment; fair balance between resting and working time; a say in the critical decisions that affect their futures; and the right balance between effort and reward.

From an employer's perspective, work should be productive and efficient, aim to involve and engage employees, and encourage their contribution to organisational success. And from a society perspective, work should be socially aware, ethical, and sustainable.

Work-life balance is an important element of the EU social model, the interconnection of quality of working life and productive workplace. This topic has also been high on the EU agenda, in particular since the publication of the 2008 EC consultation document on "A better work-life balance: stronger support for reconciling professional, private and family life", which proposed the revision of maternity leave arrangements<sup>12</sup>. In addition, Directive 2010/18/EU of March 2010 provides for the improvements in parental leave as agreed by the European social partners<sup>13</sup>.

Work-life balance is however about more than just maternity, paternity and parental leave, and applies across the range of caring responsibilities and life beyond the workplace.

The world of work is changing, both the structure of the labour market and the types of work. Employees are the 21st century organisation's greatest asset. The nature of work itself has also changed dramatically over the past 20 years:

- The intensity of work has increased: average working hours are shorter, but work is carried out faster. Intensification affects all countries in the EU, all industry sectors and all occupational categories.
- Changes in technology (IT and telephony) have given employers more flexibility in terms of how they ask people to work, and employees' potential flexibility in how they respond to work.

Good work-life balance policies and practices help meet these changes. They are good for business as well as employees.

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<sup>12</sup> COM(2008)635: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2008:0635:FIN:EN:PDF>.

<sup>13</sup> COUNCIL DIRECTIVE 2010/18/EU of February 2010 implementing the revised Framework Agreement on parental leave concluded by BUSINESSEUROPE, UEAPME, CEEP and ETUC and repealing Directive 96/34.

## The benefits of a good work-life balance

The benefits to the employer of providing work-life balance initiatives at work include:

- Increased productivity;
- Improved recruitment and retention;
- Lower rates of absenteeism;
- Reduced overheads;
- Enhanced employee satisfaction;
- Promotion of workplace equality.

For employees there may also be real benefits:

- The opportunity to retain continuity of employment during life changes;
- A reconciliation of time available for both work and family;
- A reduction in stress.

The similarity of the benefits for both employer and employee illustrates how this can result in a 'winning' position for both parties at work.

The European social partners have noted, when reviewing progress of their FoA, that work-life balance initiatives also help to address other issues necessary to improve gender equality:

- Increasing the number of women in managerial positions;
- Working against gender stereotyping in work roles;
- Encouraging fathers to take paternity and parental leave.

Successful policies to support work-life balance need to be tailored to the needs of individual women and men, bearing in mind that these change through working life. It is also important to recognise the employer's needs; for example, to provide a 24 hour/7 day broadcasting service, and the film production process of rehearsals, shooting and recording. The best results are achieved through dialogue between the social partners. Indeed, the European social partners found that bipartite action has been crucial to deal with this issue.

Organisations within the audiovisual sector across the EU have found numerous ways of supporting their employees' efforts to find a good work-life balance while maintaining output. The tools used have varied greatly from organisation to organisation and from individual to individual. These policies need to be regularly reviewed and adapted to respond effectively to changing needs.

It is critical when considering working arrangements which support the reconciliation of work and family life that these can be taken up on a voluntary basis by both women and men, and are designed in a way that does not undermine their long term participation and position on the labour market. Some of the practices aiming at creating a better work-life balance may have adverse effects on the careers of women in particular. Indeed, surveys show that flexible working practices are more used by women than men. In many cases, this has resulted in, inter alia, career stagnation, a pay-gap and lower pensions. It is vital that persons who have a work pattern to support their work-life balance also have equal access to promotion, training and education for career development.

## Key elements to support work-life balance programmes

Examples of working practices which are already in place in the audiovisual sector in the EU and which support a work-life balance include:

- Making available a mix of various working arrangements that allow for flexibility in working time or the organisation of work, such as:
  - part-time working,
  - job-sharing,
  - reduced working hours,
  - compressed working week,
  - school term-time working,
  - staggered or gliding hours,
  - time-off,
  - ad hoc home working,
  - parental leave arrangements,
  - career breaks and sabbaticals,
  - childcare facilities.

It is necessary to ensure employees are aware of the new ways of working; practical ideas include:

- Organisation awareness-raising schemes to promote take-up of flexible work options;
- Information campaigns about leave possibilities available to both women and men and encouraging parents to share leave periods much more equally.

## Recommendations

Best practice guidelines include:

- Review business and employee requirements in terms of meeting customer needs, employee satisfaction and ensuring compatibility with relevant legislation;
- Consider possible solutions for those with caring responsibilities;
- Research other organisations' experiences;
- Have success measures, including productivity indices, labour turnover, sickness and absence rates;
- Raise awareness to encourage men to equally share leave periods;
- Consult with management and worker representatives about implementation;
- Support management through implementation;
- Monitor progress and amend as appropriate.

## Self-Employed persons

In its Communication, "A better work-life balance: stronger support for reconciling professional, private and family life", the European Commission recognised that balancing family life and work is a challenge not only for men and women employed by others but also for the self-employed.

There are many persons who work in a self-employed capacity within the audiovisual sector across a huge range of occupations. The nature of these may be incidental but in some cases may involve establishing a working relationship over a period of time. Where

applicable therefore, the principles and practices set out above should also be considered for those who are self-employed and dependent on the audiovisual industry for their livelihood.

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