



MigrAID

VOCATIONAL EDUCATIONAL AND TRAINING (VET) MATERIAL

IMPROVING SOCIAL PARTNERS' SKILLS AND
CAPACITIES ON ETHNIC DIVERSITY



Ινστιτούτο Εργασίας Γ.Σ.Ε.Ε.

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INTRODUCTION

MIGRaid is an ERASMUS + project that focuses on the integration of people with different ethnic backgrounds into the labour market.

The increasing arrival of immigrants and refugees from third-countries to the EU, as well as the continuing internal migration of European citizens from one member state to another, have led to the ethnic diversity of the European workforce.

In this context, ethnic diversity management and migrants' integration in the labour force constitutes a major challenge for the EU. There are continuing ethnic inequalities in the workforce and a lack of equality awareness by many employers and employees.

Social partners can play an important role in this field, by promoting awareness regarding inequalities and discrimination based on ethnicity as well as by endorsing actions and approaches that encourage integration.

Accordingly, the present training manual aims to facilitate the education of social partners on issues of diversity in the workplace (and especially in Small Medium Enterprises), with a focus on ethnicity. The manual addresses several different aspects on this topic. More specifically, it discusses issues of diversity and discrimination in the workplace and analyses EU and national policies with the relevant framework regarding the combat of discrimination and the promotion of diversity in the labour market. Additionally, it describes the contribution of social partners at EU and national level and aims to build skills and capacities on diversity management and negotiation, offering relevant examples of good practices.

Moreover, it aims to offer its readers awareness, knowledge and skills that can help them to deal with relevant issues (diversity, conflict management, intercultural education and work ethics).

Social partners representing employees (trade unions), company owners, employers' unions and stakeholders, can be the immediate beneficiaries of this manual, who can further take up the role of multipliers.

TOPIC NO 1: ISSUES OF DIVERSITY AND DISCRIMINATION IN THE WORKPLACE: DEFINITIONS AND CONCEPTUAL CLARIFICATIONS

PURPOSE

The purpose of the first section is to help participants to become more familiar with the concepts of diversity and discrimination in the workplace, to enable them to distinguish discriminatory behaviors and to become more aware of the need to limit and combat them.

KEYWORDS

Discrimination at work: *It includes all behaviors, practices and perceptions that promote unequal behaviour in the workplace, against one or more people, targeting them on the basis of their characteristics*

Diversity at work: *Creating an inclusive environment at workplace, including recruiting individuals with a wide range of characteristics and experiences and creating a respectful environment in which the characteristics of each individual will be accepted and embraced and each person will be provided with opportunities to achieve their full potential.*

Institutional discrimination: *The term 'institutional discrimination' refers to any negative and/ or oppressive acts and/ or measures and/ or policies and/ or exclusions imposed by government institutions and services, media, private companies, organizations, etc. on persons, based on their ethnic origin, color of skin, language, religion, migratory background, gender/ gender expression, sexuality, disability, age, etc.*

Quality of work: *It refers both to objective circumstances and data as well as to subjective perceptions of people constituting the qualitative parameters of the work conditions.*

Work process: *The process, including activities and relationships, happening from the time a person enters their workplace until they leave it. It can also include other activities/ relationships related to work, even if they do not take place within working hours and/ or at the workplace.*

Harassment: *Practices, attitudes and behaviors negatively affecting a person, especially when they target a person belonging in a protected group. Harassment can lead to feelings of distress, intimidation and hostility.*

Victimization: *It refers to harassing attitudes and unequal treatment.*

EXPECTED RESULTS

Upon completion of the study of the first section, participants will be able to:

- ✓ Understand more and respect diversity
- ✓ Detect discrimination towards their colleagues at workplace
- ✓ More consciously promote equality
- ✓ Respect the uniqueness of others
- ✓ Be more open to teamwork
- ✓ Work more effectively with colleagues at workplace
- ✓ Strengthen their social skills, such as discretion and tolerance

1.1: Introduction

Section 1 investigates key issues related to diversity and discrimination in work. Initially, we will examine the broader concept of equality, followed by the presentation of the main forms of discrimination encountered in the labour market. Then, specific issues, such as the distinction between direct and indirect discrimination, the concept of multiple discrimination, etc. will be discussed. Finally, forms of behavior related to discrimination, such as (psychological) harassment and victimization, will also be examined.

1.2: Quality at work

Preventing and combating discrimination at work as well as respecting diversity, are viewed as determining factors in assessing quality at work. In Europe, addressing the quality at work and employment is linked to changes at the level of European employment policy, focusing on creating more and better jobs.

In the European context, quality of work is perceived as a multidimensional concept, which takes into account the objective characteristics of employment, the individual characteristics of the workers, the connection between the individual characteristics of the workers and the requirements of the job position, and, finally, the subjective perception of these characteristics by the workers (job satisfaction).

An expanded perception of the quality at work (and employment) results in the following conclusions:

First, a criterion for measuring the quality of work is not sufficient and more indicators are needed. Ten indicators have been proposed by the European Commission concerning both the wider environment of the workplace and the specific characteristics of the job position: the inherent quality of the job position, specialization, lifelong learning and career development, gender equality, health and safety at work, flexibility and security at work, integration and access to the labour market, work organization and work-life balance, social dialogue and the participation of the workforce, polymorphism and non-discrimination, and the overall economic performance and productivity.

Second, besides some specific objective indicators, subjective evaluation by the workers themselves, in other words the workers' satisfaction or dissatisfaction with their work, plays an equally important role. This is due to the fact that job satisfaction can affect work behavior (productivity, absenteeism, etc.) (Cabrita and Perista, 2006).

1.3: Difference and Distinctions

The concept of otherness or diversity refers to the status or the 'quality' of the other. Otherness is also the state in which a person recognizes their uniqueness/diversity in relation to other people.

This concept implies recognition, acceptance and respect: "It means understanding that each individual is unique and recognizes our individual differences. These differences may develop around different personality dimensions that refer to race, ethnicity, gender, sexual orientation, socio-economic status, age, physical abilities, language, religious and political beliefs or other ideologies."¹

Something similar happens also in the field of work and employment, where heterogeneity points to differences and similarities between individuals based on the above characteristics.

In general, we could say that discrimination involves stereotypes and prejudices, attitudes and behaviors, formal and informal practices, arrangements and so on, resulting in a less favorable treatment of individuals or groups of individuals due to some of their characteristics. Based on the different definitions in relation to discrimination in the workplace, the main reasons for discrimination are the following:²

Racism: *Racist discrimination* is exercised because of racist perceptions and attitudes and picks on victims based on their (perceived) racial and/or ethnic origin, migratory background, ethnic background, skin color, language, etc. It usually affects persons belonging or perceived to belong in ethnic minorities, persons of color, refugees and migrants, including "second or third generation migrants," who, although they may have the nationality of the host state, they may still face discrimination, for example on the basis of their appearance or their name. Within this category of discrimination, at least in the European area, emphasis is placed on discrimination against the Roma.

Gender discrimination: Gender discrimination refers to discrimination exercised because of sexist/misogynistic perceptions and attitudes. Perpetrators pick on their victims based on their (perceived) gender identity/ gender expression, including both physical characteristics and social perceptions. The first category refers for example to conditions often imposed in relation to the filling of a job, such as the minimum weight or height, which are not essential for the performance of the foreseen tasks and do not affect the performance at work. The second category may concern discrimination based on

¹ <http://www.i-red.eu/?i=institute.el.glossary#Διαφορετικότητα>

² http://www.ilo.org/empent/areas/business-helpdesk/WCMS_DOC_ENT_HLP_BDE_FAQ_EN/lang-en/index.htm

marital status or/and maternity. Moreover, gender discrimination includes and is not limited to requiring persons of a specific gender to fill a job or excluding persons of a specific gender. It is important to note also that gender discrimination often involves sexual harassment/violence. Finally, gender discrimination can affect women, trans or non-binary persons, or any person who does not identify as or is not perceived as a man.

Religious discrimination: Religious discrimination includes forms of mistreatment based on religious beliefs expressed by individuals or due to their participation in a religious group, as well as discrimination against persons who do not belong to or are perceived not to belong to a particular religious group or identify as/are perceived to be atheists. Religious discrimination may also target groups of individuals who (are perceived to) belong to a religious minority within a particular national context.

In some cases, there might be legitimate reasons to limit the religious freedoms and rights of individuals in the workplace. For example, a religion may declare a day of rest other than that prescribed by the law or impose a special type of clothing that might be incompatible with the specific safety standards. Yet, it must be clear that nobody should be forced to wear or not to wear a specific type of clothing for reasons other than safety standards.

Political discrimination: Political discrimination refers to discrimination against a person based on their (perceived) membership/affiliation to a political party/ political ideas/ socio-economic views, or based on their (perceived) activities within non-governmental organizations.

Social discrimination: Social discrimination is exercised on the basis of social origin, based on the victim's (perceived) social class/socio-professional circumstances and it may limit the access of some people to certain categories of work.

Ageism: Ageism or age discrimination may concern both younger and older workers. Younger workers may be discriminated against in terms of wages (usually lower wages), type of work they perform, or career opportunities for development. On the other hand, older workers may be discriminated against because of prejudices in relation to their abilities, due to depreciation (deliberate or not) of their experience, or due to recruiting younger workers with lower wages.

Ableism: Ableism is discrimination against disabled persons. In this case, discrimination may relate to recruitment specifications, the type of work assigned to a disabled worker, accessibility or facilities objectively required to carry out their work.

Homophobia/transphobia: Homophobic/transphobic discrimination is discrimination on the basis of sexual orientation or/ and gender identity and it is exercised against lesbians, gay, bisexual, trans, intersex, queer and other non-heterosexual/ non-binary persons (LGBTIQ) persons or persons who are perceived to be a member of or affiliated to the LGBTIQ community. Very often, LGBTIQ persons suffer harassing behaviors by both colleagues and superiors.

Discrimination on the basis of family status: Discrimination related to a person's family situation may involve the recruitment process and/ or career opportunities and/ or wages. Such discrimination usually affects women who are or may get married or/ and women who have or may have children. This is both due to stereotypes relating to women and because of real increased childcare responsibilities and maternity obligations assigned to women.

Trade unions: In this case, people can be discriminated against on the basis of their (perceived) membership in/affiliation to a trade union or a trade union activity.

1.4: Multiple Discrimination - Direct/ Indirect Discrimination –Stages in the Workplace where Discrimination Occurs

In many cases, the combination of more than one grounds of discrimination leads to multiple discrimination. Multiple discrimination, though difficult to be measured, concerns the majority of workers who are discriminated against. For example, an older migrant woman worker may become a victim of multiple discrimination on the basis of race, gender and age.

Discrimination at work can be direct and indirect. Direct discrimination is when a person is treated less favorably than others, on the basis of their background or/ and their characteristics. Indirect discrimination is when a rule, decision, procedure, policy, criterion or practice that appears *prima facie* neutral, because it applies to all, leads to discrimination in its application, as it negatively affects persons of a particular background/with particular characteristics (Baldourd & Chrysakis, 2012).

For example, direct discrimination exists in the case of advertisements such as: "a company based in Tavros is seeking to recruit a carpenter – furniture-maker, who is Greek and up to 40 years old;" " a refreshment shop in Ampelokipi, Athens is seeking to recruit Greek girls up to 30 years old with a service ." Both advertisements exclude "non-Greeks" (discrimination based on racial/ ethnic origin) and set age limits (age discrimination).

Examples of indirect discrimination are identified by the Ombudsperson in the case of procedures for admission to military schools and security forces, where candidates are subjected to sporting trials with limits in common. Although this practice may appear at first sight to be neutral, practically the limits established are more akin to men's abilities, with the result that a much larger number of women

is excluded. Similar is the practice of introducing common minimum thresholds for women and men for the admission of candidates in these schools (e.g. 1.70 million in EL.AS.). Given the physical characteristics that usually women and men have concerning their height, this practice works to the detriment of women candidates.

Discrimination (either direct or indirect) can occur at all stages of the work process, (a) starting from the process of recruiting and entering a workplace and (b) passing through the work process at a specific space and until the time of leaving a workplace.

It is often difficult to establish or prove discrimination that happened during an interview, because it is an oral procedure between the employer (or the person who represents them) and the candidate worker. Yet, during an interview, employers or their representatives often ask candidate workers questions in relation to, their racial or ethnic origin, their family status or their intentions in having children. The employers take into consideration the answers of candidates to decide whether to recruit them or not. This constitutes discrimination. Moreover, many times, such questions may not be asked directly, but the employer (or the person representing them) may draw conclusions by certain characteristics of candidates (appearance, color, clothing, body language, accent, and so on) and this may affect their decision regarding recruitment.

Discrimination can consist of offensive behaviors related to diversity of an employee in unequal practices in access to remuneration and rights obstacles (typically or informal) that are put into the evolution of an employee, and so on. In such a case, discrimination may include: payment, labour rights, working hours, maternity protection, content of work assigned to a worker, training opportunities, performance appraisal, prospects job development, job security. An indicative example is the recent complaint of a worker in product promotion, who was found to work at a branch of a supermarket chain promoting cosmetics. The employee complained that after two hours of work, the head of the branch asked him to leave “because he is a foreigner and the shop is Greek and addressess Greeks.”

An employee may also be discriminated against and disparaged at the time of their dismissal, resignation or retirement.

1.5: Harassment and victimization as particular forms of discrimination

In some cases, discrimination against a worker or employee is not limited to certain stereotypes, but is concretized through acts and behaviors that may constitute harassment, including *psychological harassment*. Psychological harassment (also known as mobbing or bullying) is a form of violence and is defined as the deliberate use of power against a person or a group of individuals with the intention

to harm or leading to harming the physical, or/ and mental, or/ and intellectual, or/ and moral or/ and social development of that person or group. The main characteristic of this behavior is its duration, frequency and repetition. In other words, this is often the result of accumulating and recurring abusive behaviors and/ or incidents (gestures, words, attitudes or behaviors) that affect, often by repetition or systematization, the dignity or/ and the mental or/ and physical integrity of an individual. These are relatively insidious attacks that are hard to prove and identify. The harm caused does not primarily concern the individual's physical health, even if the moral harassment sometimes involves physical violence or even if it has a long-term effect on the individual's physical. In particular, M.-F. Hirigoyen (2002) identifies four categories of attitudes that constitute moral harassment:

Injustice in working conditions: systematically challenging all decisions taken by a person, excessive or unfair criticism in relation to their job, systematic assignment of tasks beyond their abilities, impossible to perform or even fail to meet their abilities, removing responsibilities, etc.

Isolation and denial of communication: employer/ colleagues no longer address the victim, employer/ colleagues communicate with them only in writing or through others; their presence is ignored; the victim experiences segregation/ isolation/ marginalization.

Denial of dignity: it may include contemptuous moves towards the victim, degrading comments, rumors spread, offensive assignments. It is also referred to as *derogatory/ degrading treatment*, which is the behavior of a person insulting and/ or humiliating somebody else. It may be verbal or non-verbal and it may include insults, shouting, gestures, sounds, etc.

Verbal, physical or sexual violence: it may include threats of physical violence, abusive speech, harassment and out-of-work, physical attacks.

A common form of harassment in the workplace, which affects mostly women, is *sexual harassment*.

Sexual harassment is any non-consensual and/ or unwelcome sexual conduct/ behavior. It could be verbal, non-verbal and/ or physical, implicit or explicit. It may include sexual advances, sexual demands, requests for sexual favors, and/or sexual looks/ gestures/ sounds, etc.

Unwelcome conduct/ behavior is any conduct/ behavior that the recipient considers to be unwelcome, even if they did not express their objection, or seemed to have consented to it. "**Victimization**" at the workplace refers to mistreatment, harassment or misconduct that may have been discriminated against or supported by a colleague who has denounced a discriminatory treatment. Discrimination may also be the case for an employee who has made complaints about public or public service

irregularities. In this case, we are talking about a form of psychological violence and discriminatory treatment at the expense of so-called whistleblowers (those who sound the alarm or reveal a secret). The whistleblower is the person who denounces abuses, bribes, legal violations or illegal activities taking place in the public service for which he is working and which constitutes a risk to public health and safety. As a result, these individuals become victims of reprisals.

Migrants

TOPIC NO 2: EU POLICIES AND THE EUROPEAN INSTITUTIONAL FRAMEWORK BY COMBATING DISCRIMINATION AND RESPECT FOR DIVERSITY IN EUROPEAN LABOUR MARKETS

PURPOSE

The purpose of this section is to familiarize you with the relevant European and international institutional framework and improve your awareness of the fight against discrimination and the promotion of equal treatment.

KEYWORDS

Treaty on the Functioning of the European Union: *it is also called the "Treaty of Lisbon" and it regulates the functioning of the EU and amending the previous constitutional and constitutional treaties.*

Charter of Fundamental Rights of the European Union: *first-voted in 2000, it includes the fundamental rights of EU Member States and citizens.*

Directive on Racial Equality: *Directive 2000/43 / EC of 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin.*

Equality Directive on Employment: *Directive 2000/78 / EC of 2000 establishing a general framework for equal treatment in employment and occupation.*

EXPECTED RESULTS

Upon completion of the study of the second section, participants will be able to:

- ✓ Become familiar with the European and international institutional framework on equal treatment and against discrimination at work.
- ✓ Information on decisions of national courts on cases of discrimination.
- ✓ Assess the contribution of the European Court of Justice and the European Court of Human Rights to the fight against discrimination.
- ✓ Reflect on the effectiveness of the institutional framework to combat discrimination at work.

2.1: Introduction

In this section will be discussed the EU's positions on discrimination in the labour market. Then reference will be made to European directives on equal treatment of men and women and discrimination in general. Afterward, will be briefly presented the judgments of national courts on cases of discrimination, as well as the contribution of the European Court of Justice and the European Court of Human Rights to the fight against discrimination. Finally, the international (institutional) framework for combating discrimination in labour markets will be presented in brief.

2.2: EU and discrimination in the labour market

The fight against discrimination and the promotion of the principle of equal treatment are at the heart of European employment and industrial relations policy and are promoted through primary law (e.g. founding treaties), secondary law (e.g. instructions) and through European policies. Indirect references to these issues are found in the very first founding Treaties of the European Economic Community (EEC). The Treaty of Rome (1957), in the context of achieving the objective of a common market and ensuring fair competition between employers in different Member States, provided for the right to move freely to the EEC. This right was closely linked to economic activities, namely: paid employment, the liberal professions and provision of services. The same Treaty established the principle of equal pay for men and women.

During the first period, equal treatment was more about making conditions for the smooth functioning of the common market and mainly concerned with equal pay for men and women. In this context, since 1975 there has been continuous production of European directives on equal treatment of men and women in matters of employment, social security and access to goods and services. Emphasis on equal treatment and discrimination issues beyond narrow gender and ethnicity has been made since the 1990s principally, since the Treaty of Amsterdam in 1997, in which Article 13 provides that the Council may take the necessary measures to combat discrimination based on gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation. It is considered that the two most important Directives in the field of anti-discrimination were adopted on the basis of Article 13 of the Treaty of Amsterdam: Directive 2000/43 / EC of 2000 on the implementation of the principle of equal treatment between persons irrespective of racial or ethnic origin and Directive 2000/78 / EC of 2000 on equal treatment in employment and occupation.

However, it is the Treaty of Lisbon (2007) where the non-discrimination and equal treatment become part of European Community law for two reasons:

1. The Treaty of Lisbon modifies the two basic treaties of the EU (Treaty on European Union, Treaty establishing the European Community); the new treaty resulting (Treaty on the Functioning of the European Union) puts these issues at the heart of it. Already mentioned in the first article:

"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 characterized by pluralism, non-discrimination, tolerance, justice, solidarity and equality between women and men."

2. The Treaty of Lisbon recognizes the rights, freedoms and principles enshrined in the Charter of Fundamental Rights of the European Union adopted in 2000 (and revised in 2007), which has since has the same legal status as the treaties. This Charter contains a chapter dealing on equality issues, where reference is made to equality of all people before the law (Article 20), the prohibition of discrimination (Article 21), cultural, religious and linguistic diversity (Article 22), the equality between men and women (Article 23) and the integration of disabled people (Article 26).

2.3: European directives and discrimination in the labour market - The Directives on equal treatment of men and women

In terms of secondary law, the first directives adopted on discrimination were centered on equal treatment for men and women and by about 2000 they constituted the main body of European anti-discrimination legislation.

The first Directive passed in 1975 and concerned equal pay for men and women. By the end of the 1970s, two more directives on equal treatment of men and women were adopted with regard to employment, vocational training and promotion, working conditions and social security. In the middle of the 1980s (1986), the European institutional framework for gender equality was incorporated with two further directives on equal treatment of self-employed men and women with regard to social security and the protection of self-employed women during pregnancy and maternity. In 1992, another directive introduces measures to improve the health and safety at work for pregnant workers, workers who have recently given birth or/and are breastfeeding. Since 2002, Gender Equality Directives have been adopted that either amend earlier directives or concentrate them on wider (in terms of content) guidelines.

2.4: European Directives and Discrimination – Guidelines that refer to the discriminations

As mentioned in section 2.2., it is after 2000 that the EU intervention in the field of anti-discrimination extends to other fields other than gender and nationality. The aim is to establish a legislative framework for discrimination in all EU Member States, as well as to create institutions at national level that promote equal treatment.

Two very important directives were voted in 2000: 2000/43 / EC on the application of the principle of equal treatment between persons irrespective of racial or ethnic origin and Directive 2000/78 / EC of 2000 on equal treatment in employment and occupation.

Directive 2000/43 / EC of 2000 (also known as "Directive on racial equality") implementing the principle of equal treatment between persons irrespective of racial or ethnic origin focuses on discrimination based on racial or ethnic origin and extends beyond the shape of employment. Directive 2000/78/EC of 2000 focuses exclusively on the field of employment addressing discrimination more broadly, including also discrimination on the grounds of religion or other beliefs, disability, age and, sexual orientation. As regards employment and occupation, both out: a) in the conditions of access to employment, self-employment and occupation (including selection criteria and recruitment terms, irrespective of the branch of activity and at all levels of the professional hierarchy, including promotions); b) access to all types and to all levels of vocational guidance, vocational training, retraining and vocational reorientation, including the acquisition of practical work experience; c) in the working conditions, including dismissals and pay; d) in the membership and/or participation in an organization of workers or employers, or any organization whose members carry on a particular profession , including the benefits granted by such organizations.

Both directives define the content of discrimination (direct/ indirect discrimination/ harassment) and transfer the burden of proof from the plaintiff to the defendant, who will have to prove to the court that there has been no breach of the principle of equal treatment. This is important because, before the adoption of these Directives, the victim had to prove that they had been the victim of discrimination. Member States are also encouraged to introduce into their national legislation measures required to protect workers from unfair treatment in case they denounce any discrimination ("victimization").

Finally, in 2008, a proposal for a Council Directive implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation was tabled on the basis of the following statement, which is found in the explanatory memorandum: *"This*

proposal is based on Directives 2000/43 / EC, 2000/78 / EC and 2004/113 / EC prohibiting discrimination based on gender, racial or ethnic origin, age, disability, sexual orientation, religion or belief. Discrimination on the grounds of racial or ethnic origin is prohibited in employment, work and vocational training, as well as in non-employment related areas such as social protection, health care, education and access to goods and services, including housing, provided to the public. Discrimination on the grounds of gender is forbidden in the same sectors, with the exception of education, the media and the advertising. However, discrimination on grounds of age, religion or belief, sexual orientation and disability is prohibited only in the areas of employment, work and vocational training ". Therefore, this Directive (if passed) will attempt to fill the gaps in the existing directives by extending the prohibition of discrimination on grounds of age, religion or belief, sexual orientation and disability on areas beyond employment, such as social protection, benefits, education and access to goods and services.

Finally, it is worth mentioning that in December 2013, the 28 Member States of the European Union committed themselves to implement a series of recommendations, proposed by the European Commission, to accelerate the economic and social integration of Roma communities. This is the first legal instrument adopted at EU level for Roma social inclusion and concerns access to education, employment, the health care and housing.

JUDGEMENTS ON DISCRIMINATION IN THE EUROPEAN UNION

Under the two directives on anti-discrimination, a large number of court judgments have been taken by national courts. For the period 2004-2010, 250 important litigation cases were reported. In most cases, the decisions concern discrimination based on racial or ethnic origin (127), followed by discrimination on grounds of age (51), religion (46), disability (28) and sexual orientation (15). This differentiation in relation to the judgments of the European Court of Justice (which will be discussed in the next sub-section), where the age discrimination cases outnumber, is due to the fact that in national courts most cases are dealt with under the Racial Equality Directive broader content and not only in the field of employment, but also in terms of social protection, social privileges, education, access to goods and services, housing, and so on. Nonetheless, cases of discrimination in the field of employment (32) outweigh other cases of discrimination, which more specifically concern access to goods and services (21), education (17), social protection and social welfare (4) housing (15), incitement to racist crimes, or speech (26) or wider discrimination on number of issues (12). Most cases of discrimination on grounds of racial or ethnic origin were related to recruitment procedures and complaints by candidate workers, as well as to discrimination in terms of pay, employment status and promotion (Uyen Do , 2011).

2.6: The contribution of the European Court of Justice and the European Court of Human Rights to the fight against discrimination

The rulings of the European Court of Justice (or the Court of Justice of the European Union), based on the constitutional Treaties of the European Union, the European Charter of Human Rights and the European directives, form a parallel but equally important institutional framework for combating discrimination in the European area.

It is even the opinion that on the basis of the experience of the Court's judgments on equal treatment of men and women throughout the 1990s which was distinguished by an extended interpretation of the relevant Articles of the constitutional Treaties and the Directives, both the 2000 anti-discrimination directive were drafted. However, despite the many decisions on gender equality, the judgments of the European Court of Justice based on these two Directives during the period 2003 (final year of transposition of the Directives into Member States' legislation) until 2013 were only a few: Thirteen (13) decisions arising from the directive on equality in employment, while only one (1) of the directive on racial equality. For the most part concerned age discrimination (9 of them). The judgment "Mangold" 2005 (which provided for the exclusion of workers over 52 years from the protective legislative framework for fixed-term contracts) was the first to be taken by the European Court of Justice in relation to the employment equality directive and is considered that it marked a chance in the European legal order. In their majority, decisions on age discrimination related to retirement age. There were two more (2) judgments of the ECJ on disability discrimination, one (1) discrimination on grounds of sexual orientation and, finally, one (1) discrimination based on grounds of ethnic or racial origin (Uyen Do, 2011).

The role of the European Court of Human Rights (ECHR), which is a body of the Council of Europe and supervises the implementation of the European Convention for the Protection of Human Rights and Fundamental Freedoms, it is equally important because its jurisprudence fills the gaps that are not fall within the scope of the Directives and on the other hand why a dialogue had been developed with the Court of Justice of the European Union on the complementary protection of rights. Of course it should be noted that the field of intervention of the European Court of Human Rights is wider because it also concerns non-EU members who have ratified the ECHR. Currently a total of 47 countries are members of the Council of Europe (which was first established in 1949) and being members means to accept the ECHR, even though some of the member countries have not accepted some of the new articles,

of the ECHR have emerged from its 2000 revision (European Union Agency for Fundamental Rights & Council of Europe, 2011).

The case “Eweida against British Airways (2010)” is indicative. In 2006, British Airways asked their employee, Nadia Eweida not time clearly to cover the cross she was wearing. Eweida was placed on unpaid leave after refusing to cover either the cross or be placed in another location where it would be required to cover. The company's argument was that the clerk wearing a cross over the letter of infringing the company's policy on dress uniform of its employees. On the part of the officer decided to terminate the company considering that it carried a similar policy in the case of officials who were Sikh or Muslim, given that in this case it was practically impossible to cover those symbols suggesting their religion (p. x. turban in the case of the Sikhs, the face shield in case of Muslim religion women). The company, for its part, contended that while some religions impose a certain dress code, in the case of Christians, the cross is not mandatory. The company refused to compensate Eweida for the period of unpaid leave, although in 2007 it changed its policy on this issue because of the reactions it had met, announcing that in the future it would allow its employees to carry symbols of their religion. Once turned, without success before competent courts in 2012 appealed to the European Court of Human Rights not only the company but also in the United Kingdom failed to ensure the rights of the applicant. In 2013, the Court decision on Eweida case (and acknowledged right to financial compensation), having found a violation of ECHR Articles. The rationale of the switch a Justice was that British Airways was unable to reach a fair balance between the religious beliefs of Eweida and its policy of uniform clothing.

Just because the Council of Europe's field of intervention not only to EU Member States, the ECHR is often considered part of the international institutional framework, which will examine the following section.

2.7. International (institutional) framework on combating discrimination in the labour market

The international institutional framework consists of mainly the conventions of the United Nations (UN). These conventions are binding for the states that have ratified them and carry legal consequences. The UN conventions on discrimination (and which have accepted all the member with the EU States) are the following: the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the Convention on the Elimination of Discrimination against Women (CEDAW), the Convention against Torture, the Charm Convention on

the Rights of the Child (CRC) and finally, the Convention on the Rights of Persons with Disabilities (UNCRPD). The UNCRPD is the first Convention on UN Human Rights, which is open to intergovernmental organizations laying regional character. Finally, the international context of the international institutional framework for combating discrimination in the labour market is complemented by the International Convention on Equal Remuneration (1951) and the International Convention on Discrimination in Employment (1958), which are binding for the states that have ratified it.

Migrant

TOPIC NO 3: NATIONAL INSTITUTIONAL FRAMEWORK AND INITIATIVES OF NATIONAL ACTORS IN RELATION FOR ANTI-DISCRIMINATION AND RESPECT FOR DIVERSITY

PURPOSE

The purpose of this module is to familiarize trainees with the institutional framework for combating discrimination as well as the action of the bodies responsible for the application of the principle of equal treatment at work. This will enable trainees to use the tools available to them to combat discrimination at the workplace.

3.1: Policies and initiatives on discrimination in the labour market at national level

3.1.1. Cyprus

Despite the ratification of almost all international instruments, most notably the International Convention on the Elimination of all Forms of Racial Discrimination, it was only in January 2004, prior to its accession to the European Union, that Cyprus enacted specific legislation³ on antidiscrimination and racism in order to transpose the

EU antidiscrimination Directives and the Council Framework Decision 2008/913/JHA on combating certain forms and expressions of racism and xenophobia by means of criminal law. In addition, in 2011, a new law⁴ was enacted in order to transpose Council Framework Decision 2008/913/JHA on combating certain forms and expressions of racism and xenophobia by means of criminal law.

³ This legislation comprises the following four laws: Law on Equal Treatment in Employment and Occupation of 2004 (Law 58(I)/2004); Law on Equal Treatment (Racial or Ethnic Origin) (Law 59(I)/2004); Law on Combating of Racial and Some Other Forms of Discrimination (Ombudsperson) (Law 42(I)/2004); and Law (Amendment) Concerning Persons with Disabilities (Law 57(I)/2004)

⁴ Law on Combating Certain forms and expressions of Racism and xenophobia by means of the criminal law of 2011 (Law 134(I)/2011)

EXPECTED RESULTS

Upon completion of the study of the third section, participants will:

- ✓ become familiar with Greece's general policy on anti-discrimination and the current legislative framework.
- ✓ compare or assess the role of the bodies entrusted with the implementation and the supervision of the principle of equal treatment.
- ✓ reflect on the data from these bodies' reports on discrimination in the Greek labour market.

These laws comply, to a large extent, with the EU Directives, as they criminalise racially discriminatory behaviour, both in the context of occupation and employment and the areas covered by the Race Directive 2000/43/EC, and they provide for the right of victims of discrimination to seek compensation and safeguards against victimization in case of reporting discrimination as well as for positive action measures, which have never been used up to now⁵. Even though these laws include provisions and tools for combating racial discrimination, their implementation in Cyprus is still seriously lacking.

Further, in view of the migration system, the highly restrictive and discriminatory structural setup and administrative practices, TC migrant workers are by default discriminated against as they are in law and in practice excluded from the Employment Equality Directive. The basic labour right to change jobs or employers is restricted to very exceptional circumstances and then only at the administration's absolute discretion. They are also excluded from other basic labour rights such as unemployment benefit and pension, even when they fulfil the time requirement of the Social Insurance Fund⁶. Cyprus governments have repeatedly failed to conclude bilateral agreements with any of the countries of origin of migrants to facilitate transfer of their pension rights when they return home. The following policy statement of the Labour Department encapsulates the essence of the migration system, while at the same time it blatantly attempts to refute the discriminatory regime of employment and residence of TC migrants. *"The signing of Bilateral Agreements as regards employment does not constitute part of the main policy of the Cyprus Government. In fact, there is a special system functioning in Cyprus, which makes possible the employment of labour from any country of the world though priority is given to EU citizens. This system safeguards the protection of the foreigner's working in Cyprus, and guarantees conditions of equal treatment according to Cyprus international obligations."*⁷

In addition, right from the beginning of migration, the employment market has been segmented and segregated both horizontally and vertically. Although TCN are permitted to work in many sectors, they can do so only as unskilled labourers. Currently, as a result of the economic crisis and the further

⁵ The only area the state has ever used positive action measures up to now is in relation to discrimination on grounds of disability.

⁶ For example, many migrant domestic workers who have resided in Cyprus for 10 or 15+ years.

⁷ Labour Department, Ministry of Labour, Welfare and Social Insurance, http://www.mlsi.gov.cy/mlsi/dl/dl.nsf/dmlbilateral_en/dmlbilateral_en?OpenDocument

tightening of the restrictive migration policies, they are in effect confined to private household activities and agriculture, animal farming, fishing and forestry. According to the Labour Force Survey 2015⁸, out of a total of 18.050 people employed in household activities (domestic work), 17.357 or 96.12% were TC migrants, in their overwhelming majority (96%-97%) women, while in the agricultural/ animal farming, forestry and fishing sector, the percentage of TC migrants was 14.61%. In the construction industry, which is one of the hardest hit by the economic crisis and used to employ many TCN, their percentage has now fallen to below 6%.

Inclusion of migrant workers and protection against discrimination

It must be stated from the outset that collective agreements in Cyprus very are by and large very limited in relation to combating and/or promoting anti-discrimination at work, on any ground⁹.

On the contrary, most collective agreements contain in verbatim many discriminatory provisions of the employment contract for migrants, such as for example that the employer *“Shall deduct from the Employee’s monthly salary the trade union’s subscription as provided by the relevant Collective Agreement. The Employer shall distribute the amount of the subscriptions deducted equally between the trade unions.”*¹⁰ In other words, TC migrants are not even asked which trade union they prefer to belong to or whether they want to belong to any union at all. An exception of this general trend is found in the collective agreement in the Old People’s Homes sector, which states that *“for non-Cypriot employees, there shall be deducted 1% and paid to the Trade Union of his/her choice. If he/she does*

⁸ Cyprus Statistical Service (CYSTAT), *Labour Force Survey 2015*, 08/07/2016. Available at http://www.mof.gov.cy/mof/cystat/statistics.nsf/labour_31main_en/labour_31main_en?OpenForm&sub=1&el=2

⁹ See for example, Yannakourou, M. and Soumeli, E., *The evolving structure of collective bargaining in Europe 1990-2014, National Report – Greece and Cyprus*, available at http://adapt.it/adapt-indice-a-z/wp-content/uploads/2014/08/matina_yannakourou.pdf; Papadopoulou, A., *Gender Equality and Collective Agreements* (in Greek), June 2018, available at <http://c-adm.eige.europa.eu/gender-mainstreaming/resources/cyprus/i-isotita-gynaikon-andron-stis-sylogikes-symvaseis-ergasias>; Papadopoulou, A. and Soumeli, E., *Gender equality lacking in collective agreements*, Eurofound, available at <https://www.eurofound.europa.eu/ga/observatories/eurwork/articles/gender-equality-lacking-in-collective-agreements>

¹⁰ Department of Labour Relations, *Collective Agreements – Electronic Registry*, available at http://www.mlsi.gov.cy/mlsi/dlr/dlr.nsf/page11_gr/page11_gr?OpenDocument; *Employment contracts*, available at <http://www.cyprus.gov.cy/portal/portal.nsf/gwp.getGroup?OpenForm&access=0&SectionId=citizen&CategoryId=Εργασία%20και%20Απασχόληση&SelectionId=Συμβάσεις%20και%20σ>

not indicate his/her choice, the amount will be paid pro rata to the Trade Unions signing this agreement.”

Another notable exception, notwithstanding its somewhat limited scope, is the following anti-discrimination clause in the collective agreement in the construction industry: *“Trade union action, religion, race and political beliefs shall not constitute grounds for dismissal and shall not justify discrimination against employees.”*

Third-country migrant workers are included in collective agreements and are, therefore, supposed to enjoy the same rights as Cypriots and other EU citizens. Nevertheless, they are subject to discriminatory terms and conditions of work that are prescribed and regulated by the migration system and policies as well as the employment contract. Examples of these are: Limited period of employment, termination of employment for reasons not applied to Cypriots and other EU citizens and, consequently, termination of their residence and employment permits and deportation. Among others they have their employment terminated if *“found guilty by any court for consumption of alcoholic drinks [...] or gambling, [...] or absent from work for more than one month due to illness, not attributed to accident”*.¹¹

The position of two categories of migrants, domestic workers and those working in agriculture and animal farming, who currently make up the majority of TC migrants, is far worse, as attested to by the different employment contracts.¹² To begin with, both categories have fixed salaries which are far below the minimum wage¹³ (€309 net/€460 gross and €374 net/€455 for domestic workers and farm labourers, respectively). It is noted that domestic workers’ salary was the first to be cut, in June 2013, after the bailout and the imposition of salary cuts across the whole economy. They are also

¹¹ *General Contract of Employment*, available at <http://www.cyprus.gov.cy/portal/portal.nsf/gwp.getGroup?OpenForm&access=0&SectionId=citizen&CategoryId=Εργασία%20και%20Απασχόληση&SelectionId=Συμβάσεις%20και%20σ>

¹² *Contract of Employment [for domestic workers]; Sector of Agriculture and Animal Farming – Contract of Employment*. Available at <http://www.cyprus.gov.cy/portal/portal.nsf/gwp.getGroup?OpenForm&access=0&SectionId=citizen&CategoryId=Εργασία%20και%20Απασχόληση&SelectionId=Συμβάσεις%20και%20σ>

¹³ The minimum monthly wage, regulated by decree of the Council of Ministers and currently set at €870, is meant for especially vulnerable unskilled or semi-skilled workers. Unsurprisingly, migrant domestic workers and farm labourers are not included in the occupations covered by the minimum wage.

discriminated against in terms of the number of public holidays they are entitled to: 9 and 10 days for domestic workers and farm workers, respectively, compared to 15-16 days for employees in all other sectors. Domestic workers are also discriminated against as they are not entitled to any overtime, irrespective of the much longer hours most of them are made to work than the 42 hours provided in their contract, nor are they entitled to 13th salary, which is a widespread labour right in Cyprus.

It is also important that they are barred from joining trade unions as, according to their contract, “[the employee] Shall not engage, contribute or in any way, directly or indirectly take part in any political action or activity during the course of his¹⁴ stay in Cyprus”. Over and above, it must be pointed out that domestic workers are also subject to multiple discrimination on the ground of gender and in addition to migration status, ethnicity, race, religion or any form of diversity. As women, working and living in the confines of the private homes of their employers, which are exempted from labour inspection and protection, vulnerable to the whims and absolute control of the employer, many of them are subjected to extreme violations of their labour and human rights, including threats and withholding of their passports and other personal documents, psychological and physical violence, including sexual harassment and rape.

TCN migrants are exempted from access to the public health care system and welfare benefits. For medical care, they are obliged to take on medical insurance through private insurance companies, which in the majority of cases is inadequate and does not cover serious illnesses and costly treatments. The Pap test, for example, is provided free of charge to all women in Cyprus except TCN migrant women. The insurance premium is paid equally by the employer and the employee.

EU migrants, refugees and asylum seekers are supposed to have free access to the public health care system. However, the present government has amended the laws providing access to health care¹⁵, thereby limiting these groups’ access. As refugees are very often unemployed, these policies have had a direct negative impact on their right to free health care. In addition, in this area too, there are many problems of discriminatory and humiliating treatment by medical and paramedical staff.

¹⁴ As yet another form of discrimination is the sexist language of the contract, treating the male as the universal, with all pronouns used in the male form, while the overwhelming majority of domestic workers are women.

¹⁵ Ministry of Health, *Revision of Healthcare Scheme in Public Hospitals from 1/8/2013*. Available at http://www.moh.gov.cy/moh/moh.nsf/page93_en/page93_en?openDocument

3.2.2. Greece

In general terms, Greece's policies in the field of combating discrimination and promoting equal treatment (apart from the gender equality policies that until then held the dominant position) are inaugurated by the adoption of Law 3304/2005, which incorporated into Greek legislation 3304/2005, though which the main European Directives on discrimination were incorporated into Greek law: the Racial Equality Directive and the Employment Equality Directive. With this law:

- Definitions of basic forms of discrimination (direct and indirect discrimination, harassment) are defined and introduced in Greek legislation.
- A protective grid is formed for victims of discrimination, given that the burden of proof is now transferred to the accused. In other words, the victim is not required to prove to the court that they have been discriminated against in their work, but the accused must prove their innocence.
- New bodies (e.g. the Equality Commission of the Ministry of Justice) are established and the scope of intervention of existing bodies [Ombudsperson, Labour Inspectorate (APPE)] is widened;
- Finally, particular attention is paid to social dialogue (through the Economic and Social Committee) as well as to cooperation with non-governmental organizations.

It seems, however, “since the adoption of Law 3304/2005, there has been no comprehensive anti-discrimination strategy in Greece. Political interventions have been limited to legislative amendments, mainly concerning immigration as well as interventions co-funded by the European Union. For the development of an integrated strategy, it is necessary to incorporate the principle of “non-discrimination main streaming” in all policies (Balouros and Chrysakis, 2012: 140).

In any case, however, the Ombudsperson's interventions are considered as positive. Contrary to the other two institutions promoting equal treatment in the public administration, the ombudsperson has been established as a credible and effective institution in the public consciousness and the number of victims discriminating against it is large. The publication of the annual reports by the Ombudsperson and the Economic and Social Committee and the Commission on Human Rights are aimed at systematically identifying discrimination in all fields (including employment and employment). As a positive step towards greater awareness, the cooperation between non-governmental organizations

and the office of the Ombudsperson as well as the Economic and Social Committee can also be considered.

The question of course is whether there are the prerequisites for ensuring the principle of equal treatment in the current economic situation and in light of the developments in the Greek labour market or not and whether, on the other hand, the guarantee of equal treatment is a priority amidst the rising unemployment rates and the changes that happen in labour relations. There is a concern that any conquests in the field of equal treatment will be "lost" during the economic crisis, a concern expressed also by the Ombudsperson in a recent report (2014).

The Greek institutional framework on anti-discrimination

The protection against discrimination and promoting equal treatment in Greece is mainly a result of the incorporation of the relevant European Directives.

Of course, in the Greek Constitution there are a number of articles that protect social and individual rights (protection of human dignity, principle of equality, freedom of religious conscience, right to work and equal pay for work of equal value, marriage, motherhood, childhood, disability, vol. n.) and which are governed by the principle of equal treatment. They, are articles of a generic nature and in the absence of a specific institutional framework to combat discrimination, individuals and vulnerable groups were not to effectively protected.

This legal vacuum has been covered by Law 3304/2005, which transposes into Greek legislation the two basic European directives on anti-discrimination: the directive on racial equality and the Directive on Employment Equality. After Law 3304/2005, the institutional framework for equal treatment is not anymore limited to very general constitutional provisions, rather it refers to very specific forms and types of discrimination (on the basis of racial or ethnic origin, age, disability, sexual orientation, religious or other beliefs).

The provisions of this law seek to combat the phenomena of both direct and indirect discrimination, provide special self-protection against harassment and against instructions to discriminate.

As a law which basically encompasses the provisions of both directives, the principle of equal treatment covers several areas : (a) conditions of access to employment and work; (b) access to all types and levels of vocational guidance, vocational training and retraining, including the acquisition of practical work experience; (c) working conditions and working conditions ; (d) membership and participation in an organization of workers or employers, or any organization whose members

practice a particular profession, including the benefits granted by such organizations; (e) social protection, including social security and health care; (f) social benefits; (g) education; (h) access to goods and services available to the public and to the provision thereof, including housing.

This legislation excludes cases in which different treatment on grounds of nationality is provided for, without prejudice to the provisions governing the entry and residence of third-country nationals concerning their legal status, and so on. On the merits, in the case of discrimination based on ethnic origin, anti-discrimination policies coexist with the regulations governing the immigration policies of the country and the provisions concerning the status of residence, work, and so on of third country nationals. The exclusion of nationality from the grounds of discrimination in which Law 3304/2005 refers allows for direct or indirect discrimination practices against migrants, precisely on the basis of their nationality.

Given that the aim of both European directives was, among other things, the formation of specialized institutions at national level to combat discrimination, this law establishes a protective panels C, with emphasis given to the mediating role of specific public bodies, the involvement of civil society, as well as the strengthening of the institutionalized social dialogue. More specifically, this law promotes the principle of equal treatment in three bodies: the Ombudsperson, the Labour Inspectorate (SEPE) and the Equal Treatment Committee of the Ministry of Justice. At the same time, emphasis is placed on the role of the Economic and Social Committee (ESC) as well as of non-governmental organizations active in the fight against discrimination.

However, as noted in the Ombudsperson's Report: "In the normal regulatory practice of the Greek state institutions, the text of incorporation adds little to the already existing regulatory framework of the two Community Directives. This however, is transferred practically unchanged almost the weight of specialization of these institutional innovations in the national promoters and national regulations implementing bodies".

The role of the Ombudsperson

On the basis of Law 3304/2005, the office of the Ombudsperson promotes the principle of equal treatment and intervenes in cases where this principle is violated by public services, while the following legislation significantly enhances his role. According to this law, among the responsibilities of the Ombudsperson is to protect and promote the interests of the child and to promote the principle of equal treatment of all persons without discrimination based on racial or ethnic origin, religion or other beliefs, age, disability or sexual orientation. Its competence does not include matters relating to

the administrative status of public service personnel except in cases where the Ombudsperson acts as promoter of the principle of equal treatment irrespective of racial or ethnic origin, religious or other beliefs, age, disability or sexual orientation. Moreover, the office of the Ombudsperson, in addition to its mediating role in individual cases of complaints, acquires a broader investigative and mediatory role, conducting research, publishing special reports on the implementation and promotion of equal treatment and raising awareness among the administration and the state authorities in regards to equal treatment.

In addition to Law 3488/2006, which incorporates into Greek law the European Directive 2002/73 / EC 2002 on the application of the principle of equal treatment as regards the access to employment, vocational training and promotion of working conditions, the amendment of Law 3896/2010, extends the role of the Ombudspersons to issues of equal treatment of men and women in the field of employment in both the public and the private sector (in co-operation with the SEA).

Law 3996/2011 (on the reform of the Labour Inspectors' Corps, Social Security Regulations and other provisions) extends even further the responsibilities of the Ombudsperson (in relation to the previous law 3304/2005) in monitoring the equal treatment of disabled persons and HIV positive persons; providing advice to employers and workers on the conditions of equal treatment; and ensuring that employers make all reasonable adjustments and take all appropriate measures to ensure disabled persons' access and retention to work as well as their participation in vocational training.

However, since its very first Equal Treatment Report (in 2005), the independent authority highlights the problems in the implementation of the legislation partly due to the different perceptions of the three bodies promoting equal treatment and non-institutionalization possibilities provided by the law. As pointed out in the Special Report of the Ombudsperson for 2010, the division of anti-discrimination competences into three bodies (Ombudsperson, SEPE, Equal Treatment Committee), two of which are not independent, hinders the comprehensive monitoring of discrimination in the Greek labour market and the coordination of actions on promoting and implementing the principle of equal treatment. On the other hand, however, the independent authority finds that often the intervention is not limited under Law 3304/2005, given that on the basis of its founding law (Law 3094/2003), the Labour Inspection has a wider role for the protection of individual rights and it can intervene in cases of discrimination not covered by N.3304/ 2005 and provide greater protection to people facing discrimination (Ombudsperson, 2005).

The Body of Labour Inspection and labour market discrimination

The Labour Inspection, which operates in the field of employment and work, intervening in cases of violations of the principle of equal treatment against natural and legal persons of private law, whereas any complaint filed to the local Departments of Labour Inspection. If the principle is violated, the Labour Inspection acts as a mediator between employer and employee in order to find a compromise, and it has the power to impose a fine on the employer. In addition, the APR can publish reports and make recommendations in relation to anti-discrimination.

In addition to Law 3488/2006 (which incorporates into Greek law the EU Directive 2002/73 / EC 2002 on the application of the principle of equal treatment as regards access to employment, vocational training and promotion working conditions), amended by the Law 3896/2010, the territorial labour inspectors receive complaints regarding discrimination and immediately inform the Ombudsperson accordingly.

Law 3996/2011 (Reforming the Labour Inspectors' Corps, Social Security Regulations and other provisions) extends the responsibilities of the SEA, which is now required to monitor compliance with the equal treatment of persons with disabilities, including HIV positive, provides advice to employers and workers on the conditions of equal treatment and ensures that employers make all reasonable adjustments by taking all appropriate, where appropriate, in particular to ensure access to and the stay of people with disabilities at work and their participation in vocational training.

In practice, however, as repeatedly pointed out in the ECC's annual reports for the application of the principle of equal treatment, the APA "fails" to draw up and submit a report on discrimination in the labour market. The SEA - according to the ESC - attributes the absence of a reference in relation to the application of equal treatment to its annual activity reports in the complete absence of complaints. However, according to the ESC, this failure to report relevant data from the SEA is related to both inadequate information (in terms of APRs) of citizens regarding their rights and complaints, as well as inadequate recording and repression of the phenomena of unequal treatment in the workplace (ESC, 2009).

Other institutional initiatives promoting inclusive policies

The Equal Treatment Commission is one of the bodies responsible for implementing and monitoring the principle of equal treatment. This Commission, under Law 3304/2005, is attached to the Ministry of Justice and is composed of the Secretary General of the Ministry of Justice as Chairman, four

members and two alternates. The Commission shall be constituted by decision of the Minister of Justice. Members of the Commission shall be persons with a high level of scientific training or professional experience, particularly in areas relevant to the Commission's mission. The term of office of members is three years.

The Equal Treatment Committee intervenes in cases of breach of the principle of equal treatment where it is violated by legal and natural persons under private law, especially in matters of social protection, social benefits, education, provision of goods or services and housing. Its responsibilities are as follows: (a) supervise reconciliation in the event of a complaint of breach of the principle of equal treatment; (b) make a finding if the conciliation action fails. If the offense is suspected, the report shall be forwarded to the Prosecutor of the Criminal Court; (c) to express an opinion, of its own motion or at the request of the Minister of Justice or authority, within the competence of which violates the principle of equal treatment in the interpretation of the provisions of this Law; (d) to draw up reports on the implementation and promotion of the principle of equal treatment. These powers are exercised by the Commission through an examination and investigation (witnesses' examination, the ability to request information and documents from each authority). Its role can therefore be considered advisory, audit and advisory (ESC, 2009).

In practice, however, as pointed out in the ESC Report: "... the Equal Treatment Commission acknowledges that it has so far received very few complaints and the work it has been performing since the day of its establishment is nil. The obvious reason is the confusion or even ignorance of the public concerned about its role and its effectiveness. Stakeholders know and trust, for example, the Ombudsperson, who, as an institution, is well-established in their conscience, but are unable to understand the role of the Equal Treatment Commission" (ESC, 2009: 17).

The assessment of competent bodies to promote the principle of equal treatment regarding discrimination in the Greek labour market

A key source of information on discrimination in Greece is the cases taken up by the Ombudsperson and are presented in its annual reports from 2005 onwards. In relation to discrimination at work, the following are observed (Ombudsman, 2010 & 2012):

Age discrimination occurs with a high frequency, and often abusive, recruitment procedures. In recent years, complaints have been reduced, which is probably due to the suspension of recruitment and appointments to the public and the wider public sector and the consequent limitation of the issuing of notices where the introduction of an age limit was the usual subject of referral to the Ombudsman. In general, however, in the cases examined by the independent authority it was found that age discrimination is linked to features such as health, fitness and endurance, availability or adaptability. Therefore, the exclusion of older people from the relevant personnel selection procedures is based on the general belief that these people do not have, for example, physical fitness and endurance, or that they are not so available and adaptable to younger people.

Complaints about discrimination on the grounds of disability at work and employment have been declining for the past two years (after 2010 where there were several). This reduction, according to the Ombudsman, is not so much related to an improvement in the attitude of companies and public services towards disabled workers but more to the inadequate information of these people regarding their rights and the possibilities for termination.

Complaints about discrimination on grounds of sexual orientation (and not just at work) are almost non-existent, which also applies to discrimination on the grounds of religious or other beliefs. According to the Ombudsman, the absence of complaints about discrimination on the grounds of sexual orientation does not mean that these discriminations do not exist. On the contrary, it reveals the intense hesitation of the victims of this form of discrimination to reveal sensitive issues of their personal and social life and to bear the costs (professional, psychological, etc.) that any complaint may entail (the Ombudsman Citizen, 2010).

In terms of gender discrimination, there is a worsening of inequalities at the expense of women in the midst of economic crisis. According to the 2012 Ombudsman's Report on "Gender and Labour Relations", although the crisis affects workers as a whole, there are differences in treatment of both genders, at the expense of women, even during pregnancy and maternity. This is also confirmed by the infringement cases reported by the SEA in the field of equality between men and women. And in this case most complaints were related to pregnancy and maternity stages of working women.

3.2.3. Italy

The EU Racial Equality Directive 2000/43/EK and the Employment Equality Directive 2000/78/EK were incorporated into Italian law by Legislative Decree no. 215 "Implementation of Directive 2000/43/EC on equal treatment between persons regardless of race or ethnic origin" and by Legislative Decree no. 216 "Implementation of Directive 2000/78/EC on equal treatment in employment and occupation", both dated July 9, 2003. The two Decrees establish the following areas of application of equal treatment: a) access to employment, both autonomous and dependent, including selection criteria and recruitment conditions; b) employment and working conditions, including career development, remuneration and conditions of layoffs; c) access to all types and levels of guidance and vocational training, improvement training and retraining, including work placement; d) membership of and activities within workers' organizations, employers' organizations or other professional organizations and benefits provided by such organizations. To these areas, Legislative Decree no. 216 adds others: e) social protection, including social security; f) health care; g) social benefits; h) education; i) access to goods and services, including housing. Both the Decrees define the protection of individuals from discrimination, both direct and indirect, and define discrimination as also harassment and all behaviors violating the dignity of a person or creating an intimidating, hostile, degrading, humiliating and offensive climate. They also indicate the ways in which the person victim of discrimination, or bodies and organizations that have received proxy to act by the victims, can file a charge with the authorities.

Decree no. 215 also states that the Presidency of the Council of Ministers - Department for Equal Opportunities has established a register of associations and bodies that carry out activities to combat discrimination and promote equal treatment, indicating the ways in which institutions and associations can enroll on this register. It also explains, in Article 7 of that Decree, the institution, again at the Prime Minister's Office - Department for Equal Opportunities, of the Bureau Against Racial Discrimination, UNAR (National Office against Racial Discrimination), also indicating its tasks. Legislative Decree no. 216, however, by transposing the European Directive 2000/78/EC also amends Article 15 of Law no. 300, May 20, 1970 "Statute of workers' rights", defining as invalid the acts that discriminate against the employee, not on the grounds of their gender – an issue already mentioned in the Act of 1970 – but also the presence of disability, age, sexual orientation or political beliefs.

A further amendment to this article was then made in 2012: on the basis of this change now void are also acts aimed at discriminating on the basis of religious affiliation, race or language. Both the Legislative Decrees, however, affirm the need not to conflict with Law no. 286/1998, "Consolidated Law of the measures governing immigration and the status of alien", then modified in 2002 by Law

no. 189 "Amendments to legislation on immigration and asylum". The Summary Report of the activities carried out by the Commission of the Italian Chamber of Deputies points out that, unlike other European countries, Italy has chosen not to merge the two directives, but to issue two distinct legislative decrees. This choice has been criticized because some say that it has led to "a series of protection disparities between those discriminated against because of race and ethnicity, and persons discriminated against because of religion, belief, disability, age and sexual orientation". In order to eliminate discrimination and to implement the principle of equal treatment, limited to the difference between men and women to access employment, training and professional promotion and working conditions, in 2005 also issued was Legislative Decree no. 145 of May 30, 2005, on the transposition of Directive 2002/73/EC of the European Parliament and Council. This Legislative Decree encoded the concepts of sexual harassment and harassment on grounds of gender in the workplace, and indicated the ways in which to act against such actions.

Although only the Decree no. 215 explicitly indicates the issue of race and ethnicity in the title, while the Decree no. 216 mentions the ethnicity, changing the "Statute of Workers' rights", it seems clear that most of the recommendations of equal treatment in the workplace are aimed at all workers, if regularly living in Italy. However, despite the presence of specific legislation on non-discrimination, it is possible to indicate at least two critical points. The first is the difficulty of acting against discrimination based on race, ethnic, or nationality in both the private and the public sphere. In fact, in the private sector in particular, the nature of the Italian economy based on small and medium enterprises, or on domestic work, makes it harder to monitor situations of discrimination. Even more complicated, and almost impossible, is monitoring situations of discrimination in undeclared work. In particular, this monitoring activity should be carried out by UNAR, which through the National Network of Anti-discrimination Centers (NEAR) should detect cases of discrimination occurring throughout the country, though not only in the workplace.

The second issue, now partly resolved, concerns the lack of access to employment in public sector positions by non-Italian citizens. Cases of discrimination in relation to access to employment opportunities and training based on citizenship have occurred in the healthcare area, transport, and in access to the civil service for young people. In the health sector there have been episodes where people of foreign origin employed on temporary employment contracts have been denied the opportunity to participate in recruitment procedures for open-ended contracts. Similarly, in 2009 the Public Transport Company of Milan prevented, by applying a regulation of 1931, a Moroccan citizen resident for years in Italy from presenting his curriculum to participate in a call for recruitment. The fight against these discriminations has been carried out mainly by unions and third sector

organizations, which have succeeded, through lawsuits, to ensure that the difference in employment conditions - in this case access to work - on the basis of nationality is regarded as discriminatory, allowing the hiring of persons unjustly excluded from recruitment processes. Also thanks to the pressure exerted by unions and the third sector, with Law no. 97/2013, in the transposition of Directive 2004/38/EC on the right of movement and residence of EU citizens and their family members, the possibility of access to jobs in the public administration (except military roles) was finally extended to citizens of third countries with a long-term residence permit.

Aspects of the labour market that promote the inclusion of migrant workers and their protection against discrimination

Although foreign workers have been in the Italian business and economic environment for a long time, rarely have CCNLs (National Collective Labour Agreements) introduced specific measures concerning the inclusion and protection of migrants against discrimination. Otherwise, it is possible that such indications may be included in a plant-level bargaining. This kind of bargaining, according to the unions' agreement of June 28, 2011, may derogate on certain aspects of the provisions contained in the national agreements. These exceptions are limited to certain industries and only for the issues of services, schedules and organization of work (Lai 2011). The lack of specific indications is mainly due to the fact that, because of the high occupational segregation of foreign workers, few sectors are involved in the protection of specific interests of this category of workers (Ambrosini, De Luca, Pozzi 2016).

Furthermore, little attention is paid to some specific needs of immigrants, like the possibility to obtain longer holidays, have prayer spaces, attend Italian language courses. And still, limited is the attention to the fight against discrimination in the workplace. Agreements focus mainly on more general issues such as wages, working hours, staff support, etc., thus avoiding the discontent and clashes with the Italian workers. Analysis carried out on CCNLs by Ambrosini, De Luca Pozzi (2016) shows that, in general, the sectors with the highest presence of foreign workers are those which have included in the National Agreement rules in favor of immigrants, though they are often conceived as cross-cutting rules applicable to all workers. An example of these rules is the possibility to accumulate holidays over several years, present in the 2007 CCNL for domestic workers, the 2010 CCNL for the cleaning industry and also of the hairdressing, aesthetics, tattooing and piercing craft companies, the 2014 CCNL for the tourism and commerce, the 2010-2013 CCNL for the natural stone industry, in the 2013 CCNL for metalworkers, in the 2010-2012 CCNL for bakery workers, and the 2012 CCNL for the food Industry.

Only in the 2013 contract for the employees of trade, distribution and services is there an explicit reference to foreign workers.

In the same CCNL, as well as in that of transport, goods and logistics of 2011, also expressly included is the possibility to "promote initiatives aimed at integration, equal opportunities, and training" because of the increasing presence of foreign citizens in the sector. Another example of measures aimed in particular at the inclusion of immigrants is the option to choose a day off different from Sunday in the case of other religious faiths: this aspect is covered by the CCNL for domestic workers.

Another aspect that should facilitate the inclusion of immigrants is the inclusion of rules in the CCNL for cleaning, integrated and multi-services and in the CCNL for agricultural labourers, which provide the possibility for immigrant workers to use the hours of right to study and to attend literacy courses. The CCNL for construction companies even foresees that companies may send their foreign workers to FORMEDIL (National Institution for education and training in the construction industry) in order to be adequately trained; while the 2010-2013 CCNL of wood industries specifies the need for language training for immigrant workers. Interesting is the provision of the 2010 CCNL for cooperatives and agricultural consortiums which states the parties' commitment to "solving the problems of social integration (housing, transport, etc.) of non-EU workers in compliance with immigration laws".

Hence analysis of the national collective bargaining agreements shows that almost all employment sectors tend to insert norms to promote the integration of immigrants into work, although these norms are directed to all workers and are not specific for immigrants. Nevertheless, what seems to be lacking in these documents is specific protection against discrimination. However, once again, the anti-discrimination issue is pursued almost exclusively by trade unions, also through individual disputes, especially in the public sector, not in the private one, as we will discuss later. In general, the protection against discrimination in the workplace is equal to that given to local workers, via the current legislation, as indicated in the previous point. In fact, there is no specific protection for immigrants. As regards welfare policies supporting the protection of migrant workers and their families it should be noted that, in this case, there are no standards or specific actions. Migrant workers and their families, in general, may take advantage of welfare policies - family allowances, housing assignment, etc.

They are also eligible for income support in the form of unemployment benefits or access to the Wages Guarantee Fund in case of company crisis, where they are provided. For immigrants, access to these policies is the same as for native workers, on the condition that they have a valid residence

permit either temporary or long-term. In some local environments, immigrants have been excluded from access to certain welfare policies – i.e. the baby bonus – (Ambrosini 2013b): these discriminations are resolved through lawsuits against local governments which have discriminated against immigrants.

3.2.4. France

The European Racial Equality Directive (2000/43 /EK) and the European Equal Opportunities Directive (2000/78 /EK) have been transposed into French national law (as in the other 14 EU members at the time-Europe of 15 members) from July 2003 to 2008 (over a five-year period) with the aim of prohibiting 'any discrimination based on race and ethnic origin' within the French law framework. In France, these laws were drafted on the basis of several texts transposing them, as well as the setting up of an independent administrative authority called the High Authority for Combating Discrimination and Equality (HALDE) in 2005. As far as the Directive 2000/43 / EC is concerned , the concerned French Laws are: N°2001-1066 on the fight against discrimination, N°2002-73 on social modernization, N°2005-843 on the transposition on the Community law to the civil service and N°2008 -496. All these laws concern various provisions for adapting to Community law in the field of combating discrimination in French law.

The High Authority for Combating Discrimination and Equality (HALDE) was set up to comply with the requirements of the Racial Equality Directive 2000/43 / EC as no effective arrangements were implemented at the time in France. This High Authority deals with racial discrimination but also with all other types of prohibited discrimination in France. In addition to the field of employment and work, it includes the following topics: access to housing, administration, education, recreation and health... (reference: Borrillo (Daniel) & Chappe (Vincent-Arnaud), 2011)). Since 2014, the last ground of discrimination added concerns the place of residence (habitat). As an independent organization, the HALDE cannot receive orders from a third party. In addition to being repressive, it is at the origin of campaigns of prevention and information among the population. At its initiative, in 2007, Houses of Justice and Law were created with the aim of welcoming and informing potential victims of discrimination. Indeed, the HALDE was included in the later Defender of Rights (together with other public entities meant to defend human rights). This new public entity generally is meant to defend the rights and freedoms of any French citizen or person living in France. The National Inter-professional Agreement (ANI), adopted in 2006 by trade unions and employers, focuses on the legal framework of non-discrimination as far as the ethnic criteria are concerned. The French State, on the basis of this agreement, wishes to encourage social partners to take up the ethnic dimension of inequalities.

Corporate Social Responsibility (CSR) is a strategy recognized by the European Union and the ISO 26000 standard, which promotes respect for human rights and promotes diversity. It is promoted by companies in general and also aims to foster sustainable development and the respect of the environment. There is no law that obliges companies to adopt CSR strategies. However, the States encourage them to become more socially responsible. To this end, CSR advocates an improvement in the living and working conditions of employees, both ethically and socially, with wage increases and equal treatment for all employees.

Another authority intervenes in the fight against discrimination and promotion of diversity, the High Council for Integration (HCI), created in 1989. It is allowed to "give its opinion and make any useful proposal, on request of the Prime Minister on all matters relating to the integration of foreign residents "(official definition). The objective of the HCI is to support associations to promote the integration of migrant. The HCI also advocates and defends neutrality of religions within the company (the so-called "laïcité" which is a Republican principle in France). A decision of the European Court of Justice in March 2017 reinforced this obligation of religious neutrality and respect for the Secularity in enterprises.

3.2.5. Denmark

Since 1996 Denmark has had a law against discrimination on the labour market. The law states that an enterprise is not allowed to discriminate its employees on the grounds of:

1) race, 2) ethnicity, 3) skin-color 3) religious beliefs 4) sexuality 5) national or social background 6) political beliefs, 7) age and/or 8) handicap.

This counts for both direct and indirect discrimination. The prohibition against discrimination applies to the recruitment, during the employment and at the dismissal (Ministry of Employment, a). Besides this the Danish law against discrimination based on ethnicity was introduced in 1971. The law of Ethnic Equal Treatment states that discrimination based on ethnicity or race is not allowed. This applies to multiple areas, e.g. all public places and all public and private enterprises (Retsinformationen, 2012, §1 §2 & Danmarks radio, 2001b) Furthermore, in 1969, Denmark signed the UN's international convention on the elimination of all forms of racial discrimination.

The Danish laws against discrimination are in line with the current international laws on the topic and complies with both above-mentioned directives (CRS kompasset).

Since Denmark already had pre-existing non-discrimination frameworks the implementation of the directives has been modest (European Union Agency for Fundamental Rights, 2012). Actually the directive was in large part considered rather unnecessary by The Danish Local Government (KL) and the Danish Construction Association due to the already existing laws on the topic. In addition, the directive and laws were not viewed as being equality promoting as the business oriented reason; many employers introduced more inclusive policies within their organisation, due to larger migration flows. Beside this, multiple employers questioned the effectiveness of a law. Some arguing that laws only send a signal and contain symbolic value but do not actually change people's behaviour (European Union Agency for Fundamental Rights, 2010).

The implementation of the law did not result in the development of new training programs in diversity management, since the new laws were just included in the regular and pre-existing education and training. Some employers follow up the directive. The Confederation of Danish Employers (DA), the Danish Local Government (KL) and the trade union LO, cooperated and supported a joint 'integration-jobs' program (European Union Agency for Fundamental Rights, 2010). Both DA and LO are also involved in more recent initiatives to promote the inclusion of migrant on the labour market e.g. the so called three-part-agreement containing the development of the later-mentioned integration program IGU (see question 4.) (Gormsen, 2016).

There have also been negative debates of the directives. They have given rise to concerns about how the unskilled Danish workers might experience being deselected in favor of the migrants or refugees, thus making employment based on something else than the most qualified applicant. In line with this concern, a representative for the Confederation of Danish Employers (DA) have stated that employers and enterprises should only focus on the most qualified applicant (European Union Agency for Fundamental Rights, 2010).

The Danish Board of Equal Treatment was established in 2009. This Board deals with complaints of discrimination in employment based on gender, race, color, religion/belief, political opinion, sexual orientation, age, disability, national origin, social origin and ethnic origin. The board also handles cases of discrimination based upon gender, race or ethnicity outside the Labour Market (Ankestyrelsen, 2014).

In Denmark, one is protected against discrimination both regarding access to employment, education and all public areas but there have been debates concerning discrimination in the welfare system, in particular the introduced “integration-benefit.”

The integration benefit was introduced in September 2015 and meant that citizens, who had not been resident in Denmark in 7 out of the last 8 years, would receive reduced benefits. This means that refugees and their families receive a lower benefit than Danes (Udlændinge- og integrationsministeriet, 2017 & Ritzau, 2016). This integration-benefit has been criticized by both the UN, the Institute for Human Rights, the Danish Refugee Council and the Red Cross for not living up to the UN’s Convention for Refugees (Just & Jensen, 2015). Beside this, the government tried to introduce a new law in 2014 differentiating the demands for working permit based on the person’s nationality thus judging some citizen of particular countries as being less suited for integration than others. This too has been criticized for not being in line with the law against discrimination and international conventions (Amnesty International, 2014).

TOPIC NO 4: THE CONTRIBUTION OF SOCIAL PARTNERS TO ISSUES OF DIVERSITY AND ANTI-DISCRIMINATION IN THE EUROPEAN AND INTERNATIONAL CONTEXT

PURPOSE

The purpose of this module is to inform and raise awareness of the initiatives taken by European social partners, to combat discrimination at work, and to enhance potentials for action and intervention in the future.

KEYWORDS

Social dialogue: *Refers to institutionalized or less formal dialogue and cooperation practices between social partners, other representative socio- occupational organizations and possibly the State.*

European social partners: *Those are organizations recognized as representatives by the Maastricht Treaty and participate in the social dialogue.*

Framework agreements: *These are agreements signed between supranational trade unions and employers' organizations, as well as, multinational corporations. They are less binding than collective agreements.*

EXPECTED RESULTS

Upon completion of the study of the fourth section, participants should be able to:

- ✓ Distinguish between the role and the strategies of European social partners, the EESC, the ETUC, the ITUC and other trade unions in the European and international spheres
- ✓ Compare various actions and initiatives by European social partners.
- ✓ Reflect on the role that social partners can play at national, European and international level in the field of combating discrimination at work.

4.1: Introduction

In this section we look at the forms of intervention of trade union and employers' organizations at European and national level. Initially, initiatives and actions of the social partners are dealt with in relation to the fight against discrimination at national and European level. Next, the role of the European Economic and Social Committee (EESC) and the Greek Economic and Social Committee (ESC) in the field of anti-discrimination is analyzed. Finally, we look at interventions and the action of trade unions of national, European and international scope in the fight against discrimination.

4.2: The European social partners and the European social dialogue at intersectoral and sectoral levels

The European social dialogue takes place at both intersectoral and sectoral levels. The "recognized" European trade unions and employers' organizations involved in the European social dialogue are the following: ETUC - European Trade Union Congress; BUSINESSEUROPE (formerly UNICE), which represents the employers of the private sector; UEAPME - Association of Crafts, Small and Medium-sized Enterprises, which represents employers in small and medium-sized enterprises and craft industries; CEEP (European Center of Enterprises with Public Participation and of Enterprises of General Interest), which represents enterprises providing services of general interest, such as energy, transport services, telecommunications, etc. The European social dialogue at the transnational level has led to a multitude of texts and positions endorsed by both employers' and workers' representatives, as well as in some framework agreements. These agreements, which are the result of autonomous social dialogue processes, are implemented in two ways: a) European social partners are calling for the relevant community bodies to take a decision on this and to vote on a directive. In this way, the agreement becomes part of Community legislation; b) European social partners subscribe to 'autonomous' agreements, which they themselves have the responsibility to implement at national, sectoral and operational level.

Sectoral social dialogue is conducted through the Sectoral Social Dialogue Committees (36 in total). They are advisory bodies that can influence European policies while participating in bilateral relations and agreements.

4.3: The initiatives and actions of the European trade unions and employers' organizations on discrimination and diversity at work

European trade unions and employers' organizations play an active role in combating discrimination in the workplace either through the signing of 'framework agreements' or through less

institutionalized initiatives. The first 'Framework Agreement', which deals with discrimination and equal treatment, is that of parental leave (1995) and became legally valid in 1996, with a vote in favor. In 2009, the European social partners revised the 1995 framework agreement and therefore the revised Directive, which takes into account the proposals of the revised Framework Agreement, was adopted in 2010. The contribution of this agreement to combating discrimination is that it seeks to reconcile work and family life and protects workers from less favorable treatment or dismissal as a result of the applying for or obtaining parental leave. However the most recent progress is the proposal for a directive of the European Parliament and of the Council on work-life balance between parents and careers on 26 April 2017 and the repeal of Directive 2010/18/EU.

Part-time framework agreement 1997, which was incorporated into Community law by vote in the same year of relevant Directive and which stipulates that part-time workers should not be treated less favorably than full-time workers by virtue of their part-time work unless the difference in treatment justified by objective reasons. An "autonomous" framework agreement on violence and harassment at work was concluded in 2007, (which, as mentioned in the first section, is a form of discrimination). The "autonomous" framework agreement on inclusive labour markets, which does not specifically target specific groups of workers, aims at creating a framework for equal treatment in access to employment in general.

However, in addition to the above-mentioned agreements (which in some cases became binding because Directives were adopted), there have been other initiatives by the European social partners in the field of anti-discrimination. For example, we mention the action program on equality between men and women (2005).

Within the framework of the operation of the sectoral social dialogue committees at European level, a large number of texts has been issued on discrimination and equal treatment in various sectors, mainly concerning gender issues, older workers and disabled workers, as well as on harassment.

International and European trade unions as well as multinational corporations have signed over the recent years framework agreements on anti-discrimination, on a European or international level.

4.4: The Role of the European Economic and Social Committee

The European Economic and Social Committee (EESC) is an advisory body, set up in 1957 under the Treaty of Rome. This is an institution of dialogue and involvement of various socio- occupational organizations (employers, trade unions, farmers, consumers, etc. In the EU's decision-making process,

the EESC is involved in defining and implementing EU policies. In 1997, with the Treaty of Amsterdam, the scope of the EESC's work has expanded considerably, particularly with regard to social issues. It has three missions:

(a) to act in consultation with the three main institutions (Council, Commission, European Parliament); (b) to strengthen the participation of representatives of organized civil society in the European project; (c) to strengthen the role of organized civil society in third countries, by promoting a systematic dialogue with the representatives. As regards the fight against discrimination, the EESC contributes to delivering opinions and decisions on these issues. Given the large number of opinions on discrimination in general, we will only mention two of them. Opinion SOC / 489 "Roma inclusion measures" (10/2013) refers inter alia to the issue of discrimination in employment. It also called on the Member States to strengthen the legal framework that could effectively encourage employers to hire Roma and introduce innovative employment policy measures such as the creation of a sufficient number of temporary jobs funded by the public sector.

Opinion SOC/363 "People with disabilities: employment and accessibility" (3/2010), provides, among others, that in an inclusive labour market, employment policies for disabled people should cover processes associated with employment throughout their lifetime (life streaming), with particular emphasis on education, recruitment, retention in employment and vocational rehabilitation. Also, this opinion highlights the need to take into account the gender dimension in policies for disabled persons, in order to combat multiple discrimination faced by disabled women in employment.

4.5: Involvement of the social partners in the integration of migrants in the labour market

This part of the study focuses on the ways in which (or excluded) the social partners in the participating countries in the general planning of migrant labour integration in their respective locations. It discusses the institutional arrangements of the social partners, where they exist, and identifies the partners involved in such processes. Finally, examples of initiatives by the social partners promoting the integration of migrants into the labour market are presented.

CYPRUS

Instead of a National Action Plan, the integration of migrants in Cyprus is just part of the national program 'Asylum, Immigration and Integration Fund (AIIF)'. Only a few paragraphs of the program are

devoted to mainstreaming, the fight against discrimination refers only to the objectives of the program and racism, and the need for coping with it does not receive any attention. Integration receives the lowest percentage of AMIF's budget (25%), indicating the close perspective of the Cypriot authorities towards integration. The lack of integration policies and measures and the exclusion of immigrants are among the reasons why some regional and international organizations and agencies have repeatedly condemned Cyprus. Most trade unions in Cyprus have clear political statements about combating discrimination on grounds of race and ethnic origin: employers, however, generally tend to pay simple services for non-discrimination other than gender. Consequently, the policies and measures developed to integrate migrants into work vary according to their general policies and approaches. Some examples of the social partners' initiatives regarding the integration of immigrants into work include:

Pancyprian Federation of Labour (PEO): (1) Establishment of a Migrant Bureau, (2) Women's Department dealing with discrimination against migrant women, (3) Organization of awareness-raising campaigns, (4) Seminars on diversity, discrimination, equality, hate speech and hate crimes for trade unionists and workers' trade union representatives, (5) Publication of leaflets and other informative brochures, (6) Language classes for migrants, (7) Demonstrations and mobilizations, (8) Cooperation with NGOs, public organizations and other stakeholders, (9) Collection data on complaints submitted by members and non-members on discrimination.

Democratic Labour Federation of Cyprus (DEOK): (1) Establishment of the Equality and Equal Treatment Department (2) Establishment of the Cyprus Equality Observatory (PIK), (3) Awareness-raising campaigns and (4) Publications and seminars.

Federation of Employers and Industrialists of Cyprus: Publication of the "Employers' Guide for the Promotion of Equality and Diversity in the Workplace".

GREECE

The social partners in Greece have incorporated the issue of the social integration of migrants into the social dialogue and often take action in this direction. Educational and counselling programs of social partners are the most consistent effort to empower working migrant populations. At the level of advocacy and policy making, the social partners are involved in institutions such as the Economic and Social Committee (OKE) and the National Human Rights Commission (EEDA). In this framework, social partners are able to contribute to shaping policies to promote the social, cultural and economic

integration of immigrants. At a local level, workers and employers' organizations argue, in theory, that the recruitment of new members is the immigrant community.

The supporting institutions of the social partners in Greece, such as the Center for the Development of Educational Policy (KANEP-GSEE), are taking initiatives to develop urgent reception activities for refugees providing language learning, mentoring and counselling services. At the same time, trade unions and labour centers in the Eastern Aegean islands provide supplies and support the newly arrived refugees. This significant mobilization, though it can be seen as a conjuncture, has indeed contributed to creating a climate of social dialogue that has led to a clear condemnation of racism and discrimination in the workplace, with clear reference to the most recent general collective labour agreement.

The Center for Vocational Training (KEK) of the Hellenic Confederation of Professionals, Traders and Dealers (KEK GSEVEE Branch of Epirus, Ioannina), in collaboration with INTERSOS and with the support of the UNHCR, designed and implemented an educational program entitled "Equal Training Opportunities" in 2017. Two training seminars addressed to recognized refugees and asylum seekers were designed and implemented within the framework of this Program.

- A 40-hour theoretical seminar on "Introduction to Hairdressing"
- A 40-hour theoretical seminar on "Basic principles of entrepreneurship".

The aim of the program was to provide trainees with introductory knowledge on entrepreneurship and hairdressing and to bring them closer to the local labour market through educational visits to businesses in Ioannina.

The GSEVEE Equality Office of the Hellenic Confederation of Professionals, Traders and Merchants (GSEVEE) also presents an action to address inequalities and multiple discrimination that promote the principle of gender equality in the field of associations, information and support for women, empowerment and improvement of seminars for women and scientific work, policy proposals and good practices. The Equality Bureau runs from 2012 to 2015 within the framework of the "Action Plan for the Promotion of Women in Decision-Making Centers of Collective Institutions of the GSEVEE", which is part of the Operational Program "Public Administration Reform 2007-2013".

ITALY

Migration integration and labour issues in Italy are decentralized at regional and local level. The social partners and regional authorities have signed several agreements on integration and social inclusion over the years, including housing policy and education. The Territorial Councils for Immigration in Italy also discussed issues of integration with the aim of promoting consultation on important issues, promoting initiatives for the socio-spatial integration of migrants and submitting interventions to the central state. Although the CTIs do not have legal powers to act as advisory bodies, the meetings they hold include representatives of local institutions, third sector bodies, voluntary bodies, trade unions, the Chamber of Commerce, trade unions, immigrant associations and NGOs.

Although the social partners are considered to be policy decision-makers for immigrant integration, they have a key interventionist, consultative and formative role in Italy. Trade unions, for example, support migrants through immigration offices and have developed a range of skills related to employment protection, advisory services, bureaucratic help, renewal of residence permits and counseling. Integration of migrant workers, promotion or participation in awareness-raising campaigns, events and demonstrations on combating discrimination or the occurrence of undeclared work and finding a job are included in the list of trade union organizations on the integration of migrants. In addition, third sector associations and NGOs play an important role in legalizing helping migrants through application procedures. Finally, trade unions and employers' associations play a fundamental role in the negotiation, conclusion and renewal of collective agreements, by laying down provisions on both the integration of migrants into the labour market and the avoidance of discrimination at work.

DENMARK

Trade unions (LO), employers' organizations (DA) and local public authorities are all involved in the planning of the integration process. This is done through meetings where representatives of all sectors are trying to identify obstacles and define solutions to facilitating the process. The involvement of the different organizations is considered important.

FRANCE

Employers and trade unions in France perceive migration as a source of wealth creation. The Business Movement in France (MEDEF), for example, supports the creation of businesses by immigrants. At the level of trade unions, the General Confederation of Labour (CGT) is committed to promoting solidarity

with foreign workers both at the legal level and by defending acquired rights and at the social level to prevent exclusion and exploitation. The French Labour Confederation of Labour (CFDT) presented initiatives to defend "living together", such as, for example, mobilizing the local population about the current status of immigrants. In addition, CFDT is working with the Podkrepa association, which is conducting information campaigns in Bulgaria aimed at informing people wishing to work in France on immigration conditions and procedures.

The social partners are involved at different levels and to varying degrees. They participate in corporate diversity meetings and participate in the social dialogue on diversity issues. In addition, employers' organizations work proactively, start or participate in numerous initiatives - charter, label, professional certificates, training, etc. Associations are an essential basis on which the various mechanisms and measures to support migrants are implemented.

The two examples of best practices are those of the voluntary sector: the ACCELAIR system, supported by the Refugees Forum-COSI association and the RELOREF system, supported by the France-Terre-d'Asile (FTDA), and specialized support for access to housing and employment. Associations create partnerships with public employment services, adult education organizations and companies. They carry out actions in the direction of the partners identified, exchanges between project and professional referrals through a technical committee, awareness raising, provision of interpreters, training in French as well as refugees themselves, such as support for employment: evaluation, construction professional plan, work research techniques, preparation of interviews, meetings with employers. There are also language and / or vocational training centers providing training and guidance. Finally, they have developed workplace support: immigrant escorts to the contract as a whole, liaison with the employer. The Cité des Métiers in Paris offers many clubs and workshops offering special support to migrant populations in order to improve their access to employment or training or to set up their activity - for example, the club proposed by Iriv - Valuing a migratory road - or from GRDR for the creation of its own activity.

TOPIC NO 5: SKILLS AND CAPACITIES ON DIVERSITY MANAGEMENT AND NEGOTIATION

PURPOSE

The aim of this module is to familiarize you with and to raise awareness on issues related to diversity management at the enterprise level, especially with regard to the Diversity Charters and also to provide some practical advices and a brief step by step guide on diversity management in SMEs entrepreneurial environment.

KEYWORDS

Managing Diversity: *It is the strategy, including initiatives and actions by businesses and organizations, which is used for creating a diverse and inclusive workplace, including the promotion of equal treatment and diversity awareness throughout the work process.*

Diversity Charter: *Written agreements that include basic principles to respect and encourage diversity, which bind ethically but not legally companies and other co-signatories.*

Good Practices: *Working methods, initiatives or actions adopted by businesses and organizations, particularly in relation to employment relationships and working conditions, which have received positive assessments in producing results and therefore, are considered to be good examples to be imitated by others.*

5.1: Introduction

Preventing and combating discrimination and managing diversity at work are priorities for many businesses and organizations in both private and public sectors. There are various companies and operators planning actions and taking initiatives in relation to anti-discrimination and diversity management. Such actions and initiatives are acknowledged as good practices when they produce positive results. Here, unity will present and analyze specific examples of good practices by both private sector businesses and public enterprises.

EXPECTED RESULTS

Upon completion of the study of the fifth section, participants will be able to:

- ✓ Be more familiar with more positive business practices in managing diversity in the workplace.
- ✓ Compare and evaluate specific actions such as work charts and some good practice examples that have been applied to specific European private and public companies.
- ✓ Recognize the importance of such actions and as a strategy to increase employee productivity and business competitiveness.
- ✓ Reflect on the possibilities for businesses to adopt a more favorable policy in the field of anti-discrimination.

5.2: Diversity on businesses and Diversity Management

In recent decades, significant changes have been made in the composition of the workforce from lower professional hierarchies to higher levels of administration. For example, there is an increase in the participation in the workforce of women, persons of different nationalities, and other socially vulnerable groups. In this context, the question has been asked why a company should be interested in diversity.

Beyond the fact that discrimination is illegal and ethically wrong, it has been also proven that diversity is increasing productivity, giving companies more access to new market segments. Managing diversity is not limited to a simple recruitment practice or to better hierarchical upward opportunities, e.g. to women or to other persons who belong in socially vulnerable groups. As it has been found that diversity can enhance productivity, many companies have implemented specific programs and policies to encourage the recruitment, integration, promotion and retention of people who belong in socially vulnerable groups.

The older programs for equal opportunities (the so-called 'positive action') of the 1970s that were applied to the Anglo-Saxon area for the recruitment and professional development of women and other persons belonging to socially vulnerable groups were often limited to the Human Resources Department and were not applied to whole company and its environment. In other words, even if equal treatment and positive action legislation helped socially vulnerable groups to gain access to jobs they had not previously accessed, their exclusion from hierarchically superior posts within the company did not allow them for full and their equal participation.

Nowadays, companies that apply active policies for diversity consider that respect for diversity within enterprises has the following advantages: a) it strengthens cultural values within the company; b) it enhances corporate reputation; c) it creates more incentives and therefore, greater efficiency among the existing staff; and d) it enhances innovation and creativity among workers. Therefore, beyond the legal and ethical implications in which non-respect for diversity and discrimination at work may result, many companies see diversity management as an opportunity to increase productivity and competitiveness. An effective diversity management shapes the prerequisites for a dedicated staff and has positive results in terms of creativity, problem solving and improvement of customer relationships.

Raising awareness on diversity, though necessary, is not sufficient in itself to talk about managing diversity. Managing diversity is "the active and conscious development of a strategic, communication and administrative process of future orientation and value-driven, which accepts and uses certain

differences and similarities as a perspective in a company, a process that adds value to the company." Diversity management involves the incorporation of ideas and practices into the day-to-day operations of a company.

The most common example used to illustrate the difference between diversity management and past positive action/equal opportunities programs is that of the giraffe's home: "Imagine your organization as a giraffe house. Equal Opportunities Policy has been very effective in opening the door of the giraffe's house to the elephant, but the house will not be better for the elephant unless there are a number of important conversions inside the house. Without them, the house will remain a house designed for giraffes and the elephant will not feel "at home."

5.3: The Diversity Charters

Charters of diversity are voluntary initiatives aimed at encouraging businesses and public organizations to adopt diversity-enhancing practices, highlighting their benefits. Businesses or organizations that subscribe to a Charter of Diversity are committed to developing and implementing policies of diversity and equal treatment in all fields. The signing of such a charter is a good starting point for businesses wishing to adopt such policies and it is also a reference framework. Since 2005, twelve (12) charters of diversity have been signed by small and medium-sized enterprises and public bodies in the European area, at national level (Austria, Germany, France, Spain, Poland, Italy, Sweden, Luxembourg, Belgium, Estonia, Ireland and Finland). The companies or organizations of these countries are behind of the initiatives to sign these texts. In 2010, these charters were brought together and created a European platform funded by the EU with the aim of disseminating this practice also in other EU member states.

5. 4. Diversity Management in small and medium sized enterprises

In September 2006, the European Commission organized a conference under the title "Diversity in small and medium sized enterprises." Its key objectives were to respond to the needs of SMEs in regards to awareness raising, information and training on diversity issues. The main materials developed for the participants in the conference included a brochure titled 'Diversity at work - 8 steps for small and medium-sized businesses':

FIRST STEP: ANALYSIS

Think about your business – its strengths, weaknesses, issues and needs.

Research has shown that very few SME owners or managers have time to think about business–development, as they are constantly involved in day-to-day activities. Before starting to implement diversity policies, ask yourself the following questions:

- What is it that makes business strong?
- What weakens this business?
- What problems have recently occurred within this business?
- Are we getting the most out of our managers and staff? Do we have the right mix of skills and experience to meet operational and market demands?
- Does my management style allow others to take responsibility and be productive?
- How diverse is the market place? Is it becoming more or less diverse with demographics, technology and lifestyles change? Are we responding?
- How diverse is the workforce e.g. different characteristics, styles and approaches, working practices, new ways of looking at problems?
- How do we view equality laws (e.g. on the grounds of gender, racial/ethnic origin, age, disability, sexual orientation, religion and belief)? Are they an intrusion to the business or an opportunity for change?

SECOND STEP: RECRUITMENT

Move away from staffing decisions based on personal and subjective values.

Research has shown that negative outcomes result from an emphasis on the personal values, attitudes and beliefs of the business owner. Personal values can lead to costly recruitment mistakes and to discrimination (whether conscious or not), which may result in legal problems that could harm the business.

How to do it (Recruitment):

- Describe the skills, knowledge and experience that the business needs to fill a specific job or role.
- Design a “job description” that outlines the skills and experience needed for the job.

- Check that the job description does not exclude anyone because of their racial origin, nationality, religious beliefs, gender, sexual orientation, age or disability

Additional Steps for Small and Medium Sized Enterprises (SMEs)

- Adapt your methods to allow (and encourage) disabled people to apply.
- Avoid “word of mouth” recruitment processes. Consider a range of advertising methods (e.g. job center, national, local or “community” newspapers; schools, colleges or universities; community organizations; commercial recruitment agencies; news boards in retail outlets; website/internet).
- State that you welcome applications from all sections of the community
- Do not give age limits or ranges in job advertisements.
- Talk informally about the job to potential candidates. This will help to include people that may be worried about their age, gender and/or disability, etc.

Benefits:

A better match between your business needs, job roles and staff profiles. This can also lead to better staff retention and increased innovation.

THIRD STEP: NEW MARKETS

Explore new/potential markets. Consumer diversity requires staff diversity – not simply in terms of age, ethnicity, and ability, but also in terms of reflecting the changing motivations and lifestyles of the market place, in all its forms.

Research indicates that many SMEs are being constrained by focusing on their existing market base. This means that these firms limit themselves to a fixed, known market and they do not benefit from much broader market opportunities. This is a result of establishing routines and a lack of internal diversity restricting new ideas.

How to do it:

- Recognize the diversity and scale of the potential market place you can appeal to (the age range, the sexual orientation, the ethnic range, disability).
- Research the needs of the different groups within the potential market place.

- Seek feedback from clients/customers across target markets and develop advertising materials that are accessible to all.
- Recognize the potential benefits of matching personality, age, background and style of front-line staff with customers/clients
- Discover and utilize new media opportunities (e.g. “pod Casting” local magazines, social groups) to focus marketing on new groups.
- Consider workforce training and business accreditation in recognized qualifications and awards related to dealing with specific groups (e.g. Sign Language of the Deaf).

Benefits:

Increases access to new markets with opportunities for products/service development and diversification.

FORTH STEP: CLIENT/CUSTOMER NEEDS

Put client/customer needs at the forefront of your business strategy and planning process. This will ensure that the broad diversity of customers/client need is reflected within the planning process; requiring your business to consider how to respond (in terms of staff profile, staff creativity, staff attitudes and staff training and development needs).

How to do it:

- Feed diversity market research directly into product and service developments
- Develop accessible external communications systems that allow for feedback and new ideas from customers/clients (both existing and new). Integrate the feedback into a regular business review process

FIFTH STEP: INTERNAL COMMUNICATION

Develop strong internal communication systems

Many SMEs are constrained by poor communication between owner managers and staff. Internal communication systems should be developed to allow and promote the free flow of ideas, knowledge, information and solutions.

How we do it:

- Plan regular staff meetings – these can have a business or social focus – but make sure they do not exclude people either because of time or location. It is also important to have structured meetings with an agreed agenda that is facilitated to allow fair and equal discussion.
- Allow and encourage staff to suggest ideas, anonymously if necessary, through written and verbal channels. (e.g. bulletin boards, “drop box”)
- Use the appraisal system for staff feedback.
- Ensure that staff confidentiality is protected.

The recognition (and application) of the diversity of ideas, knowledge and different perspectives holds within the business and increases staff involvement and commitment.

SIXTH STEP: IMAGE AND REPUTATION OF THE ENTERPRISE

Use your commitment to diversity as a business tool in terms of reputation, PR and winning business (particularly from larger and public-sector firms)

Research has shown that large firms and public organizations increasingly require SMEs to submit information on their equality and diversity policies in tenders for work.

Having these policies in place has shown to assist SMEs in winning contracts for work.

How to do it:

Through the development of formal diversity policies – but keep it simple:

- Prepare with your staff a brief review of the diversity whose implementation over the year will help employees (e.g. flexible working around religious holidays).
- Set out a training plan and record any training related to diversity issues.
- Specify the measures you have put in place to select and recruit new staff.
- Include diversity statements in your brochures, handbooks and company guidelines, as you might do with health and safety issues.
- Monitor and record information on your staff and customers. Start with this as a baseline for your strategy, coupled with an annual review to assess and reflect your movement towards increased diversity. For a lot of EU member states data collection of a personal nature is a very sensitive subject – indeed in many countries no such data is kept by employers.

Benefits:

Increased linkages with local/national/international supply chains and improved business opportunities.

SEVENTH STEP: EVALUATION

Evaluate the potential costs and benefits of implementing diversity policies.

The implementation of diversity policies will require time and resources and its benefits need to be highlighted. Evaluation should be a joint process to help owners, managers and staff to understand why these steps are being undertaken, to sustain commitment to the process and encourage future development of these policies.

How to do it:

- Think about what you will need to put into the process (costs) in terms of management time and business resources.
- Think about what the outcomes might be e.g. improved communications, better staff relations etc.
- Think about the potential benefits e.g. solutions to labour shortages; avoiding staff problems such as stress and absenteeism; access to new markets; improved performance in existing markets; access to talent; getting the most out of existing staff; increased innovation and creativity; improved reputation.
- Review this on an annual basis.

Benefits:

Effective, systematic measurement of the costs and benefits of workforce policies is essential to sustain existing programs and to build the business case for greater investment, especially by “non-users.”

EIGHTH STEP: EXTERNAL SUPPORT

Seek external support to help you to adopt diversity processes.

Most owners tend to refer to their accountant, solicitor or close relations. However there are many other public and private institutions that offer professional help; mostly at minimal cost in the case of public subsidized services (particularly those funded by the European Social Fund). Your local authority will be able to provide information on these. Trade organizations, chambers of commerce and professional institutions are also very useful sources of information, along with mainstream union institutions. In many cases, your financial institution (bank) will be able to point you to the right direction.

How to do it:

- Start with a contact you can trust and find out who is best placed to help you.
- Discuss the needs of your business openly with an external contact who will be able to see your business through new (and independent) “eyes”.
- Work with the contact to identify links between the key business issues and specific HR policy areas and to develop formal HR policies and approaches.
- Discuss these policies with other managers and staff members.
- Engage the contact in the development, implementation and ongoing review of these policies.

Benefits:

The benefits of a more formal approach are highlighted throughout this document.

TOPIC NO 6: EXAMPLES OF GOOD PRACTICES IN MANAGING DIVERSITY FROM THE EUROPEAN AREA

PURPOSE

The purpose of this last section is to improve the understanding of diversity management practices in the European area, analyze the reasons why they are not so widespread in European society and reflect on the possibilities of strengthening collective and individual action in a positive direction.

KEYWORDS

Managing Diversity: *It is the strategy, including initiatives and actions by businesses and organizations, which is used to create a diverse and inclusive workplace, including the promotion of equal treatment and diversity awareness throughout the work process.*

Corporate Social Responsibility: *It is a corporate system of self-regulation, which covers sustainability, ethics, and social impact. It consists of ethical commitments and actions made by businesses acknowledging their impact on the society in large, and it aims to create positive impact. It concerns both the inner of the company (its human resources) and its external environment.*

Good Practices: *Working methods, initiatives or actions adopted by businesses and organizations, particularly in relation to employment relationships and working conditions, which have received positive assessments in producing results and therefore, are considered to be good examples to be imitated by others.*

6.1: Introduction

As discussed in Topic 5, preventing and combating discrimination and managing diversity have become a priority for many businesses and organizations in both the private and public sectors. In this context and on the basis of the diversity charters adopted in different countries, there are many companies and organizations that have developed good practices in the field of diversity management. In Greece, although sensitization to diversity management and diversity management itself are relatively limited, mainly due to the small size of businesses, there are some examples of good practice, especially by businesses that have a tradition of corporate social responsibility.

EXPECTED RESULTS

Upon completion of the study of the sixth section, participants will be able to:

- ✓ Find out more about the reasons why the fight against discrimination in European countries is limited.
- ✓ Understand the concept of “Corporate Social Responsibility” as the basic framework in which some examples of good practices have been developed.
- ✓ Compare and evaluate specific actions - examples of good practices that have been applied to specific businesses in the European area.
- ✓ Reflect on the potential businesses in Europe have in adopting a more favorable anti-discrimination policy.

6.2: Challenges for managing diversity

GREECE

The relevant experience from the European area has shown that it is mainly the large companies that develop diversity management programs. In this context the competent European bodies place great emphasis on the dissemination of advisory guides and good practices to small and medium-sized enterprises. Given that in Greece most enterprises are of small and medium size, the need for dissemination of diversity management practices in these businesses becomes very important. Experience has so far shown that diversity is managed through human resources departments or departments of human resources management, which are typically found only in large and very large businesses. Consequently, while a large company may have the resources to develop a comprehensive policy of equal treatment and diversity management, a small or medium enterprise rarely has the resources and the corresponding potential. Earlier European research has shown that "in particular, smaller SMEs often do not realize the benefits that Diversity can offer them and remain vulnerable as they rely on "instinct" and informal business management."

Another issue that is of concern is whether and how diversity management is a "luxury" in times of crisis. As it has already been discussed, in a context of ever-rising unemployment and tension of labour relations, discrimination against specific categories of workers increases.

Diversity in Greek enterprises is considered to be secondary and the social effects of the financial crisis has further undermined its discussion. According to "Global Report Randstad Workmonitor wave 3, 2015 diversity in the workplace" all selected indicators concerning Greek enterprises were under the global average among 34 countries, confirming the idea that Greek firms appear to be less positively responsive to diversity issues. However, many large companies have adopted such diversity charters on their own initiative, pointing out their choice as a potential commercial argument. The "Great Place to Work Institute Hellas" included diversity management initiatives as an independent criterion for its Best Workplace Annual Ranking among Greek enterprises.

Diversity management is one of the topics of social dialogue between social partners. In some cases, these discussions have led to joint initiatives, such as the common diversity management training program (2015) under the patronage of ILO Athens Liaison Office, with the participation of the Greek General Labour Confederation (GSEE), the Hellenic Confederation of Professionals, Craftsmen & Merchants (GSEVEE), the Hellenic Federation of Enterprises (SEV), the Greek Tourism Confederation (SETE) and the Hellenic Confederation of Commerce and Entrepreneurship (ESEE).

CYPRUS

According to the Report on the latest meeting of the European Platform of Diversity Chapters, held on 9-10 February 2017¹⁶, there was no interest among Cypriot companies and organisations for joining the Platform. This lack of interest in adopting and promoting diversity management is in line with the prevailing perception and exclusion of migrants as shaped by the migration system, policies, structural set up and administrative practices, as well as the lack of both the political will and the necessary measures to combat discrimination and racism. This has been further accentuated by the economic crisis and the rise of far right and fascist movements.

In view of the present migration system, for the overwhelming majority of third-country migrants, who are bound by the rigid, discriminatory and excluding employment and residence regime, integration is of a very limited nature and use. Precisely because of this system, effective labour market integration of migrants, especially of TCN and refugees, is unthinkable to the authorities and by and large to employers and trade unions. And this, notwithstanding the repeated declarations to the contrary. Even in the case of EU migrants, who are by law entitled to the same rights as Cypriots, neither the state nor the social partners have developed any policies or measures that address their social and employment integration.

It is more than apparent that, unless and until this migration model and policies change drastically, integration of migrants in general and in the labour market in particular will be necessarily limited. However, the state, trade unions, employers' organisations, civil society and society at large must address at least the most pressing of the problems and challenges that confront migrants and society in general.

The government, in consultation with all public agencies, independent authorities, trade unions, employers' organisations, relevant NGOs and migrant communities, must at last proceed to the development and implementation of a comprehensive national action plan against discrimination and racism. It is, therefore, important for the social partners to pressure the government and rally the support of all agents and forces fighting against discrimination and racism. Collective agreements provide another tool, especially to trade unions, for the elimination of discrimination and racism.

¹⁶ Available at http://fundaciondiversidad.org/wp-content/uploads/2017/03/Reporte_09_10_febrero_ChartersEuropeos_2017.pdf

The development of training programmes on anti-discrimination, diversity management and inclusion, to be addressed to both employers and employees, migrants and Cypriots, is in the hands of the social partners as they already have this function in their structures.

While it is important for initiatives such as the European Platform of Diversity Charters to be actively promoted by employers' organisations, trade unions can also join the platform, thereby providing living examples of their anti-discrimination policies.

It is important for the social partners to take cognisance of the essence of migrant integration: that it must be approached as an integrated process of welcome of the 'other', of sharing and enrichment, of a 'win-win' situation for all. For after all, who benefits if a nuclear scientist, forced to flee his homeland torn by war, is forced to work in a Cypriot farm?

ITALY

The "Charter for equal opportunities and equality at work" was promoted by various associations - Counselor at Work (Women at work), Sodalitas, Italian Association of Family Businesses, AIDDA (Association of Women Entrepreneurs and women company managers), Impronta Etica, Christian Union of Business Managers - with the adhesion of the Ministry of Labour, Health and Social Policy, the Prime Minister's Office and Minister for Equal Opportunities. The Charter, the subscription of which is voluntary, aims to "enhance pluralism and inclusive practices in the workplace", "contribute to the fight against all forms of discrimination in the workplace - gender, age, disability, ethnicity, religion, sexual orientation - by the commitment [...] to enhance diversity within organizations, with particular regard to equal opportunities between men and women". The following actions are identified to achieve these objectives: 1) define and implement company policies that, starting from the top management, involve all levels of the organization in accordance with the principle of equal dignity and treatment at work; 2) identify company functions to which to assign clear responsibilities with regard to equal opportunities; 3) overcome gender stereotypes through appropriate company policies, training and awareness, including the promotion of career paths; 4) incorporate the principle of equal treatment in the processes that regulate recruitment, training and career development, considering only the skills, experience and professional potential of people; 5) make aware and adequately train all levels of the organization on the value of diversity and on the different ways of managing it; 6) periodically monitor the progress of equal opportunities and evaluate

the impact of good practices; 7) identify and provide to staff tools to ensure the effective protection of equality of treatment; 8) provide concrete tools to promote the conciliation of life and work [...], even with adequate corporate and contractual policies, in partnership with local public and private services; 9) notify staff of the commitment to a culture of equal opportunities, informing them about the projects conducted in these areas and the practical results achieved; 10) promote the company's commitment to external visibility, giving evidence of the policies adopted and the progress achieved with a view to a united and responsible community.

Prepared to promote the Charter has been the document entitled "Bussola for SMEs. An aid to the orientation in the issues of equal opportunities and diversity". This document was addressed mainly to companies included in the Convergence Objective regions (Campania, Calabria, Puglia and Sicily), where the presence of women in the labour market is very low. In fact, generally, the idea of diversity management put forward in the Charter concerns gender rather than racial or ethnic equality - although the preparatory document "Bussola per le PMI" suggests presenting as a success factor non-discrimination by age, disability, gender, ethnicity, religion, sexual orientation (Bussola per le PMI, p. 4). The document was supported by employers' associations at the local level (e.g. Confindustria Sicilia), trade unions (CGIL, CISL), by regional governments (Emilia Romagna, Sicily, Calabria, Puglia, Campania, Lombardy, Basilicata, Lazio, Veneto, Liguria), local bodies and local public health authorities. A network of Regional Institutional Round Table was set up to promote the Charter, and to root it up in the territories. The Charter was joined by about 700 organizations, for a total of around 700,000 employees (http://www.cartapariopportunita.it/sostenitori/aziende_aderenti.aspx).

it is not possible to indicate the number of SMEs accurately. However, the number of subscription to the Charter is not so important. What is important is that in general the Italian SMEs do not have sufficient economic and management resources to put in place Diversity Management (DM) projects. For this reason, the issue of diversity often is treated according to "common sense" (Valentini 2008), and not through projects.

Apart from the Charter, there are no national programs promoting DM or equal opportunities at the industry level. However, there are regional and local projects, which are discussed in the next section. As previously mentioned, the national collective agreements treat the issue of immigration only marginally and through rules in favor of all employees, and from which especially immigrant workers can benefit. Hence, it is not possible to locate in collective bargaining and in the national agreements any type of DM strategies linked to differences of race, ethnicity or nationality.

Therefore, although over the years the employers' associations and trade unions have become increasingly interested in the issue, although primarily in a gender perspective, the management of diversity has been left to the awareness of the Company. In fact, there are numerous associations that have joined the Charter for Equal Opportunities and that have promoted or joined projects of Equal Opportunity and DM at local level: we will discuss it in the next point. The same may be said of trade unions that subscribed to the Charter for Equal Opportunity. It should be stressed that, although cultural diversity management is of fundamental importance in working relations, the results of the TEAM (Trade Unions, Economic Change and Active Inclusion of Migrant Workers) survey conducted in six European countries, including Italy, showed that the DM paradigm is not considered a key issue on the agendas of trade unions (Davis, Jubany, 2015). In fact, unions are still struggling to promote mobility careers of immigrants in companies and within their organizations, probably for fear of conflicts with the Italian workers (Ambrosini, De Luca, Pozzi 2016).

The integration of immigrants in Italy has been a subordinate integration. For a long time the entry of immigrants in the Italian labour market was favored by employers because immigrants would replace the Italian workers in activities and sectors in which Italians are less available to work. Also the inclusion of foreign workers has never been opposed. Indeed, it has even been supported by employers, who in this way benefit from a higher availability of labour, a more flexible workforce, the possibility of not recognizing (and paying for) the education and professional skills of immigrants. It is the overeducation phenomenon (immigrants are more qualified than the jobs they do), that is connected to the so-called "economy of Otherness" described by Calavita (2005).

The large presence of immigrant workers in SMEs and in care and domestic work has facilitated their concentration mainly in: a) smaller companies, which offer fewer guarantees of stability, b) low-skilled occupations, where they are at greater risk of job loss because they are more easily replaceable; c) fixed-term jobs (Fullin, Reyneri 2013). The presence of immigrants in the Italian labour market is therefore characterized by high instability and mobility, and employment in low-skilled jobs.

However, these characteristics, amid the current economic crisis, have given rise to a paradox. In fact, on the one hand there is an increase in the unemployment rate of immigrants, but on the other, there is also a rise in their employment rate due to an increase in domestic work and to their ability to find work quickly, adapting to any type of job (Fullin, Reyneri 2013). The economic crisis has removed many middle-level jobs, but in some way maintained most of the low-skilled ones, which are those in which immigrants are more frequently employed. The prevalent insertion of immigrant workers in SMEs and domestic work has not favored a discussion on the topic of diversity management. In fact, this issue has entered the policy agenda mainly from the point of view of gender differences management - men

and women- and mainly in large companies or in the public sector, although, as we have seen, the Charter of Diversity has been introduced in Italy, where it is called the Charter for equality of opportunity and equality at work.

The same can be said for the fight against discrimination. Indeed, despite the existence of laws, still little attention is paid to the elimination of ethnic discrimination in the workplace, even if it is an issue to which especially trade unions, the third sector and NGOs are trying to give political visibility through events and awareness campaigns: concrete actions are still few. In fact, the difficulty of eliminating cases of discrimination especially concerns small economic environments, such as those of small businesses or domestic work. Instead more attention and effort have been devoted to the public sector. Although immigrants can use the services provided by Italian public institutions, private services and the third sector, with regard to vocational training, job placement, and job search, we have seen that in general they make less use of these services, which, in turn, do not always have adequate preparation in understanding the needs of immigrant users. In light of the foregoing discussion, we think that the priorities to which the state, trade unions and employers' organizations should pay closer attention are the following:

- 1) recognizing the job skills of immigrants and their consequent inclusion in jobs that are not underqualified with respect to their human capital;
- 2) implementing the rules of the Decrees against discrimination based on race, ethnicity and nationality in work integration, in both public companies and private ones - corporations or SMEs;
- 3) applying the principles of diversity management in personnel management at every company level;
- 4) increasing the participation of immigrants in trade unions.

FRANCE

There are many initiatives to promote diversity, such as the Label developed by the National Association of Human Resources Directors (ANDRH) at the request of the State, with public funding, officially launched in 2008. In 2013, 381 legal entities have been labeled 840,000 employees and 85% of companies with more than 50 employees. The labeling commission brings together representatives of the State, trade unions, organizations of employees and employers, the ANDRH and the Solidarity of Solidarity Institute (IMS), organizations composed of networks of leaders.

The Diversity Trophies were created in 2006 by a recruitment firm with the French Association of Managers of Diversity (AFMD), the ESSEC (Leadership and Diversity Chair) and the Foundation Against Exclusion (FACE). They reward companies that have implanted innovative and ambitious practices in terms of promoting and managing diversity with a “Grand Prix PME”.

Diversity has become a demand for more and more companies in France, whatever their size. It is seen as an opportunity for development and allows companies to improve their image, enrich their skills but also respect the laws in force.

In France, from 2004 onwards, the first diversity charter was implemented. It has been signed by many companies. It has enabled other states in Europe to adopt this strategy. Its objective is to combat all forms of discrimination against individuals of diversity, understood in a broad sense - gender, age, social or ethnic origin.

Diversity is now promoted by most labour unions such as the Medef (employers' union) and the trade unions of employees which encourage this trend. Private organizations such as Mosaik RH have been set up and allow skilled migrants to find a job more easily based on their skills. However, there is no control or obligation for SMEs that do not have a human resources department. They often have to outsource these services. Private organizations, such as Ingeus, offer to help them implement innovative human resources management strategies that promote diversity. The diversity policy implemented by companies has often been associated with a communication strategy because it corresponds to a process that values and appeals to consumers. It is unclear whether it is an integral part of human resource management.

Membership in the Diversity Charter is not mandatory for all companies. SMEs are free or not to be signatories. They do not have human resources employee assigned to promote diversity. It is important that membership of the diversity charter remained on a voluntary basis, even if it is an essential step to considerably reduce discrimination on the basis of a tangible and common basis for all companies. A more precise and regular analysis, according to the size of the company and its sector of activity, makes it possible to fight more effectively against inequalities and to promote diversity.

DENMARK

The Secretariat for the Danish diversity charter is the official national charter. It is driven by the Association “Nydansker” (eng. New Danes) and is established in cooperation with the ministry of Children, Equality, Integration and Social Affairs and the EU Commission. The Danish charter for

diversity is a formal document, which companies, employers and the like can sign and hereby express their support to a diverse Danish labour market (Mangfoldighedscharter, om charteret). The employers and companies then have to live up and implement the values of the Charter in their practice.

The Danish Charter for Diversity unifies both regional and local charters in Denmark (European Commission, 2014). At the moment there are charters and activities promoting diversity in the three largest cities and several other municipalities are supporting the charter (Det danske charter for mangfoldighed, 2014a). Together the three cities have at least 1100 signatories (European Commission, 2014).

The Secretariat for the Danish diversity charter provides knowledge, tools for diversity management and network for the local charters and facilitates the exchange of experiences at all levels (European Commission, 2014). E.g. they have developed an e-tool containing 50 pieces of advice for handling everyday situations with diversity (Det danske charter for mangfoldighed, 2014b). The municipalities also provide knowledge, networks and tools for the employers (Det danske charter for mangfoldighed, 2014c).

In addition to the cities charters and their activities other enterprises promote the diversity management by offering guidance in connection with diversity management. E.g. CABI is such an enterprise. CABI is an independent institution under the Ministry of Employment. CABI offers methods, knowledge, tools and inspiration for jobcenters and enterprises, which can strengthen the cooperation between the two and the inclusive Labour Market. CABI offers courses in diversity and works as a consultant on the topic for enterprises (CABI, 2016).

The Association “Nydansker” - the ones behind Secretariat for the Danish diversity charter - offers several courses and the like about diversity, cultural meetings, management etc. (Foreningen Nydansker).

Many of the challenge mentioned in the following are part of the previously mentioned agreement, “The three-part-agreement”. This agreement can, due to the involvement of different actors on the topic, be viewed as a step in the right direction -though it can also be criticised for focusing too much on employment.

DA is positive towards the agreement due to it placing more responsibility with the municipalities (Dansk Arbejdsgiverforening, 2017). Many of the following concerns call for a change in the administration at the municipalities and at the political level more than it calls for changes at the trade unions and employers.

1. Refugees and family-unified are often assessed as not being ready for the labour market. With the three-part-agreement municipalities should in larger part begin by considering refugees job-ready. Yet the municipalities continue to judge the refugees non-job-ready. There is a need for shifting the way in which municipalities view the refugees. The agreement states that lack of language should not be an obstacle for employment (Toft, 2017).

2. At the moment the refugees' competencies, job possibilities and the like are not taken into account when they are distributed throughout the municipalities. Refugees might experience being placed in municipalities where there are few jobs. The number of refugees allocated to a municipality should reflect the number of job opportunities in the municipality (Toft, 2017). The refugees should be placed in a municipality where their competencies can be usable (Pedersen, 2015).

An early screening of the refugees' competences should be implemented and take into account when a decision on placement is made. The municipalities in which the refugees are placed should have this information, making the process of matching refugees and enterprises easier (Toft, 2017).

3. The integration effort, i.e. how integration is prioritized, varies greatly across the municipalities, making the refugees possibilities depend on whatever municipality they are distributed to. There is a need for a more uniform effort in the municipalities (Pedersen, 2015 & Toft, 2017).

4. In Denmark there is an increasing demand and expectation for high levels of education and many refugees and migrants simply do not have this level of education (Ritzau, 2015 & Toft, 2017 & Pedersen, 2015). This could call for more screening, training and the like. Further it could also mean that jobcenters should focus in larger part on matching refugees with unskilled jobs (Toft, 2017).

5. It is a big challenge that approximately 70% of the enterprises do not get contacted by the jobcenters, who have to be the connecting link between the jobseekers and the enterprises (Toft, 2017), there might be many untapped opportunities.

6.3: Corporate Social Responsibility and Diversity Management

Corporate Social Responsibility (CSR) is a wider concept than managing diversity, but it can also include it. It concerns the "voluntary commitment of enterprises to strategies that incorporate social and environmental concerns and are expressed by relevant practices contributing to sustainable development, relations with their human potential, social solidarity and confidence-building with local

society and the wider social environment." CSR consists of ethical commitments by enterprises to actions beyond those imposed by the legislative framework (which regulates their operation), concerning both the company's internal (human resources) and its external environment. Although corporate social responsibility does not automatically imply good practices in the field of diversity management, it offers a framework of ethical values. In other words, CSR reflects the political stance of the company and is closely linked to civil society, choosing products on the basis of social and environmental criteria. Its attitudes and directions in fields such as environmental protection, migrants, refugees, racism, women can be criteria that influence the market or not of a product.

6.4: Examples of good practices in European enterprises

6.4.1: Coco-Mat (Greece)

The Coco-Mat company is considered for years to be an example of good practice in the field of diversity and for this reason, many relevant European reports refer to it. Employees of 13 nationalities and 9 religions are employed by the company and more than 45% of the employees at the COCO-MAT plant in the industrial area of Xanthi are repatriates from the former USSR (150 employees). Given that many employees do not speak the Greek language satisfactorily, COCO-MAT, in response to requests from its staff, has hired teachers to teach the Greek language twice a week to all employees who are not fluent in Greek. The company's policy on diversity also concerns the recruitment of disabled people. Indicatively, 26 qualified workers are employed in different areas of the business. As noted on the Greek Network for CSR website, "the social sensitivity of COCO-MAT is not recent, since the first employee hired by the Company was a person with special qualifications, while the first employees of the Xanthi factory were migrants."

6.4.2. AXA (France)

AXA was one of the first enterprises to sign up to the Charter of Diversity in France in 2004 and Managing Director Claude Bébéar was among those who took the initiative to adopt such a charter at national level. AXA's diversity policy is being developed in the following areas: recruitment that reflects the diversity of French society; human resources management that ensures equal opportunities; development of a diversity-aware business culture through awareness-raising, training

and dialogue with trade unions; support of people from non-privileged social groups. In the context of promoting diversity, the company has proceeded, inter alia, to the following actions:

- a) Awareness and training: Since 2006, the company has carried out a significant number of awareness raising and training programs for its staff.
- b) Establishment of anonymous CV: In 2006, AXA established anonymous resume for commercial employees who applied via the internet, and since 2009 the anonymous CV has been established for all recruitment. At the same time, the company proceeded with training programs for recruiters in relation to the legislative framework, questions to be avoided during the interview, and so on.
- c) Programs for the recruitment of young people from substandard suburbs as well as of disabled persons.
- d) Signing collective agreements with business associations to promote diversity and equal treatment.

6.4.3.: SAP (Germany)

The multinational software company SAP, based in Germany, employs workers from 75 nationalities. In addition to diversity training programs, under the supervision of the Department of Health and Diversity, the company operates networks that aim at different reasons for diversity and distinction. Business Women's Network @ SAP is the network of women workers of the company. The Cultures @ SAP network brings together the twenty informal networks set up by workers of different nationalities. The Disability network @ SAP and the Severely net work Disabled Employees (SBV @ SAP) is addressed to disabled workers. The Generations @ SAP net45plus and networks concern older workers. Finally, there is the Homo sapiens @ SAP network, which focuses on the issues of gay and bisexual employees. For diversity management policy, the company has twice received the German Diversity Awards.

6.4.4: Batisol Plus (France)

While it is commonly accepted that large companies are the ones that play the leading role in adopting diversity management policies, the big challenge is the adoption of such policies by small and medium-sized businesses. The partnership Batisol Plus manufactures floors and window frames and employs 42 employees. It is considered as a good practice model and has signed the French Charter for Diversity. The company's policy of enhancing diversity began with the desire to engage more women

and people from unprivileged suburbs and for this purpose addressed the National Employment Agency. The more experienced employees in the company have expressed complaints about young workers (that they did not take their jobs seriously, that they were late in work, and so on). Finding that all the problems started from stereotypes that existed in relation to young employees, all employees (old and young) participated in a daily training program on awareness raising and diversity awareness. The company's management found immediate solution to the problems and improved working climate.

6.4.5: Supermarket-Food store Casino (France)

The business food marketing group and supermarket Casino, one of the first companies that signed the French Diversity Charter in 2004, has since 1993 a broad political management of diversity. Against this background, a moral charter has been adopted with nine company commitments on equal opportunities in access to employment, training and career development. This map is integrated into the behavioral and administrative learning programs for the newly recruited persons. In order to implement the policy, a Diversity Promotion Coordination Committee was set up with a network of 56 local representatives. At central level, a complaints service was set up for any employee who might consider to have been subject of discrimination.

In addition to diversity awareness and training programs for employees, the company attempts to make recruitment procedures more objective in two ways. Firstly, in 2008 and in 2011, it carried out two virtual recruitment tests, where two fictitious candidates, who differed only in origin, applied for the same job. These tests aimed at checking the possible divergences of the company's commitments and the daily recruitment practices. Secondly, for some jobs, the company uses the recruitment process with simulation, on the basis of which candidates are selected on the basis of their performance in real working conditions. This process even allows people with little "good biography" to be tested under real circumstances.

Since 2010, the company has focused on issues of religion-based discrimination and in 2011, it launched a campaign to tackle discrimination on the basis of on sexual orientation, in partnership with the National Federation of Gay Friendly Organizations. Since 2008, it has launched a series of employment programs for young people from non-privileged neighborhoods. Special measures to recruit and retain to work persons of over 50 years of age are provided by the text of the collective labour agreement signed with the unions of the company in 2008. Finally, since 1995, the company

has signed five collective agreements concerning the recruitment and employment of disabled people. As a result, companies and the Casino France stores 10.7% of workers are disabled.

6.4.6: Bahn (German Railways)

German Railways is one of the companies that have signed up to the German Charter for Diversity and are implementing a diversity management policy with an emphasis on older workers. Given that 44% of the company's employees are over 50 and taking into account the demographic changes and the shortage in the wider labour market of a specialized (for the needs of the company) labour force, the company's policy focuses on the continuous training of the older workers, as well as the transfer of knowledge to younger workers. The Internal Labour Market, the Job Search Service of the German Railways (DB Job Service GmbH) play an important role for the re-use of older workers and their placement in jobs where due to age can be better exploited.

6.4.7: Eataly and Rusconi viaggi (Italy)

Eataly is a big Italian food company which was among the first ones in Italy to grant LGBT employees the same “family” benefits granted to heterosexual employees, such as marital leave, bereavement leave, and so on, even before the approval from the Italian Government of the law which equates civil unions to marriage (which was approved only in 2016).

Rusconi Viaggi is small enterprise working in the tourism sector which in 2016 has won the first prize in the Italian SMEs Welfare Index (for commerce and services sector). Though it is a small company, the management has put a lot of effort in developing a series of inclusive policies such as teleworking (for people who, for different reasons, may find it difficult to work at the company premises), flexible hours, integrative health insurance, training (also language training) for personal and professional development.

Another example of good DM practice is the one of the company Castelgarden in Castelfranco, Veneto. A company active in the production of gardening equipment with a total of 800 employees, where 100 of them are Muslims coming from different countries such as Marocco, Ghanna, Senegal, Tunisia, Togo, Guinea and Mali. This was one of the first companies to address the needs of its Muslim-religion employees by using a space inside the structure to allow daily prayer. In the same direction, at the internal canteen of the company it was included a special menu that could accommodate the demands of the Muslim staff attentive to respecting the food restrictions imposed by Islam. Moreover, during

the Ramadan period the company increases the surveillance of workers' health conditions so that they can follow the precepts of their religion during such particular period of time without incurring in security issues. All these decisions were taken after consultancy with the trade unions, and required both a structural as well as organizational intervention.

6.4.8: Bilka (Denmark)

Bilka, a Danish supermarket chain, received the Diversity Award 2017, for its extraordinary focus on enabling its employees to care more for interns with challenges of various forms. Mentor roles have been established, along with ordinary internships, part time positions, language internships, light duty jobs and many more.

Out of a class of 22 language interns, 80% reached employment. 60% with Bilka, 20% in other places.

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