

# Direct Request (CEACR) - adopted 2013, published 103rd ILC session (2014)

## **Discrimination (Employment and Occupation) Convention, 1958 (No. 111) - Italy (Ratification: 1963)**

**National Equality Counsellor.** The Committee notes the report of activity for 2012 prepared by the National Equality Counsellor which refers to the judicial and non-judicial activities concerning discrimination, including judgments and conciliation processes, as well as other international and project activities carried out by the Counsellor and different projects developed. The Committee notes in particular the information provided by the Government concerning the implementation of the Charter for Equal Opportunities to which 546 private enterprises and 164 public administrations have already adhered engaging in fighting against discrimination based on gender, disability, race, religion and sexual orientation. This Charter has been implemented since 2011 through regional committees open to multiple stakeholders and covers more than 700,000 workers.

***The Committee requests the Government to continue to provide information on the action carried out by the National Equality Counsellor, and the impact of this action, in particular the Charter for Equal Opportunities.***

**Article 2. Equality of opportunity and treatment between men and women.** The Committee notes the information provided by the Government concerning the measures adopted to improve access of women to employment as well as for the reconciliation of work and family responsibilities. The Committee notes in particular that: Section 4(12–15) of Act 92/2012 provides for tax incentives for the temporary and permanent employment of women; Section 4(24–25) provides for some provisional and temporary measures (2013–15) which consist of compulsory parental leave of one day accorded to fathers with a possible extension to two more days if the mother decides to return to work before the end of her maternity leave, and a voucher of €300 for babysitting or child care facilities accorded to the working mother during six of the 11 months following the end of compulsory maternity leave; Decree 243/2012 provides for the establishment of a fund for the financing of measures aimed at increasing employment possibilities of young persons and women; the National Equality Counsellor established the Observatory for national and decentralized contracts and time conciliation which gathers examples of good practices in contracting and is a new tool to strengthen women participation in the labour

market; the Stability Law (Law 228/2012) entrusts social partners, through collective bargaining, with the establishment of the modalities for the enjoyment of parental leave; the signature on 25 October 2012 between the Government and the regions and provinces of the document “Reconciliation of living and working time for 2012” which provides, among others, for flexible forms of work and the promotion of parental leave for fathers. The Committee also notes the projects implemented by the Department of Equal Opportunities.

***The Committee asks the Government to provide information on the practical application of these legislative measures, including Legislative Decree No. 5/2010 on equal opportunities and treatment referred to in its previous direct request, and their impact on promoting equality of opportunity and treatment between men and women in employment and occupation, and addressing gender segregation in certain economic sectors and occupations. Please also provide information on the impact of all the programmes and measures adopted to promote equal opportunities and treatment for men and women in access to employment and occupation, including “Italia 2020”.***

**Sexual harassment.** *The Committee asks the Government to indicate the specific measures taken or envisaged to address and prevent sexual harassment in the workplace, especially in the south of Italy, and to indicate the results achieved.*

**Equality of opportunity and treatment irrespective of disability, sexual orientation and gender identity.** The Committee notes from the Government’s report that 37 per cent of the complaints of discriminatory acts before the Office for the Promotion of Equality of Treatment and Elimination of Discrimination based on Race and Ethnic Origin (UNAR) refer to sexual orientation and 31 per cent relate to disability. *The Committee again requests the Government to provide information on the findings of the report of the working group on equality of treatment and non-discrimination against transsexual and transgender persons in the workplace set up under Directorial Order of 16 November 2010 and on the follow up action taken in this respect. The Committee also requests the Government to provide information on the steps taken to prevent and prohibit discrimination based on disability in employment and occupation.*

**Public administration.** The Committee notes the Report prepared by the Department of Equal Opportunities and the Department of Public Administration

concerning the measures for equal opportunities and treatment in public administration for 2011. According to this report women continue to be under represented in managerial positions (14.69 per cent of men compared to only 6.67 per cent women) and organizational position (5.30 per cent of men and 3.64 per cent of women); parental leave is mainly enjoyed by women (70 to 87 per cent depending on the public entity under examination); men participate more in training that help them for career advancement; and there is still little capacity building on issues related to gender. The report further indicates that the great majority of public administrations have drafted triennial plans for affirmative action. The Committee observes, however, that the impact of these triennial plans is not clear. ***The Committee asks the Government to provide information on the impact of the “triennial plans for affirmative action measures” on promoting the access of women to posts and job positions in the public administration in which they are under-represented. Please also provide information on the activities of the “Single Committee to Guarantee equal opportunities in the achievement of the well-being of workers and the prevention of discrimination” (CUG), including the manner in which these committees cooperate with the National Equality Counsellor.***

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