

Direct Request (CEACR) - adopted 2017, published 107th ILC session (2018)

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

Article 1(1)(a) of the Convention. Discrimination based on sex. Sexual harassment. *The Committee reiterates its request to the Government to provide information on the specific measures taken or envisaged to prevent and address sexual harassment in the workplace, including in the framework of the Extraordinary National Action Plan against Sexual and Gender-Based Violence (2015–17), and to indicate the results achieved.*

Article 2. Equality of opportunity and treatment for men and women. The Committee notes from the report of the National Office to Combat Racial Discrimination (UNAR) that 62.5 per cent of the cases of gender discrimination received in 2014 concerned employment and occupation. It also notes the results of the 2015 survey on inspection, according to which 1,097 violations of equality of opportunity and treatment between men and women were detected or reported in that year. The Committee notes the Government's indication that, following the entry into force of Legislative Decree No. 8/2016, numerous labour law infringements punishable with fines have been decriminalized, including those concerning discrimination between men and women at work, while the sanctions for these infringements have been increased. *The Committee further notes from the concluding observations of the United Nations Committee on the Elimination of Discrimination against Women (CEDAW) the disproportionately high unemployment rate among women, in particular in the southern regions, and the low percentage of women entrepreneurs compared with men entrepreneurs (CEDAW/C/ITA/CO/7, 24 July 2017, paragraph 37). The Committee asks the Government to monitor the application of Legislative Decree No. 8/2016 with a view to ascertaining whether the decriminalization of cases of gender discrimination in employment*

and occupation has reduced the deterrent effect of the sanctions, and to provide information in this respect. It also once again asks the Government to provide information on the application in practice of Act No. 92/2012, Decree No. 243/2012 and Legislative Decree No. 5/2010 and their impact in advancing equality of opportunity and treatment for men and women and addressing gender segregation in the labour market. In this regard, the Committee also refers to its comments under the Equal Remuneration Convention, 1951 (No. 100). The Government is furthermore once again requested to supply 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”.

Equality of opportunity and treatment irrespective of disability, sexual orientation and gender identity.

The Committee notes from UNAR’s report that 8.2 per cent of the cases of discrimination received in 2014 were based on disability and 7.4 per cent concerned discrimination on the ground of sexual orientation and gender identity, 17.2 per cent of which were further aggravated by sexual harassment. The Committee notes from the Government’s report the adoption of the National Lesbian, Gay, Bisexual and Transgender (LGBT) Strategy 2013–15, which includes four areas of intervention, namely work, school, the media, and security and prison services. It also notes that Legislative Decree No. 151/2015 amended the norms regulating the recruitment of persons with disabilities, providing in particular for the introduction of incentives for the recruitment of workers with disabilities and the application of a “quota” not only for new recruitments, but also for the initial workforce. The Committee further notes the initiative “*diversità lavoro*” (diversity at work) which is directed at promoting access to employment for persons with disabilities by promoting direct contacts with potential employers. *The Committee asks the Government to identify the specific measures adopted under the National LGBT Strategy and their impact in addressing and preventing discrimination in employment and occupation on the ground of sexual orientation and gender identity. The Government is also asked to continue providing information on the measures adopted or envisaged to promote equality of*

opportunity and treatment for persons with disabilities, including the application of Legislative Decree No. 151/2015, and their impact. Further, the Government is asked to provide information on the cases of discrimination processed by the UNAR and reported to or detected by labour inspectors, and their outcomes.

Public administration. The Committee notes the information provided by the Government concerning the three-year plans for affirmative action adopted by the central public administrations. It notes in particular the measures regarding the provision of childcare facilities, the opportunities for teleworking, working time flexibility and the implementation of training programmes through video-conferences aimed at facilitating the reconciliation of work with family responsibilities. *The Committee asks the Government to provide information on the impact of the three-year plans for affirmative action adopted by the public administration on the advancement of equality of opportunity and treatment, particularly with regard to the access of women to posts and job positions in the public administration in which they are under-represented. It also asks the Government to identify any specific measures adopted or envisaged by the public administration to prevent and address discrimination based on the other grounds prohibited by the Convention. The Committee once again asks the Government to supply 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”, including the manner in which this committee cooperates with the National Equality Counsellor.*

National Equality Counsellor. *The Committee reiterates its request to the Government to provide information on the action carried out by the National Equality Counsellor, and its impact, in particular through the implementation of the Charter for Equal Opportunities.*