



THIRD ITEM ON THE AGENDA

**Effect to be given to resolutions adopted  
by the International Labour Conference  
at its 92nd Session (2004)**

**Resolution concerning the promotion of gender  
equality, pay equity and maternity protection**

1. At its 92nd Session (June 2004), the International Labour Conference adopted a resolution concerning the promotion of gender equality, pay equity and maternity protection. The text of the resolution is appended.
2. The resolution:
  - (a) calls upon all governments and social partners to actively contribute – in their respective fields of competence – to eliminate all forms of discrimination in the labour market and to promote gender equality between men and women as well as dismantle barriers which prevent women from obtaining economic autonomy through their labour market participation on an equal footing with men (operative paragraph 1);
  - (b) appeals to all governments of ILO member States to:
    - (i) ratify the Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111);
    - (ii) introduce or strengthen appropriate legislation, programmes and other measures aimed at eliminating gender discrimination in the workplace;
    - (iii) regularly compile, publish and disseminate gender-disaggregated data on labour market indicators, taking into account other forms of discrimination (operative paragraph 2);
  - (c) calls on employers' and workers' organizations to promote: the negotiation and adoption of employment equity plans; the introduction of gender-neutral job evaluation schemes; and the evaluation of gender-equality policies, workplace practices and programmes in order to detect and eliminate discrimination, taking into account other forms of discrimination. It also calls on the social partners to carry out capacity-building, training and advocacy programmes on all aspects of pay equity (operative paragraphs 3 and 4);

- (d) invites the Governing Body to instruct the Director-General to continue, strengthen and accelerate the efforts of the ILO to achieve the objective of equality between women and men and equal opportunities in working life (operative paragraph 5);
  - (e) instructs the Director-General to ensure that sufficient funding is in place to enable the Office to promote the objectives of the resolution (operative paragraph 5);
  - (f) requests the Director-General to report back to the Governing Body on the implementation of the resolution (operative paragraph 5).
3. This document outlines and provides illustrative examples of the approach to be taken by the Office to give effect to the resolution.

### **Promoting the ratification and application of ILO standards specifically addressing gender equality**

- 4. The elimination of discrimination in employment and occupation is a long-standing objective of the ILO and is at the core of the Decent Work Agenda. The two ILO Conventions considered fundamental with regard to the elimination of discrimination are Conventions Nos. 110 and 111.
- 5. The Equality and Employment Branch (EGALITE) continues to promote gender equality and pay equity through its assistance on the ratification and implementation of Conventions Nos. 100 and 111. The Declaration on Fundamental Principles and Rights at Work is an important part of this effort. The Office is also undertaking advocacy work for the ratification of the Maternity Protection Convention, 2000 (No. 183), and the Workers with Family Responsibilities Convention, 1981 (No. 156). This is consistent with the Programme and Budget for 2004-05 Shared Policy Objective: ILO constituents take positive action to increase gender equality in the world of work; and Indicator (a): international labour standards on gender equality in the world of work, which calls on member States to ratify all four key equality Conventions Nos. 100, 111, 156 and 183.
- 6. A broad range of Office activities, both at headquarters, in particular with ACT/EMP and ACTRAV, and at the regional, subregional and country level, have helped promote these standards through technical cooperation, advisory services, research and awareness-raising seminars.
- 7. Following a 2003 general observation on Convention No. 111 specifically addressing sexual harassment, countries which ratify Convention No. 111 are urged by the Committee of Experts on the Application of Conventions and Recommendations to address sexual harassment through national measures. In this context, EGALITE continues its research and analysis of national legislation, case law and practice on sexual harassment in ILO member States. At the same time, EGALITE has provided technical advice and training on sexual-harassment legislation and policies to constituents where requested.
- 8. EGALITE provides technical assistance to the development of an Equal Employment Opportunity (EEO) Plan of Action and EEO Guide, technical advice on legislation, policies and the institutional framework on gender equality for the preparation of national strategies to ensure that the provisions of Conventions Nos. 100, 111 and 156 are taken into account, has held a series of workshops to train judges on international labour standard and equality issues.
- 9. EGALITE is in the process of developing a guide on using ILO standards to prohibit discrimination and to promote equality, which would include Conventions No. 100, 111

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and 156. In order to educate employers and workers as well as government officials on the work and family issue, EGALITE is drafting a guidebook on Convention No. 156.

10. The Follow-up Action Plan (2004-07) to the Global Report “Time for equality at work”, endorsed by the Governing Body in November 2003, envisages a high-level tripartite expert meeting on equal remuneration between sexes and racial/ethnic groups in the 2006-07 biennium. In preparation for this meeting, research is being carried out, including on the impact of regional economic integration processes, the pay gap in selected sectors and the factors accounting for the gap. Subject to resources available, preparatory tripartite national meetings will be held in a number of countries.
11. The Conditions of Work and Employment Programme (TRAVAIL) is currently updating the database on national legislation related to maternity protection which first appeared in the *Conditions of work digest* of 1994. As recognized in the Workers with Family Responsibilities Convention, 1981 (No. 156), gender inequality in the workplace continues to be linked to family responsibilities in virtually all countries. In order to better understand the problems of reconciling work and family and how policies can affect gender equality, TRAVAIL is undertaking a series of about 12 work/family country studies in developing countries where little information is available.
12. As part of its efforts for capacity building on work and family and Convention No. 156, TRAVAIL will be publishing a book entitled “Reconciling work and family responsibilities: What can be done?”. This will provide information on what is being done in countries, communities and enterprises around the world to facilitate the reconciliation of work and family responsibilities so that men and women with family responsibilities can engage in employment without being subject to discrimination.
13. In order to sensitize constituents to the problems of workers with family responsibilities and promote the ratification of Convention No. 156, TRAVAIL published in June 2004 a booklet entitled “How are workers with family responsibilities faring in the workplace?”.
14. As part of its work on working time and work organization which has the promotion of gender equality as one of its primary goals, TRAVAIL published a report on working time and workers’ preferences in industrialized countries in 2004 that draws on gender-disaggregated data on working time (including on working hours, part-time work, night work and work/family measures). The report’s advice on developing working time policies includes guidance on how to ensure that these policies promote gender equality.
15. For training and advocacy activities, a set of information sheets related to work and family issues, as well as sheets on working time and work organization, has been published, a number of which include discussions of trends by gender and policies to promote equality. To provide support to constituents concerned about safe maternity at the workplace, a document entitled “Healthy beginnings: Guidance on safe maternity at work” was also published in 2004. This basic document is being used to develop local training materials in more specific national contexts.
16. The Strategies and Tools against Social Exclusion and Poverty (STEP) programme also published a working paper in 2003 entitled “Extending maternity protection to women in the informal economy: An overview of community-based, health-financing schemes”. The paper will assist in the development of practical guidelines to be used as a tool to promote community-based, health-financing schemes that embody relevant maternity protection services.

## Promotion, awareness raising, advocacy and capacity building

17. The report of the World Commission on the Social Dimension of Globalization found that gender inequality in many countries has meant that many women have not fully benefited from globalization and have been more adversely affected than men by the impact of trade liberalization, financial crises and cuts in social protection. At the same time, global production systems have created employment and income opportunities for women relative to men. However, gender wage gaps persist and working conditions for women can be poor, precarious and exploitative. Women's lack of access to productive resources and lack of organization and voice in decision-making processes that affect them continues to pose challenges to ILO social partners in addressing the "feminization of poverty".
18. Advancing gender equality in practice is even more urgent if equitable growth, poverty reduction and decent work are to be achieved. The systematic inclusion of the gender dimension into the design of all ILO programmes is critical. Research and advocacy efforts will address how gender equality benefits economic and business interests at the same time as enhancing social justice goals.
19. The Office's gender mainstreaming strategy is designed to assist constituents and staff to be more effective in increasing gender equality in the world of work and so enhance the ILO's contribution to social and economic development and poverty alleviation.
20. As part of its continued work in implementing the Action Plan on Gender Equality and its efforts to promote a gender mainstreaming strategy within the ILO and with constituent organizations, the Bureau for Gender Equality (GENDER) is coordinating the ILO Gender Equality Partnership Fund (the Fund).
21. The Fund supports a number of projects worldwide and contributes to the visibility of ILO actions promoting gender equality, as well as further resource mobilization with donors. An important feature has been the inclusion of a gender budget line. The Fund has assisted mobilizing resources to strengthen the capacity of constituents to promote gender equality, e.g. trade unions in Africa.
22. The first ILO Gender Audit identified the need for basic materials on gender mainstreaming for staff and constituents. Through the Fund, GENDER is developing practical guidelines and a compendium of good practices by constituents on gender mainstreaming and enhancing the gender mainstreaming capacity of ILO constituents. Toolkits for employers' and workers' organizations are being produced.
23. The Office is extending opportunities for constituents to participate in self-assessing gender audits. Requests have already been received from constituents in a number of countries to conduct audits with their organizations and these commenced in 2004. Other UN agencies have also requested support from the ILO to conduct audits in their offices. To facilitate this new approach the *Gender Audit Manual* has been revised and audits are continuing within the Office, both in headquarters and in field offices.
24. As women face gender-based obstacles in accessing finance, business premises and other economic resources, the Office continues its work to expand income opportunities for women entrepreneurs by improving their business skills and access to resources. There has been increasing recognition of the important role that women entrepreneurs play in enterprise creation and growth, employment creation and consequently poverty reduction.
25. Work is being undertaken by the Women's Entrepreneurship Development and Gender Equality (WEDGE) programme in developing the knowledge base ("knowledge"),

promoting advocacy and voice (“advocacy”), and creating innovative support services, tools and products (“services”). WEDGE cooperates with ACT/EMP to link women entrepreneurs with employers’ organizations, the skill and employability programme work on women entrepreneurs with disabilities, MIGRANT on trafficking, ILO/AIDS and GENDER.

26. The ILO Gender Poverty and Employment (GPE) programme aims to contribute to the reduction of poverty by reducing gender disparities and inequalities in employment over four continents. The programme’s basic tool is a modular training package which illustrates the gender-specific disadvantages of women living in poverty, identifies key policy issues and provides guidance on how the issues can be addressed. The capacity-building tool can be adjusted to different situations and contexts. The GPE approach used systematically as part of a standard toolset for the Decent Work Country Programmes, will continue to assist the Office and the constituents in their poverty analysis and strategy development.
27. The “Resource kit for trade unions on promoting gender equality” prepared by the Employment Sector in cooperation with ACTRAV has been translated into several languages and widely distributed. National trade unions, the ICFTU, the Global Union federations and international trade secretariats are using it for training and awareness activities.
28. IFP/IPEC has intensified gender mainstreaming in its work at headquarters and in the field. Capacity building for IPEC staff and partners in gender analysis and planning has been a focus and a compilation of good practices in gender mainstreaming has been produced. Staff make considerable efforts to include gender in their work. As part of this effort, in the design of Time-Bound Programmes staff carry out gender analysis and planning in the identification of indicators, strategies and activities, and include data disaggregated by sex, and ensure that stakeholders representing men, women, boys and girls are involved. The IPEC operational manual takes gender into account in project design throughout the project cycle.
29. ILO/AIDS has highlighted the importance of how workplace programmes on HIV/AIDS covering prevention, care and the protection of rights need to be gender sensitive and include activities for women and men separately and together. The ILO Code of practice on HIV/AIDS and the world of work provides practical guidance for workplace action. ILO/AIDS and GENDER have also prepared an issues paper on the role of men and boys in the fight against HIV/AIDS as one of the areas for promoting gender equality in the world of work and beyond.
30. The Sectoral Activities Department (SECTOR) is incorporating gender issues in the programmes and technical cooperation it carries out. Gender-specific interventions are made where appropriate, gender equality is borne in mind in the selection of agendas for meetings, work is gender mainstreamed with data collection disaggregated by sex, the selection of subject matters and gender equality included on the agenda of sectoral meetings.
31. *The Governing Body may wish to request the Director-General to –*
  - (a) *communicate the resolution to the governments, employers’ and workers’ organizations of member States and draw attention to operative paragraphs 1, 2, 3 and 4 and ask the governments and social partners concerned for information on action taken by them to implement the recommendations contained therein;*

- (b) take full account of the resolution when preparing future ILO activities and in particular intensify the strategy of gender mainstreaming to ensure that the work of the Office contributes to the goal of gender equality in accordance with the Action Plan on Gender Equality and Gender Mainstreaming;*
- (c) give priority to the recommendation contained in operative paragraph 5(g), when implementing the 2004-05 and the 2006-07 programmes, when allocating such resources that may be available during the 2004-05 biennium and when preparing future strategic plans and programmes and budgets for the 2006-07 biennium in particular for the High-level Tripartite Expert Meeting on Equal Remuneration between Sexes and Racial/Ethnic Groups;*
- (d) ensure that implementation reports for the current and next biennium provide sufficient information on how the resolution and its follow-up are being implemented throughout the ILO and the Office;*
- (e) consider the possibility of proposing gender equality in the world of work as an agenda item for general discussion at the 95th Session (2007) of the International Labour Conference.*

Geneva, 11 October 2004.

*Point for decision:* Paragraph 31.

## Appendix

### Resolution concerning the promotion of gender equality, pay equity and maternity protection

The General Conference of the International Labour Organization,

Recalling the Equal Remuneration Convention, 1951 (No. 100), the Discrimination (Employment and Occupation) Convention, 1958 (No. 111), the Workers with Family Responsibilities Convention, 1981 (No. 156), and the principles enshrined in other relevant Conventions,

Noting the adoption of the Maternity Protection Convention, 2000 (No. 183), at the 88th Session of the International Labour Conference,

Noting the pertinent provisions of the Universal Declaration of Human Rights (1948), of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (1979), the United Nations Convention on the Rights of the Child (1989), the ILO Declaration on Equality of Opportunity and Treatment for Women Workers (1975), the Beijing Declaration and Platform for Action (1995), the ILO Declaration on Fundamental Principles and Rights at Work and its Follow-up (1998) and of the international labour Conventions and Recommendations aimed at ensuring equality of opportunity and treatment for men and women workers,

Recalling that gender equality is a cross-cutting element in the ILO's Decent Work Agenda and covers all the strategic objectives, and noting the conclusions and recommendations contained in the report of the World Commission on the Social Dimension of Globalization (WCSDG) entitled "A fair globalization" with regard to the effects of globalization on women and the need, in particular as concerns gender issues, for greater policy coherence at the national and international levels,

Affirming that regulatory measures and other measures should be mutually strengthening in overcoming the challenges of gender inequality in the world of work,

Emphasizing that the achievement of gender equality, including pay equity through application of the principle of equal pay for work of equal value, is fundamental to promoting decent work and social development and also essential to successful poverty-eradication strategies, and that quality jobs, as well as quality public services and other support services, are fundamental in promoting equal opportunities for all,

Noting that globalization can result in serious gender imbalances and heightened job insecurity and marginalization, and recognizing that gender discrimination in the labour market retards economic development and that the global gap between economic and social development affects gender disparity,

Noting the potential of women entrepreneurs and the need to release this potential in order to achieve greater economic and social development in a globalized economy,

Recognizing the importance, in particular for girls, of providing equal access for boys and girls to education and training, as a key enabling tool in achieving gender equality in the world of work,

Noting that maternity protection is an important element in national gender equality policies, and concerned about the lack of maternity protection for certain categories of workers, such as women employed in informal activities and other especially vulnerable groups,

Recognizing the importance and value of existing technical assistance programmes carried out by the International Labour Organization on gender equality and pay equity issues, as described in the Global Report "Time for equality at work" submitted to the International Labour Conference at its 91st Session (2003),

1. Calls upon all governments and social partners to actively contribute – in their respective fields of competence:

- (a) to eliminate all forms of gender discrimination in the labour market and to promote gender equality between women and men and to dismantle barriers which prevent women from obtaining economic autonomy through their labour market participation on an equal footing with men and, to this end:
  - (i) develop and implement national policies to provide equal opportunities and access for women and men to education, training, career development and employment, as well as equal pay for work of equal value;
  - (ii) develop gender-sensitive national policies to stimulate entrepreneurship and business creation at all levels and to ensure that both women and men enjoy equality of property rights and have access on equal terms to capital, including land, other financial resources, financial services and counselling;
  - (iii) promote entrepreneurship, in particular female entrepreneurship, and examine ways to help women entrepreneurs or self-employed women in the informal sector to formalize their activities;
  - (iv) prevent discrimination against women in recruitment and at all levels in employment, to overcome barriers to promotion;
  - (v) eliminate pay differences based on gender;
  - (vi) ensure a safe and sound working environment for both women and men;
  - (vii) promote measures to better reconcile work and family life;
  - (viii) develop gender-sensitive social security schemes;
  - (ix) ensure that the gender aspect is taken into consideration in labour market regulation and collective agreements;
  - (x) promote opportunities for the participation of women and men on equal terms in working life as well as in civil life at all levels;
- (b) to analyse the impact of gender segregation on the labour market;
- (c) to provide all employed women with access to maternity protection;
- (d) to consider how women workers not covered in the previous subparagraph, especially those in vulnerable groups, can be provided with access to maternity protection;
- (e) to take into account the impact that policies on matters not strictly related to labour issues may have on questions of gender at work.

2. Appeals to all governments of ILO member States to:

- (a) ratify the Equal Remuneration Convention, 1951 (No. 100), and the Discrimination (Employment and Occupation) Convention, 1958 (No. 111);
- (b) introduce or strengthen appropriate legislation, programmes and other measures aimed at eliminating gender discrimination in the workplace;
- (c) regularly compile, publish and disseminate gender-disaggregated data on labour market indicators, taking into account other forms of discrimination.

3. Calls upon employers' and workers' organizations to promote:

- (a) the negotiation and adoption of employment equity plans;
- (b) the introduction of gender-neutral job evaluation schemes;
- (c) the evaluation of gender equality policies, workplace practices and programmes in order to detect and eliminate gender discrimination, taking into account other forms of discrimination.

4. Calls upon workers' organizations to carry out capacity building, training and advocacy programmes on all aspects of pay equity.

5. Invites the Governing Body of the International Labour Office to instruct the Director-General:

- (a) to continue, strengthen and accelerate the efforts to achieve the objective of equality between women and men and equal opportunities in working life at all levels, and to this end:



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- (i) vigorously continue its work with the Action Plan on Gender Equality;
  - (ii) make use of the mainstreaming strategy in all walks of gender-sensitive policies related to the labour market;
  - (iii) use benchmarking and monitoring systems, indicators and mechanisms in programmes and activities, including standards-related activities, to promote gender equality and equal opportunities;
  - (iv) promote the collection, processing and dissemination of up-to-date gender-sensitive knowledge, studies and research, including best practices in this field, as well as the production of reliable data and analyses of labour market developments and trends broken down by gender;
- (b) to intensify the campaign for the universal ratification and implementation of Conventions Nos. 100 and 111 together with the other fundamental Conventions;
  - (c) to continue and strengthen substantively ongoing work to provide capacity building, training and advocacy programmes on all aspects of gender equality and pay equity for governments, and employers' and workers' organizations;
  - (d) to continue research work and to publish research results in simple and accessible format on:
    - (i) the impact of minimum wages, restructuring and the provision of public services, and other support services on the gender wage gap, taking into account other forms of discrimination;
    - (ii) the effects of globalization and the relationship between economic development, the fight against poverty and pay equity on the situation of women in the world of work;
  - (e) to develop guidelines on how to carry out gender-neutral job evaluations and workplace reviews and support the dissemination of good practice in this area, in particular through newsletters or web-based resources;
  - (f) to establish a training programme on gender-neutral job evaluations at the International Training Centre of the ILO in Turin, Italy, for governments and employers' and workers' organizations;
  - (g) to ensure that sufficient funding is in place to enable the Office to promote the objectives of this resolution;
  - (h) to report back to the Governing Body on the implementation of this resolution.