

EQUAL OPPORTUNITIES AND DIVERSITY
CHANGING EMPLOYMENT PATTERNS IN THE EUROPEAN
ELECTRICITY INDUSTRY

A Report for EPSU, EMCEF and EURELECTRIC
Volume One – Main Report

January 2005



Peter Fairbrother, Steve Davies, Nikolaus Hammer, Martin Jephcote,
Alison Parken, Dean Stroud

GPE - Cardiff School of Social Sciences/Global Political Economy,
Cardiff University

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This project received financial support from the European Commission DG Employment and Social Affairs – Social Dialogue.

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This report was commissioned by the European social partners EPSU, EMCEF and EURELECTRIC. The views expressed herein are those of the Contractor and do not represent any official views of the social partners or the managers, trade union representatives or employees that were interviewed. The views expressed herein represent an expert opinion and are neither official nor those of the companies.

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LIST OF ABBREVIATIONS

CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CERD	International Convention on the Elimination of Racial Discrimination
ECHR	Human Rights and Fundamental Freedoms (ECHR)
EES	European Employment Strategy (EES)
ETD	European Union Equal Treatment Directive
EU	European Union
EU-15	Membership prior to 1 May 2004
EU-10	New Members as of 1 May 2004
NAPs	National Action Plans (NAPs)
RED	Race Equality Directives (RED)

Executive Summary and Recommendations

The European Electricity industry is undergoing dramatic change, with implications for the composition of the workforce. Among the aims of the reforms promoted by the European Commission is to make decision-making more commercial, remove controls on profits and try to shift risk from consumers to shareholders. Nevertheless, regulation remains strong and governments still use the electricity industry as an instrument to further wider policy objectives, such as environmental and macro-economic aims (Fairbrother *et al.*, 2003). These developments provide the context for studying questions relating to equal opportunities and diversity.

The focus of the research is on ‘groups of workers who are potentially marginalised within the European electricity industry’. The project comprises a mapping of the European electricity industry workforce; an account of equal opportunities policies at supra-national, national and company levels; and a report that provides the evidence base for policy-making and learning strategies. The subject of the research is the companies and countries that make up the European Union.

The principal finding of the research is that the prevailing approach to equality and diversity in the European electricity industry is to introduce measures and practices relating to equal treatment. The aim is to avoid discrimination at the workplace, although the focus is much more on gender, than migration/ethnicity and age even less so. There is considerable variation of focus between companies in the industry, with some producing statements of intent, affirming equal treatment in relation to gender and ethnicity, and sometimes religion and sexuality. In other cases, there is an ambition to target specific social groups. Where these measures are part of a general approach by human resource departments, they are likely to be comprehensive and subject to debate and discussion amongst social partners; elsewhere they tend to be formal statements of intent with little evidence of impact. For the vast majority of companies, there was almost no evidence of mainstreaming; however, in two companies consideration had been given to mainstreaming, with one company taking decisive steps to mainstream policy through practice, especially on gender relations. While it is clear that trade unions, as a social partner, have a crucial part to play in shaping and promoting equal opportunities policies and practice, there was limited evidence that this in fact had happened.

The research involves an analysis of the legislative and institutional base of equality policies and initiatives; employment data; interviews with social partners at a company level; and interviews with employees selected according to key socio-demographic characteristics. These data are complemented by policy, research and related materials (such as previous studies commissioned by the EU and/or the social partners in the electricity industry).

Legal and Institutional Context

Equality of opportunity and diversity measures have been the focus of extensive political debate and the subject of legislation and policy initiatives, at supra-state and member state levels throughout the European Union. One outcome of these debates and the associated policy initiatives is that there is considerable variation between the countries that make up the European Union. These variations have implications for companies, operating within countries and between them.

Equality measures can be instigated through legislative reform (hard measures) or policy (soft measures). The adoption in 2000, of the European Union Equal Treatment Directive (ETD) and Race Equality Directive (RED), are an example of 'hard' or mandatory measures. Positive Action and Gender Mainstreaming, although given a legal basis in the Treaty of Amsterdam 1997, typify 'soft' or voluntary policy measures. In general, there has been a move from soft initiatives to formal legal measures.

The approaches to these questions are varied and occasionally contradictory. They include 'equal treatment', 'positive action', mainstreaming, and legal duties relating to 'promoting equality'. Further there is a complex relation between mainstreaming (gender or otherwise) and diversity recognition. In any consideration of these approaches, it is necessary to acknowledge not only the different and competing assumptions upon which they may rest, but also equally importantly the complementary and cumulative aspects to these approaches, especially in relation to legal regulation and policy application. These approaches inform and underpin EU directives and policies.

At a general level, the European Union is bound by a number of overarching treaties, which guarantee fundamental rights and freedoms: European Convention on Human Rights and Fundamental Freedoms (ECHR); the right of all persons to equality before the law and protection from discrimination is enshrined in the Universal Declaration of Human Rights, the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the International Convention on the Elimination of Racial Discrimination (CERD). Member States are also signatories to the United Nations Covenants on Civil and Political Rights.

The EU has required member states to introduce legislation on sex equality throughout the 1970s and 1980s. The most recent basis for equality recognition and policy development is the Equal Treatment Directive, 2000, and the Race Equality Directive 2000. Requirements are placed on member states (initially the EU-15) to transpose the Directives into law by 2003. However, in practice a number of member states have exercised options for delaying the age legislation until 2006, while others have not completed the transposition. The new members were required to enact the directives prior to accession in May 2004.

Since the articulation of the Community Framework Strategy on Equal Opportunities for Women and Men 2001, gender mainstreaming has acquired a centrality in the consideration of equality policies and practice, at a country level and at sector levels. While there is strong

pressure for gender mainstreaming policies throughout the EU, the actual practice is varied. One particular aspect that creates difficulty in the New Member States is the absence of specific and focused institutional arrangements in relation to the political structures of the country that address gender mainstreaming questions, such as gender balance targets at government committee level, and the like. The evidence suggests that the implementation of such policies will remain key issues for the EU-25 in the near future.

In March 2000, at the Lisbon European Summit, the EU agreed a new European Employment Strategy (EES), with aim of 'becoming the most competitive and dynamic knowledge-based economy in the world, capable of sustainable economic growth with more and better jobs and greater social cohesion' (Europa, 28 September 2004). Member States have now set common objectives and targets for employment and agreed to produce annual National Action Plans (NAPs). Within three overarching objectives of the strategy, ten guidelines focus policy in relation to employment. Gender mainstreaming is integral to all policy. Other guidelines address questions relating to age, migration, and disability. Together these guidelines constitute a comprehensive and linked approach to employment policy, one that should be reflected in the annual NAPs.

Equality and Diversity in Europe

The stated aim of the EU is to develop the EU economy in a dynamic, prosperous and inclusive way. As part of this programme, the EU has set a series of targets to achieve this ambition, and central to this programme is recognition that without equal opportunity, as a core component of the programme, these goals are unlikely to be achieved. Whilst, the EES/NAPs focus on economies as a whole, each sector comprises a part of this whole. In this respect, it is incumbent on the electricity social dialogue committee to address the ways in which the industry can play a leading part in this process.

Employment

The starting point for the analysis of the European electricity sector is a consideration of work and employment patterns. The primary aggregate data for such an analysis is derived from the European Labour Force Survey. Employment rates are the method of classification that is used. This presentation of the aggregate statistical data permits a comparison to be drawn between the electricity sectors in each country.

The electricity industry workforce is predominantly male and middle-aged. Overall, there appears to be a problem developing in terms of recruitment, retention and the conduct of the electricity business in the emerging circumstances, because of the age bulge in the industry. In the context of restructuring, the socio-demographic composition of the workforce is likely to shift in marked ways over the next few years. There are two dimensions to this profile: an age or generational dimension and an uneven pattern of female employment, both within

companies and between the EU countries. Of note, there is markedly less female employment in the EU-15 when compared with the Central and Eastern European countries. These features raise important questions for the focus and approach to training as well as for emergent distortions in the skills profile of the overall workforce.

The employment data presents a complex and uneven picture across the European electricity industry. With the exception of France, every country recorded major staff reductions in the context of corporate reorganisation. With the moves towards unbundling the former vertically integrated enterprises, overall staff levels were reduced, either directly via retirement and redundancy or via out-sourcing.

There are marked differences in the profile of employment in the electricity, gas and water supply industries. However, there are few discernable patterns in relation to specific features of governance, economic organisation, political history, and social arrangements. One set of differences, however, does emerge in the context of the different political and economic histories involving the EU-15 when compared with the New Member States. Another common feature is that the economic activity of males within the industry is higher than that of females, reflecting, in varied ways, the continued salience of traditional ideas about the role and place of women. Such patterns raise important questions in relation to the targets set under the EES procedures. Equally, the age profile in the industry displays a weighting towards higher age bands, which also raises questions about EES targets. Whilst, there is little evidence in this study on patterns of migration and ethnicity across Europe, evidence elsewhere suggests that complex practices are at work in different countries.

A specific set of questions arise in relation to the quality of working lives and related employment practices. Two features of work and employment relations are examined. First, consideration is given to sexual harassment at work and intimidation. There are varied patterns of awareness of sexual harassment, with men's awareness markedly lower than that of women. It would appear that awareness of sexual harassment is positively related to public policies on the subject. Equally, the patterns relating to the intentional use of power resulting in harm (by fellow employees and/or the public) suggest a developing problem. Second, there is evidence that the participation of women in the labour force is related to the availability of child support facilities. Low participation rates are calculated as the 'motherhood gap'.

Themes

Legislation, Collective Bargaining and Social Partnership: The evidence across Europe of the implementation of equality policies is limited. Nonetheless, the available evidence suggests that where firms pursue equal treatment policies and programmes then it is as a result of directives and legislation, rather than as a result of corporate initiatives. Equally, the evidence suggests that collective agreements featuring equality issues replicate and occasionally supplement legislative and related requirements. Notably there was no evidence of equality bargaining in a number of countries, and not only in the more recent membership amongst the New Member States.

Employee Experience: The career paths of staff and their associated experiences are distinctive in a number of ways. Four trajectories are identified: long-term careers paths, interrupted career paths, sideways career paths, and foreshortened career paths. The overall picture is one where men and women have different trajectories, with women often missing or indeed 'excluded' from long-term career paths. A second feature is that migrant workers in a number of companies came with high level qualifications, but these were not always recognised. At the other end, there is evidence that migrant employment is used in some cases as a reserve pool of labour to fill low status jobs in the company. In yet other cases, a claim was made that the company did not employ migrant workers, although it was clearly the case that in out-sourced work, often former direct management staff relied on pools of migrant workers. Increasingly in all companies there is an increasing emphasis on graduate recruitment, which often as a result served to disturb the established hierarchies of older employees in the company. The corollary of this recruitment is that older workers, (45+ years) are encouraged to leave employment, under early retirement and voluntary severance schemes.

Employment: Overall, most companies report that recruitment has been limited over the last few years. Where recruitment is occurring it is increasingly of graduate applicants. The outcome is a dumbbell shape for the employment profiles of many companies. Further, in all cases, there was considerable evidence of procedures that either do not recognise equal opportunities or rely on relatively personalised procedures. Recruitment procedures rarely take equality and diversity issues into account. More commonly, companies may set an objective to recruit specific types of workers.

Pay and Remuneration: On pay there was formal equality in every case, although there are striking differences in relation to opportunities, to bonuses and related benefits, as well as to grading structures. In addition, individual staff are unaware of the different remuneration arrangements that may apply in their areas of work as well as more generally. Nonetheless, there are a few examples where these questions have been addressed collectively, by union representatives. In these cases, there is evidence of both formal and substantive equality measures in relation to remuneration. Part of the difficulty here is that there are almost no examples of formal equality pay audits in these companies, a measure that would provide a robust basis for assessment and evaluation.

Work and Employment Practice: There is extensive evidence of a long hours culture in each of the companies covered by the survey. In these circumstances, the measures aimed at promoting work/life balance tend to have a partial aspect to them, in that they usually focus on women as mothers, rather than as more broadly based arrangements that apply to the whole workforce. The paradox is that these measures often serve to reproduce traditional domestic and employment roles, rather than counter them. These outcomes are further complicated by the relative absence of the support services to employees, in relation to their varied roles and responsibilities domestically.

Training: These companies offer a range of training programmes, often functional in its aim, with little attempt to address questions relating to equal opportunities. There is little overt

recognition in these courses of diversity or difference; there is virtually no positive discrimination. However, the training programmes almost without exception are skewed towards the younger rather than the older employees. Nonetheless, the evidence is that some young workers did not have ready access to training where issues relating to equal opportunities may be raised. While there is little concern among young male workers about this situation, many female employees expressed reservations about these arrangements. Overall, there are paradoxical patterns to the training arrangements. While the overwhelming emphasis in companies, particularly the transnational companies, is toward the younger more recent recruits, there is also evidence of differential access to training. In some cases, the young have limited access; in others, it is only the young. More generally, it should be noted that training sessions provide one opportunity to learn about and discuss equal opportunities policies. Still, there is limited evidence that this occurred anywhere, although there are examples of attempts to provide support through discussion and meeting, especially among women staff.

Procedures - Problems: Equal opportunities grievances and problems take many forms at all these companies, in relation to age, gender, migrant labour and other aspects of inequality and discrimination. While the procedures for dealing with such concerns varies from company to company, and particularly from workplace to workplace, it is the case that some companies have put in place publicly available and comprehensive procedures. However, in some cases staff face problems that are not viewed as genuine or not seen as the responsibility of the company, such as sexual harassment in at least one company. The conditions for addressing some of these deficiencies appear to be twofold, senior staff in place with specific and preferably sole responsibility for questions, policies, procedures and practice relating to equal opportunities and diversity, and active trade union memberships prepared and willing to tackle these often difficult questions. One prerequisite is that both these senior staff and trade union leaders question conventional views that it is the victim that is at fault rather than the perpetrators or the structures that underline some forms of inequality and discrimination.

Procedures - Outcomes: There is considerable variation in addressing questions relating to awareness of EU policy, company policy and practice, and the way to address and deal with problems and questions relating to equal opportunities and diversity. On the one hand some companies have well thought out and developed policies. In addition, there are procedures in place for dealing with these questions and issues that might arise. In other companies, while there is often a corporate policy, in specific national organizations, there is extensive evidence of a very limited engagement by both management and trade unions with these questions. More broadly, most companies rely on voluntaristic forms of awareness, such as intranet. In relation to implementation of policy, where middle level management face twin demands of operational output and targets and the enforcement of equal opportunities policy, the former generally prevails. Nonetheless, where trade unions recognise the importance of these issues, there is a refreshing engagement with these questions and the result is a wider awareness than elsewhere.

Without exception, there is a view that career progression favours men rather than women. In the case of migrant labour a more complex picture prevails, with some, in one company in particular, claiming that the opportunities are open ended, while the other companies present a

picture of degrees of discrimination, mainly informally, against migrant labour and in favour of nationals. Thus, the patterns of career progression in terms of men and women are clear cut and almost universal amongst women. In contrast, there are complex patterns evident in relation to migrants where it is often claimed that migrants have to doubly prove themselves. In one case, this view was rejected and the migrant labour force spoke ambiguously about their welcome to the company. For older workers the situation is complicated by preparation for post-work lives, major changes in terms of hierarchy and seniority, and a changing focus in these companies toward commercial and market-focused activity.

Overview

Management: In general, equality policy and practice is not mainstreamed in the electricity companies, although two companies have promoted aspects of mainstreaming, in initial and uneven ways. These different approaches mean that in some companies there is a tendency to rely on active and specially appointed senior staff to develop and implement policy, while in others this is simply a task along with many other tasks. In all companies, there is a tendency to rely on line management to underline company policy, an objective that is in every instance a second order concern. In practice, the broad view is that equal opportunities in whatever form is not a prime responsibility of line management.

Work Organisation: The way in which work is organised in these companies and the relation between work organisation and employment relations is a crucial dimension in any assessment of equal opportunity policies and practices. In all companies, there is evidence of a tension between work structure and the ability to benefit from flexible work arrangements. In effect, there is evidence that inequalities are built into critical aspects of the employment structure, with the result that in practice staff suffered on-going inequalities in practice.

Union: Trade unions are important vehicles for highlighting equality of opportunity policies and practice, particularly at a company level. However, it is unusual for trade unions to take up equal opportunity policies specifically at a workplace or local level, although trade unions did take up grievances in this area, although certainly not in all companies. Thus, there is an unevenness in trade union involvement in this area of activity, complicated by the fact that on some issues in a few companies, particularly personal cases around sexual harassment, there is a general denial that such activities could take place.

Conclusion

Company policy ranged from the comprehensive to the non-existent (in substantive as well as procedural terms). In those countries where there is a tradition of labour law regulation, companies take the Labour Code as sufficient tool for equal opportunities. The result is an uneven and often *ad hoc* approach to equal opportunities.

Overall, there is limited evidence of gender mainstreaming at company level. Rather, there is variation of practice, although some common themes are evident. Many companies had produced comprehensive policy on equal opportunities. These statements rarely extend to rights (line management decides on a case-by-case basis), they are often selective (type of procedures, include bullying/mobbing or not) and often they relate exclusively to specific aspects of social life, such as accommodating motherhood. The outcome is an uneven and often individual approach equality questions.

Recommendations

Legislation and Public Policy

The social partners should agree a joint public statement supporting a set of objectives about the value of equal opportunities policies and the recognition of diversity.

The social partners should promote dialogue and debate via the social dialogue committee on approaches to equal opportunity and diversity at a company level.

The social partners should take a lead in promoting the principles encapsulated in the EU employment guidelines.

Policy

Eurelectric should consider ways of promoting policy initiatives and development by companies in relation to equal opportunity mainstreaming.

The trade unions should review their approaches to questions relating to equal opportunities and diversity management, with a view to developing a uniform best practice approach across Europe.

In the context of ongoing restructuring in the electricity industry, the social partners should consider policies that take into account the differential impact of these developments on different social groups.

Resources and Tools

The social partners should commission research, in conjunction with Eurostat, to produce a robust database of the profile of employment in the European electricity industry as a whole.

The social partners should encourage companies in the European electricity industry to carry out equality audits of their companies and the divisions that make them up.

The social partners should consider the possibility of bidding for funds under the EU programmes to address questions relating to the many dimensions of equal opportunities.

Mainstreaming Employment

The social partners should seek a commitment from electricity companies that recruitment strategies should have targets relating to the proportion of women that should comprise the workforce.

The social partners should encourage companies to introduce formal recruitment and promotion practices that do not inadvertently result in unequal treatment between different categories of workers.

The social partners should develop a policy in relation to the age polarisation evident in many companies, advocating that steps are taken to positively integrate and involve different age groups.

Mainstreaming Procedures

The social partners should use the social instruments already at their disposal, such as collective bargaining procedures and practices, to address questions relating to equal opportunities.

The social partners should consider ways of encouraging the development of equal value tool kits to address questions relating to equal opportunities and diversity management.

The social partners should encourage companies to consider ways of bringing the detail of equality policies to the attention of employees in more comprehensive ways than exist at present.

The social partners should encourage companies to consider ways of raising the awareness among staff, and particularly line management about the value of equal opportunities and diversity management.

The social partners should promote opportunities for senior line managers to meet together and review best practice strategies on equal opportunities and diversity management.

Companies should be encouraged to include equal opportunity and diversity training in all training programmes, whether technical in focus or otherwise.

1 Equal Opportunities and Diversity in the European Electricity Industry

The project 'Equal Opportunities and Diversity: Changing Employment Patterns' explores the scope and scale of equality and diversity in the industry. The background to the project is twofold. First, the industry has and is continuing to undergo a major restructuring, with dramatic implications for the composition and organisation of the workforce. Second, the European Union has issued a number of directives and promoted policies relating to equality and diversity. These initiatives have direct and indirect effects on the European Electricity industry.

The current project develops the findings from a previous one, the labour market studies project titled 'Future Skill Needs in the European Electricity Sector' (Fairbrother *et al.*, 2003). This earlier project sought to identify skills and qualification gaps in the sector. An outcome of this research was the observation that the industry workforce was being recomposed with implications for companies, governments, and the industry as a whole. With this earlier project as reference point, the current report addresses the complex question of equal opportunities and diversity in a workforce that has been predominantly male, is aged and characterised increasingly by a generational polarisation, and where complex issues arise in relation to migration and the inclusion of ethnic minorities.

1.1 Aims and Objectives

The European electricity industry is undergoing change, following deregulation and with the beginnings of a recomposition of the workforce. At the same time the elaboration and implementation of equal opportunities policies is a feature of the European Union policies and directives. The subject of the study is equal opportunities and diversity in the European electricity industry, focusing on groups of workers who are potentially marginalised within the industry. These include women, ethnic minority/migrant worker groups, older workers and young people new to the industry (or generations of worker). The distinctiveness of this project is to consider equal opportunities and diversity as a main focus.

The project has the following specific aims:

To undertake a comprehensive mapping exercise, resulting in a socio-demographic profile statement of the European electricity industry workforce. This will particularly address the composition of the workforce in terms of gender, age, ethnicity and migration. Significant patterns and trends will be identified, and contextualized in terms of the restructuring of the industry.

To map equal opportunities policy at national and company level, including the analysis of national collective agreements. This will set the context for understanding equal opportunities practice.

To produce a set of briefings that identify and detail target groups needs, with regard to equality and diversity within the sector. These will be used to inform social partners, and provide an evidence base for policy making and the development of learning strategies.

The project is part of the Social dialogue work program for 2003. It is one of the action points of the electricity social partners' joint statement of November 2000 following the ECOTEC study on the social implications of the Internal Electricity Market where it was agreed to continue to work on equal opportunities. It is also an action agreed in the Joint Statement on Equal Opportunities and Diversity signed by EURELECTRIC and EPSU-EMCEF in March 2003.

The focus of the research is the companies and countries that make up the European Union. In the context of restructuring, both within countries and between countries, questions arise about equal opportunities and the implications of increasingly diverse workforces. To begin to explore these questions, the project considers the focus and detail of the EU Directives and policies, government compliance with these requirements, the patterns of restructuring that are taking place within the industry, the ways in which companies are addressing these requirements and the actual experiences of workforces.

The recent history of company restructuring is an appropriate starting point to examine the changing and evolving composition of these workforces. Ownership has shifted from a complex of state ownership, arrangements that involved national and local public ownership as well as some private ownership, to mixtures of municipal and other related forms of local public sector ownership, and situations where investor-owned utilities were dominant. By 2003, these arrangements had changed, with increasing private ownership, often involving cross-border ownership arrangements, some of which involve both the public and private sector.

While changes of ownership are the most obvious sign of the revolution that the electricity is undergoing, the other explanatory factors (restructuring, competition, compliance with the Electricity Directive (1997), the regulatory regime, and the environmental question) are also part of the transformation that the industry is undergoing. For example, in countries such as France or Ireland, which have yet to meet fully the provisions of the Electricity Directive, further restructuring could be necessary, so the situation we see in these countries now could change dramatically. Equally, the recent expansion of the EU from fifteen members to twenty-five, and with other additions being considered, it can also be assumed that the electricity industry in these countries will continue to undergo change, as the economies and practices within these countries are brought into line with each other.

Of more pertinence are the specific requirements in relation to equality and diversity. The EU has taken a number of steps in recent years to focus explicitly and directly on equality. In 1997, for example, the EU provided a legal basis for positive action and gender mainstreaming via the Treaty of Amsterdam. In 2000, the EU issued two directives, the Equal Treatment Directive and the Race Equality Directive. Such focused measures built on a wider framework of concern and engagement with equality questions. The European Union is bound by a number of overarching treaties, which guarantee fundamental rights and freedoms: European Convention on Human Rights and Fundamental Freedoms (ECHR); the right of all persons to equality before the law and protection from discrimination is enshrined in the Universal Declaration of Human Rights, the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the International Convention on the Elimination of Racial Discrimination (CERD). Member States are also signatories to the United Nations Covenants on Civil and Political Rights.

For the first time in many Member States, there is anti-discrimination legislation covering training and employment on the basis of age, disability, race and ethnicity, religion and belief, sexual orientation and gender. These regulations and requirements directly relate to the policies, organisation and practice on measures relating to equality and diversity in the European electricity industry.

These factors are the starting point for analysis. The key reference points are the requirements imposed on companies and workforces and the rights enshrined under law and regulation. Within the context of on-going change and restructuring this is an industry that faces a specific set of challenges in relation to equality and diversity within the industry.

1.2 Analytic Framework

The research draws on an established approach to comparative investigation and analysis. The explanatory framework is based on a consideration of analytic approaches to comparative societal research (e.g. Maurice, Sellier and Silvestre 1986). This framework guides the exploration and consideration of equality and diversity in the modern European electricity industry. For the purpose of analysis, equality measures are encapsulated in an approach that:

Incorporates the cumulative aspects of different approaches such as Equal Treatment, Positive Action, and Gender Mainstreaming, which in turn is based on different sets of assumptions.
Has a multi-faceted reference, which in this case includes age, gender, disability, race and ethnicity, religion and belief, and sexual orientation.

In addition, diversity is:

Predicated on a view that difference is a feature of social life
Assumes that difference should be valued (for an elaboration of these principles see Appendix Two).

These principles point to a set of distinctions between legislation, policies, practices and outcomes.

The implicit recomposition of workforces, and the ways this recomposition is recognised is addressed in the following framework:

Employment Profiles
Employment Experience
Pay and other Forms of Remuneration
Work and Employment Practice
Procedures
Training

These key dimensions provide a framework for identifying and explaining the patterns of organisation and operation within companies, as well as the processes of change. The integration between these aspect and the intersection with legislative directives and corporate restructuring and associated developments, have largely been overlooked.

The analytic approach that is followed in this study is to use this framework in the analysis, locating companies according to these criteria. The task is to explain the differences between the companies, thereby locating the skills needs in relation to actual histories and experiences. The test is to consider polices and practices in relation to equality and diversity between companies/countries and the workforce concerns that may be emerging. This framework will organise the discussion of the case studies and related data.

1.3 Research Strategy and Approach

The approach followed in the research is to review previous studies, develop an analysis of the quantitative data where appropriate, and conduct original research of selected companies, using established qualitative methods (for an approach addressing some of these themes, see Spencer *et al.*, 2003). The principle method used is case study based interviews, with key informants, complemented by analysis of primary documentary records (e.g. company reports).

This approach to research is well founded. The strength of interview based case study research is that it relies on four related elements:

Study of social questions in context (the examination of equal opportunity and diversity strategies and practice)

An agreed definition of the case (in this instance electricity companies)

Multiple sources of data (interviews, submissions, documents, statistical sources, reports, previous studies)

A variety of methods (interviews, informal comment, observation, documentary analysis, statistical analysis) (see Burgess, 2000)

Interviews were used to provide a data source that otherwise is unavailable. Additionally, the 'interview' is an exchange out of which it is possible to develop understandings. Thus:

An adequate understanding of interviews depends on recognizing how interviewers reformulate questions and how respondents frame answers in terms of their reciprocal understanding as meanings emerge during the course of the interview. (Mishler, 1986: 52)

The research is based on two types of interview. First, all respondents were asked the same pre-established questions. However, rather than seek fixed answers, the interviews provided the opportunity to explore questions about the current situation in the electricity industry as well as the possible developments that may be underway in relation to skills needs. Second, to give voice to staff and to generate a distinctive view of skills needs and requirements, a series of panel interviews were held with selected staff (Fontana and Frey, 2000). In this case, the distinctions were as follows:

Management with responsibility for Human Resources, including equal opportunities

Trade union officials

Panel interviews, comprising:

Older workers: over 45 years of age

Younger workers: under 35 years of age

Female workers

Ethnic/migrant workers

Such an approach is well suited to explore emerging issues and links in depth. Across the European Union countries there is considerable variation in relation to the recruitment and presence of different sets of workers, according to the above criteria. In addition, company policies have evolved in strikingly varied contexts. These range from the varied ways in which directives have been transposed into domestic legislation; the varied political histories of these countries; the variations between public and private companies, between companies that only operate in a single state and those that operate across state borders, and the variations in socio-demographic composition of different workforces. These features mean that equality and diversity questions are crucially shaped by both specific national contexts and the intersection with different forms and patterns of ownership. It thus is appropriate to explore these themes in their respective contexts. This approach has successfully been used in a series of international comparative research projects (see e.g. Winterton, 1998).

The Steering Committee for the project provided guidance and advice at critical stages of the project. A core part of the project rests on a set of case studies, examining the themes related to equality and diversity. The selection of companies in the study was made by the Steering Committee. In turn, the companies identified staff for interview and the recognised unions did the same with their membership.

The participating companies covered eleven countries, comprising nine from the EU-15 and two from the New Member States. In four companies, extensive studies were conducted, involving at least four panel interviews, as well as a number of individual interviews, with management and trade union representatives. The details are provided below:

Table 1.1: Countries and Responses

COUNTRY	RESPONSE
Austria	2 Mgt, 1 Emp, 1 Union
Belgium	1 Mgt, 2 Emp
Denmark	2 Mgt, 2 Union
Estonia	2 Mgt, 2 Union
Germany	2 Mgt, 2 Union
Greece	4 Mgt
Hungary	4 Mgt, 4 Panels
Ireland	2 Mgt, 4 Panels, 2 Union
Italy	2 Mgt, 8 Union, 4 Panels
Spain	2 Mgt, 2 Union
Sweden	2 Mgt, 4 Panels, 2 Union

The detailed studies comprised the following:

Collection of documentary material

Collection of statistical data

Interviews with key respondents, drawn from management and trade unions

Four panel interviews, covering age, gender and ethnicity/migrant workers.

1.4 Timetable

The timetable for the research and analysis is set out below:

October/December 2003	Analysis of literature, identifying issues and policies
March 2004	Presentation of first report
April/May	Preparation
May/June/July	Interviews/fieldwork/Transcription
July/September	Analysis
October	Analysis, report
November/December	Presentation
Final Changes and presentation	

1.5 Research Team

The social dialogue committee (Union of the Electricity Industry – Eurelectric, EPSU, and EMCEF) of the European Electricity Sector commissioned the Global Political Economy Research Group, Cardiff School of Social Sciences, Cardiff University to undertake the project. The research team comprised:

Steve Davies
Peter Fairbrother
Nikolaus Hammer
Martin Jephcote
Alison Parken
Dean Stroud

The research, analysis and writing up was done between the 1 October 2003 and 31 December 2004.

1.6 Structure

The structure of the report is as follows:

Section Two provides an overview of the key legislative and related developments that have taken place in the European Union. This part of the report is based on available data from public sources.

Section Three presents an overview of the employment profiles of the industry.

Section Four deals with the themes and issues that face the industry in relation to equality and diversity. These cover:

Legislative requirements for firm-level equality plans and collective bargaining
Employee Experience
Employment
Pay and Remuneration
Work and employment practice
Training
Procedures

Section Five addresses the question as to whether equality and diversity is an issue for the European electricity industry.

Section Six presents a series of recommendations for the Social Dialogue Committee, for discussion and debate.

Annexes (Volume Two)

One: A list of the participating companies and unions

Two: Equality and Diversity in the European Union: A Legal and Institutional View

Three: Company Reports

Five: Interview Schedules

2 Equality and Diversity in Europe – A Legal and Institutional View

Equality of opportunity and diversity measures have been the focus of extensive political debate and subject of legislation and policy initiatives, at supra-state and member state levels throughout the European Union. The debates have their origins in the successive waves of feminist debate as well as other political dialogues over the last century. One result is a variety of approaches to the ways in which these core ideas are captured in legislation and related policies. Another outcome is that the European Union countries are not all of a piece, with some countries developing publicly recognised comprehensive approaches to equality questions, while others are at a beginning. These variations have implications for companies, operating within countries and between them.

Equality measures can be instigated through legislative reform (hard measures) or policy (soft measures). The adoption in 2000, of the European Union Equal Treatment (ETD) and Race Equality Directives (RED), are an example of ‘hard’ or mandatory measures. Positive Action and Gender Mainstreaming, although given a legal basis in the Treaty of Amsterdam 1997, typify ‘soft’ policy or voluntary measures. Over the last two decades, there has been a move from soft initiatives to formal legal initiatives.

At a general level, the European Union is bound by a number of overarching treaties, which guarantee fundamental rights and freedoms: European Convention on Human Rights and Fundamental Freedoms (ECHR); the right of all persons to equality before the law and protection from discrimination is enshrined in the Universal Declaration of Human Rights, the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) and the International Convention on the Elimination of Racial Discrimination (CERD). Member States are also signatories to the United Nations Covenants on Civil and Political Rights.

More pertinently, since the introduction of the ETD and RED a ‘six strand’ approach to equality has emerged within the EU. For the first time in many Member States and Candidate Countries there is anti-discrimination legislation covering training and employment on the basis of age, disability, race and ethnicity, religion and belief, sexual orientation and gender. These initiatives provide a key foundation for a consideration of equality measures and diversity management by companies, trade unions and workforces.

2.1 Approaches

While the debates about equal opportunities and diversity recognition are complex and often contested, it is possible to identify five core approaches to equality questions. They are:

Equal Treatment (ET)
Positive Action (PA)
Mainstreaming (especially Gender Mainstreaming – GM)
Diversity Management (DM)
Legal Duties (LD)

These approaches rest on distinct and occasionally opposing philosophies. In addition, it is only recently that questions relating to diversity have emerged in a specific form as part of the more general debates about equality in contemporary society. The following approaches to equality inform the implementation of hard or soft measures.

Equal Treatment: Often referred to as an anti-discrimination measure, the aim is to create a situation whereby individuals and social groups are not treated unfairly in relation to each other.

Legislation that furthers this approach supports a basic principle of equal access and opportunity to education, training and labour markets. It attempts to remove formal barriers to labour market participation. To illustrate, the principle of Equal Treatment has been called upon to remove ‘marriage bars’, which required women to resign from their jobs upon marriage. Such a policy operated until 1972 within the Diplomatic Service of the UK Government and the Irish Civil Service. However, such policies leave a lasting legacy; the idea that women’s priority should be their role in the home still underpins the terms on which they participate in labour markets.

Equal Treatment is also the principle called upon to prevent different groups of people from being treated unfairly in relation to each other in respect of access to occupations, pay and progression. This approach underpins anti-discriminatory legislation and in practice it enjoins employers to treat everyone ‘the same’. However, it is clear that this is insufficient to produce equality of outcome.

What is missing is an understanding that to treat people equally one may have to treat them differently. Older workers, for example, have been particularly vulnerable to redundancy and subsequent long-term unemployment, and have been retiring early to such an extent since labour market restructuring in the 1980s that policy intervention will be needed to reverse this trend. To produce equality of outcome, which is more meaningful than formal equality of access, older workers may need to be treated differently to other workers.

Positive Action: This approach is premised on the assumption that in order to address the inequalities associated with difference in the prevailing social order, it may be necessary to provide specific sets of support to achieve equality.

The approach recognises the significance of the effects of ascriptions applied to group membership (older, younger, disabled, ethnic minority, women) on the allocation of positions in the labour market. It is an approach that seeks to provide mechanisms and measures that compensate for the inequalities of access in different spheres of social life.

The EU has recognised the aims and objectives of Positive Action approaches. Positive Action measures are allowable for women under the ETD and RED for ethnic minority groups, disabled workers, older workers, sexual orientation, religion and belief. Such an approach, for example, can mean the provision of women-only training programmes and the development of women's enterprises.

The assumptions underpinning this approach can be contested. Too often the content of programmes is to bring women, for example, up to men's standards (i.e. providing them with assertiveness training). These measures treat 'difference' to men as a 'deficit', and consequently do not address the structural replications of men's advantage or more precisely the 'norm' of able bodied, white male full-time employment. More generally, these approaches rest on an implication that 'difference' implies an assumption of 'less than' in relation to comparator social groups.

Mainstreaming: Mainstreaming is an equalities approach that distinguishes itself from ET and PA in seeking to undermine the reproduction of advantage and disadvantage throughout all policy areas, rather than relying upon discrete equality legislation.

Mainstreaming approaches have been developed in relation to gender inequalities specifically. Gender mainstreaming attempts to redress the balance of the, in effect, positive discrimination that operates when the systems and structures of labour markets are based upon, and thus to the advantage of the traditionally 'ideal' worker, who is a white, heterosexual, able-bodied man.

This approach positively embraces difference and amends systems and practices to account for the reality of different working lives, rather than try to model all workers on the subjectivity of a mostly non-existent 'ideal worker'. Mainstreaming treats the difference of individual lives to a structural 'norm' as requiring systems change, not individual denial of difference.

Diversity Management: Diversity Management is an approach that aims to value difference and promote diversity as a beneficial feature of social life.

This approach is a more recent equalities approach and is driven not by public policy but by Human Resource Management (HRM) practices. The rationale is 'the business case' for equality. In this conception of equality difference is valued because it is claimed it will enrich the workplace, better reflect the wider society, produce better team working, innovative ideas and insights into niche markets.

Although there has been little evaluation of the effectiveness of these policies, research found innovative workplace practices in ‘exemplar companies’ such as social labour programmes for youth offenders; programmes to address the gender concentration of women in administrative roles by moving them into technical and stock market dealing roles; a business and government diversity coalition working to change societal attitudes toward ethnic groups by beginning with organisational life, and ‘time-hours cheque books’ for flexible working. However, in practice these measures have usually been in companies that are either start-ups, newly formed from restructuring of industry or ‘family’ owned.

In contrast to mainstreaming, difference is treated as an individual characteristic. There is no desire to tackle group disadvantage or change systems and structures. However, public policy informed by equality mainstreaming can assist by creating conditions favourable to fostering in-company diversity practices. In addition, there is already some evidence that the inclusion of the ‘new strands’ of equality in the ETD has boosted interest in Diversity Management practices.

Legal Duties: Referred to as ‘Fourth Generation Equality law’, this approach involves legislating to require institutions to promote equality.

It is an emerging approach to driving equality forward. Duties to promote equality have entered into law in UK through the Race Relations Amendment Act 2000, and the Disability Discrimination Amendment Act 2004, the duty to promote equality for all people in the carrying out of the duties and functions of the devolved Welsh Assembly Government, and on nine equality grounds in Northern Ireland. The Scottish Parliament has chosen to use enabling powers to impose equality duties on all public institutions on eight equality grounds. These legal duties to promote equality far exceed the negative right not to be discriminated against (ET). They amount to a positive right to equality.

In a recent review of the impact of the Welsh Assembly Government’s statutory duty to have ‘due regard to the promotion of equality for all in all the duties and functions of the Welsh Assembly’ (s.120 Government of Wales Act 1998), research found that together with the gender mainstreaming approach to policy-making, the duty has had positive effects upon policy-making. These include contract compliance, and capacity building within disadvantaged groups to enable them to voice their needs. This example shows active engagement with gender mainstreaming policy in internal labour markets as well as in the delivery of goods and services.

Summary: It is important to note that all the approaches to equality outlined work best contemporaneously; no approach is likely to succeed on its own. The operation of ET, PA and DM could make enormous difference to the inclusion of under-represented groups. The test will be how much their different lives and perspectives will be allowed to transform the operation of their workplaces. This is where GM and 4th generation ‘positive duties’ could transform the equalities landscape and give in-company approaches such as DM enhanced impetus.

2.2 Directives: Content and Transposition

The Equal Treatment and Race Equality Directives provide the contemporary basis for equality recognition and policy development in the EU. Today EU citizens are protected from discrimination in training and employment, on grounds of age, disability, religion and belief, ethnicity, sexual orientation and gender. Protection extends from recruitment and selection, throughout employment and post-employment. An equal right of access to employment conditions covers type of contract, rewards and progression. Protections cover direct and indirect discrimination, instruction to discriminate, victimisation (where an employee has made a complaint), and harassment is defined as a form of direct discrimination. Of importance, the burden of proof is also shared between employer and employee.

Member States were required to transpose the Directives into law during 2003, although there is an option to delay implementation of the age legislation until 2006. All candidate countries must enact the ET Directives, and the existing Community Law on equal treatment between men and women (Council Directive 76/207/EC, of 9 February 1976) prior to accession.

Besides equal treatment, the Directives provide for Positive Action measures on grounds of race and ethnicity, religion and belief and sexual orientation. A new Community Action Programme, designed to establish baseline data to enable policy-making, share best practice, build equality knowledge capacity and provide training, underpins the transposition of the Directives in Member States (CAP 2001- 2006).

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Transposition varies between countries in terms of progress on various strands and the type and level of protection between strands (for full report, see Appendix Two). Seven countries have fully transposed the Directives (Belgium, Denmark, Finland, France, Republic of Ireland, Italy, the Netherlands). Austria, Greece and Germany, Luxembourg and Spain have missed the deadline. Sweden and the UK have transposed all strands except disability and age, where they have opted to extend the deadline to 2006.

It is clear that the adoption of the Directives has led to an extensive re-evaluation of equality laws, their coverage, scope, grounds and definitions. The basic legal framework now provides a robust foundation for ET on which to build positive action or mainstreaming equality measures. Several Member States have used the adoption of the Directives as an opportunity to produce single equality acts and single commissions covering all strands of inequality (for full details, see Appendix Two).

‘Duties to promote equality’ are now in place in a number of countries. These require public bodies to go beyond Equal Treatment to the promotion of equality. For gender, such duties are recognised in Denmark, Norway, Sweden and the Netherlands. These duties are recognised for ‘race’ and disability in the UK. In Wales, such duties are recognised for ‘all people’ (Government of Wales Act, 1998), while in Northern Ireland ‘duties’ are recognised for nine specific grounds (Northern Ireland Act, 1998, section 75).

New Member States

With regard to the new members as of May 2004 progress on transposition has been uneven. An EC report (2003) finds that whilst none has fully implemented the requirements of either Directive, there is evidence of partial transposition and work in progress (see Appendix Two). Progress is again uneven on the implementation of the various strands, with age and sexual orientation appearing to cause most difficulty for the new members.

In addition, there are difficulties with transposing some concepts such as indirect discrimination, harassment and the changes to the burden of proof regulations. Difficulties are caused in many cases by a ‘scattered’ approach to equality provision (EC 2003). That is, formal equality measures are to be found in the Constitution, workers agreements and ‘soft’ policy but there is no tradition of specific legislation on equalities or enforcement. The Directives again provide impetus by requiring the establishment of equality bodies to offer advice, monitor, and enforce equality.

2.3 Gender Equality and Mainstreaming

The Community Framework Strategy on Equal Opportunities for Women and Men 2001 adopted a ‘dual approach’ to gender equality comprising gender mainstreaming, combined with specific actions (legislation and financial programmes). This initiative foregrounds the centrality of mainstreaming in the EU approach to equality policies and practice, at a country level and at sector levels.

The policy of Gender Mainstreaming was originally given impetus in the EU by the adoption of the Declaration at the UN Fourth Conference on Women, Beijing 1995, and the resulting Platform for Action. As an example of actions required, Member States must show how equality and women’s advancement are addressed in the national budget. Several have highlighted difficulties with identifying funding for women’s issues in the general budget for healthcare or education.

There is widespread coverage of ET legislation on gender and measures being undertaken to put in place the institutional arrangements necessary to fulfil Member States’ commitment to gender equality and gender mainstreaming. Overall, there is full coverage for ET legislation between women and men in Member States and 80% coverage in Associate Countries. Good progress has been made in transposing the nine Directives dealing with gender and equality in Cyprus, the Czech Republic, Latvia, Lithuania, Hungary Slovakia, and Slovenia in 2002 (EC 2002:3).

There is much more variability amongst Member States on ‘soft’ gender equality measures. In particular the New Member States Countries lack the structures of governance necessary to implement mainstreaming (i.e. Ministry for Women, gender balance quotas on public committees), and although several report the development of gender equality indicators, this

often refers to targets rather than the indicators of gender equality arrived at through comprehensive collection and analysis of gender disaggregated data, which most lack. There is good provision of gender disaggregated data, a basic tool necessary to 'vision' change, and thus creation of gender equality indicators throughout Member States.

Budget issues are a good example of how achieving gender mainstreaming must change institutional structures. National budgets are concerned with surpluses, inputs and outputs, productivity, that is, measurements of 'productivity' in the public domain to which value has been attributed. Accounting for the difference that gender makes to the lives of men and women, and the different inputs achieved by them (for example unpaid caring and educating work) will require institutional shifts and different ways of conceptualising value, in terms of inputs and outputs to the economy.

Further work is underway in many Member States' to gender mainstream the tax, national insurance and benefit system, which being on the basis of men's full time working over the lifetime acts as a disincentive to women's participation. Addressing the structural underpinnings of the gender pay gap and implementing the Barcelona child-care strategy (90% coverage for pre-school children over 3 years old, and 33% coverage of those under 3 by 2010), is also a key target.

The extension of parental leave arrangements is one area where those involved in gender mainstreaming note how new policy to create gender equity can be subverted. When it is generally only women who will take extended leave (as they are still often viewed as secondary earners within the household), gender inequality can be reinforced by a negative impact on career progression and gender pay differentials.

As noted, the dual approach to gender equality involves specific initiatives but also a process of embedding gender equality in all programmes. In this regard, education, labour market and social policies under the European Employment Strategy will be key for gender and the other parameters of inequality to be combated.

2.4 European Employment Strategy and the National Action Plans

In March 2000, the EU at the Lisbon European Summit agreed a new European Employment Strategy (EES), with the aim of 'becoming the most competitive and dynamic knowledge-based economy in the world, capable of sustainable economic growth with more and better jobs and greater social cohesion' (EC 16/012004). Member states have now set common objectives and targets for employment and agreed to produce annual National Action Plans (NAPs). One notable feature is that gender mainstreaming is integral to all policy.

The overall employment targets of the EES are 70% employment in the EU, including a 60% employment rate for women, by 2010. Intermediate targets for overall employment (67%) and women (57%) by 2005 were added at the Stockholm Council (March 2001), and an additional

target for older workers was set: 50% by 2010. Full employment and social cohesion underpin a set of guidelines produced by Council (2003/578/EC).

Member States have now set common objectives and targets for employment in the Joint Assessment Priorities (to ensure candidate countries adhere to common principles and definitions) and annual National Action Plans (NAPs).

Objectives

Three ‘overarching objectives’ inform EES. These are full employment, quality and productivity at work, and social cohesion and inclusion. These objectives replace the four pillars to the employment guidelines, which included one focused upon equal opportunities between women and men. As part of the integration of these objectives, the guidelines state that **gender mainstreaming is to be integral to all policy.**

Guidelines

Ten guidelines provide the framework to address inequality in labour markets. Altogether Member State and Candidate Country plans represent a substantial increase in labour market and social regulation, incentive and policy. The ‘active’ processes of addressing labour market inequalities, should now in theory, be the province of government, the social partners and business working in partnership. The economic rationale for equality is visible and ascendant in these guidelines.

Older Workers

The plans show a focus upon **older workers** in respect of maintaining their attachment to the labour market through fiscal changes to make early retirement less attractive. Germany has acted to restrict access to early retirement, and along with Portugal, Spain, Greece, offer an incentive to employers, as subsidies, often in the form of reduced national insurance contributions for recruitment of workers 45+. In Ireland, workers 65+ have greater tax exemptions, whilst working beyond 61 in Sweden is rewarded by substantially higher state pension contributions. Deferral of pension claims post-65 is also rewarded in Denmark by a state funded top up. Finland’s pension reform is also based on exponential increases in national contributions. With one of the EU’s highest average retirement ages at 61.6 years, pension accruals rise substantially after age 53, and old age pension is not obtainable until 63.

Other policy changes include penalties on employers for dismissing older workers but financial incentives to employ them, labour market training, accrediting experience where formal qualifications do not reflect skills levels and codes of practice for employers that emphasise age as factor within creating workplace diversity.

Ethnic Minorities

In relation to the employment of **ethnic minorities** (most Member States still tend to focus on immigration), there are fiscal policies to make social protection schemes ‘less attractive’, an emphasis on language skills, and active-start work integration and training programmes. Most Member States operate restrictive mobility policies focused upon filling skill gaps with high quality immigrant labour. The policy in this area lacks a ‘vision’ of social justice, and the danger of tying equality to the ‘business case’ is obvious.

More mature policies to combat the disadvantaged position of specific ethnic groups can be found in the UK, where race relations law and policy has been given greater impetus following the charge of institutional racism levelled at public institutions, following the Macpherson inquiry into the racist murder of a black teenager in London (Macpherson Report 1999). All public authorities in the UK have *a* duty to promote racial equality and were required to produce action plans detailing how this would be achieved in 2002. As a result of this, and data gathering, the UK employs a multi-agency approach with actors in Government, the Commission for Racial Equality, social partners and the voluntary sector. The Regional Development Agencies are involved in helping Black and Minority Ethnic (BME) businesses reach their full potential and tackling discrimination in work in relation to ethnicity, disability and gender through diversity policies. Similar efforts are in place in the Netherlands, and France, whilst Denmark has taken a similar approach through regional conferences on diversity.

Disability

The emphasis on policy to combat disadvantage for **disabled persons** in the NAPs focuses upon fiscal arrangements to make benefits ‘less attractive’. However, as long as this is balanced by the implementation of active labour market policies to integrate disabled people into the labour market, progress may be made. There is no benefit to be gained by simply moving people from a social security to unemployment benefit (usually less money).

Sweden identifies disabled workers as a priority group in *all labour* market policies thus demonstrating a mainstreaming approach. Beyond this, and in keeping with most Member States the emphasis is upon enforcing the new protections for disabled workers under the ETD, where employers will now be required to make ‘reasonable adjustments’ to workplaces to facilitate the integration of disabled workers. Spain, Finland and Greece offer subsidies to employers of disabled groups, whilst the Netherlands and France have extensive sheltered employment schemes. Finland is to invest EUR 4.2 million in 2004 to support new, and develop existing, social enterprises for disabled and long term unemployed workers.

The UK introduced a Disability Discrimination Act 1995, which was enhanced by provisions in the ETD 2000. A new Disability Act was introduced in October 2004, which places a public sector duty to promote equality for disabled people upon Government structures and

public services. The 'Access to Work Programme', provides personal support, financial subsidy for aids and equipment (*c.f.* the Netherlands). Jobcentres have specialist Disability Employment Advisors, and a 'New Deal for Disabled People' is targeted at those on incapacity benefit. The UK Government and social partners are working together on diversity strategies including raising awareness of skills and abilities in this diverse group.

Ireland also demonstrates a strong multi-strand approach to the integration of disabled workers into the labour market, and exemplifies a 'best-practice' approach. Besides funding a Disability Awareness Training Programme, which provides funding toward in-company training schemes, supported employment and sheltered employment programmes, measures are targeted at achieving sustainable employment. The target of 3% of public sector employees with disabilities by 2005 appears to be attainable as the percentage was 2.12 in 2002. A new Disability Bill in 2004 underpins positive action and mainstreaming actions.

Tackling the marginalisation of disabled workers is not new for Member States. However, the emphasis appears to be slowly changing toward a more proactive approach, and ultimately toward promoting equality rather than protecting negative rights against overt or covert discrimination.

Gender

NAPs are focused upon work/life and flexible working measures, and child-care strategies. The danger in these policies is that they may be only seen to apply to women, and have the affect of keeping them out of the labour market for longer. Sustained efforts are needed to ensure that these programmes relate to the gendering of work, and thus focus upon men taking up flexible and work/life balance policies. Child-care provision is also vital; most Member States estimate they will meet or exceed the childcare provision targets in the EES.

Member States highlight employment rates of women, which ranges from just over 70% in Sweden to below 40% in Spain. Particular attention is given to addressing the gender pay gap, standing at 25% in Germany and 18% in Finland and Sweden between men and women in full time work. Change measures include addressing gender segregation and the provision of 'equal pay for equal work' job evaluation kits.

France, Portugal, Greece, Sweden and Ireland note the disproportionate number of women amongst the lowest paid workers. In France, over 80% of those earning less than the monthly minimum wage are women. Finland is introducing new incomes agreements to allow for pay rises in female dominated sectors. Ireland notes that the low pay of women has been substantially reduced by the introduction of the minimum wage. This is true across Europe; women benefit disproportionately precisely because they are the majority of the working poor.

2.5 Conclusions

The European Union has taken significant steps toward producing a value-added knowledge economy, whilst recognising that the same groups that are disadvantaged now in the labour market, may also lose out in new sectors and ways of working.

Two sides of debate are evident:

Exponents of the ‘status-quo’, often oppose transformative equality measures by suggesting it is ‘social engineering’. There needs to be clearer recognition that the current situation of ‘winners’ and ‘losers’ is itself ‘socially engineered’ by policy being made on the situation of the current winners. This reinforces inequality and is underpinned by the assumption of meritocracy, whereas social mobility is limited throughout the EU by uneven starting places, defined by class, gender, ethnicity, access to education and health services, disability, age and sexual orientation.

The ‘business case’ for diversity is currently ascendant and with the backing of the new ET Directives, social partners could embrace the diversity model but underpin it with rationales for social justice, and the gender mainstreaming approach to using *all economic and social policy* to promote equality between and amongst citizens.

These initiatives provide an opportunity for the social partners to address questions relating to employment in a positive and forward looking way. The social partners could lead the way in these developments by adopting a best practice approach; by getting involved on the newly established equality bodies to ensure full and effective transposition of the ET Directives; by lobbying for their enforcement.

3 Equality and Diversity in Europe – A Statistical Overview

In light of the programme developed for employment in the EU, and the commitment to gender mainstreaming as a core component of this programme, it is necessary to consider the pattern and scale of employment in the European electricity sector. In setting the parameters of the EES, attention has been given to the socio-demographic composition of waged workforces in each country of the EU-25. The EU has established a series of targets whereby the workforce profile of each country will develop and evolve, according to a projected timescale.

The 2001 European Council of Stockholm, for example set the objective of reaching an employment rate in the EU of 70% for the whole population of working age, and of 60% for women. A 2003 review of all indicators defined 40 key indicators and 26 context indicators in line with the new employment guidelines (see Employment Committee 2002, European Commission 2003).

Whilst, this programme is focused on economies as a whole, each sector comprises a part of this whole. In this respect, it is incumbent on the electricity sector to address the ways in which the industry can play a leading part in this process. By exploring these dimensions, by both sector and country, it is possible to present a picture of the current situation, on the basis of which it may be possible to infer the ways in which work and employment patterns may begin to change over time. Equally important, such a picture allows a consideration about the possible inequalities and negative features of the current arrangements.

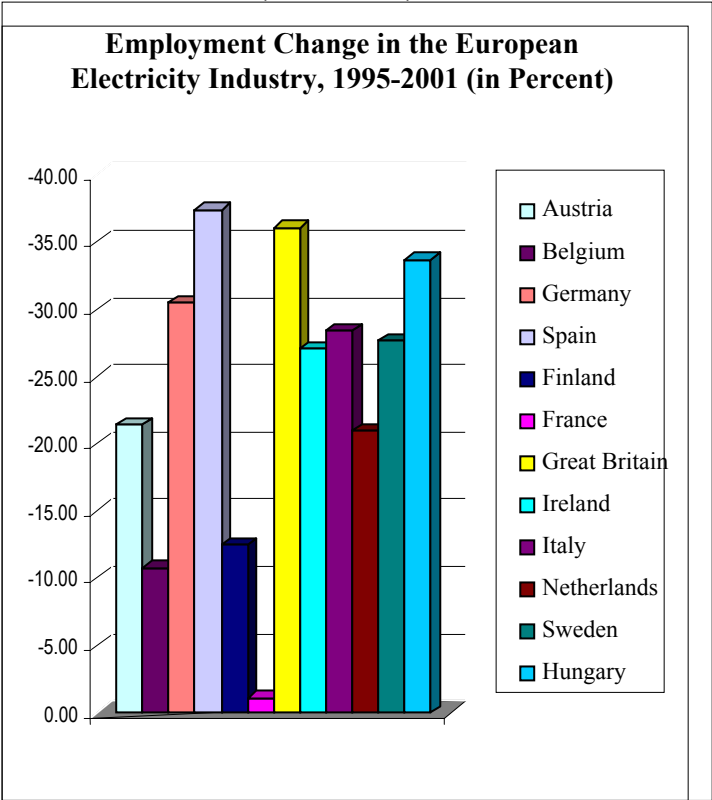
The starting point for this type of analysis is to profile each dimension of the electricity sector, to ascertain the current profile and to then consider the steps that could be taken to further develop the profile in line with the targets set by the EU for economies as a whole. The principle data that is used to develop this picture is derived from the datasets provided by the European Labour Force Surveys. Whilst, this only gives a broadly-based aggregate profile, it nevertheless provides an indication of the current situation.

Employment

Drawing on previous research in this area, especially where the focus was on gender patterns, it is important to note that the overall pattern of employment in the European utilities sector has been one of decline, at least in relation to direct employment (Ecotec, n.d.: 38-39). However, this pattern of decline was by no means uniform, with Italy, France, and Spain maintaining stable employment levels between 1993 and 1995, and with declines in Germany and the United Kingdom (7 per cent and 25 per cent respectively) (Luca, 1998). In the longer term, there was a massive decline in the United Kingdom, accounting half the jobs lost in the energy industry between 1990 and the late 1990s (Luca, 1998). These patterns are further complicated with the entry of the New Member States into the EU in May 2004, as well as the patterns of employment that have emerged across the EU following the Electricity Directive, 1997.

Against this background, the data presents a complex and uneven picture across the European electricity industry. With the exception of France, every country recorded major staff reductions in the context of corporate reorganisation. With the moves towards unbundling the former vertically integrated enterprises, overall staff levels were reduced, either directly via retirement and redundancy or via out-sourcing.

Figure 3.1: Employment Change in the European Electricity Industry, 1995 – 2001 (in Percent)



Source: Eurostat Data provided by EPSU

Aggregate employment has declined considerably between 1995-2001, with reductions above 30% in Germany, Spain, Great Britain and Hungary. If the period is extended to 1990 or the early 1980s, the reductions in employment become even more dramatic. Employment decline in the British electricity sector, for example, was 66.85% in the period 1980-2001.

Although these developments are unquestionably dramatic and require concerted action in order to deal with the implications for employees as well as the industry, more detailed research would have to be done to assess the exact circumstances of this employment decline. Liberalisation clearly brought with it the relatively sudden emergence of cost and productivity pressures leading to the disappearance of a large number of jobs. However, the fragmentation of the value chain and related outsourcing activities means that some business functions have shifted to other sectors.

The benchmark for considering the patterns of employment in the electricity gas and water supply sectors (the available statistical classification) is the employment rates in the EU-15 and selected New Member States. There are marked differences in the proportion of people employed by gender, age and nationality across the European Union. Employment varied across the EU countries in marked ways (see Table 3.1: Employment by Economic Activity)

In 2002, overall employment in the electricity, gas and water sector accounted for 0.75 per cent of total employment in the EU-15. This relatively small proportion nevertheless amounted to some 1,218,000 employees in total. Luxembourg had the smallest number of employees, with less than a 1000 employees, whilst Germany and the United Kingdom had the largest number in employment, with 295,000 and 217,000 respectively.

The pattern of electricity, gas and water supply employment for the EU-15 and three of the New Member States as a proportion of total employment is graphically presented in Figure 3.2 (Electricity, Gas and Water Employment as a proportion of Total Employment (2002)). The figure shows that the profile of this employment in the EU-15 is generally much lower than is the case in the New Member States. This pattern indicates the relative importance of this form of employment in the overall economy of these countries when compared with the EU-15. In view of this different profile it also underwrites the significance of this type of employment in relation to the EES ambitions for the New Member States as the economies become more fully integrated into the overall EU economy.

More specifically, the employment in these industries as a proportion of total employment ranges from 0.43 per cent in the Netherlands to 0.91 per cent in Austria. These two figures compare to the EU-15 average of 0.75 per cent. In contrast, the Czech, Estonian and Hungarian energy sector is more than double the EU-15 average. The reasons for these variations, as indicated, are difficult to identify. One possible explanation may lie with the different patterns of restructuring that have taken place so that where there has been extensive out-sourcing, especially of maintenance type activities, then such countries may have a lower overall proportion of employees in this sector. It may also be the case that the overall structure of the economy and the distribution between public and private sectors as well as the distribution between manufacturing and services also has a bearing on the actual proportion of the active workforce employed in this sector as a proportion of the total employment. Such explorations are beyond the scope of this particular study.

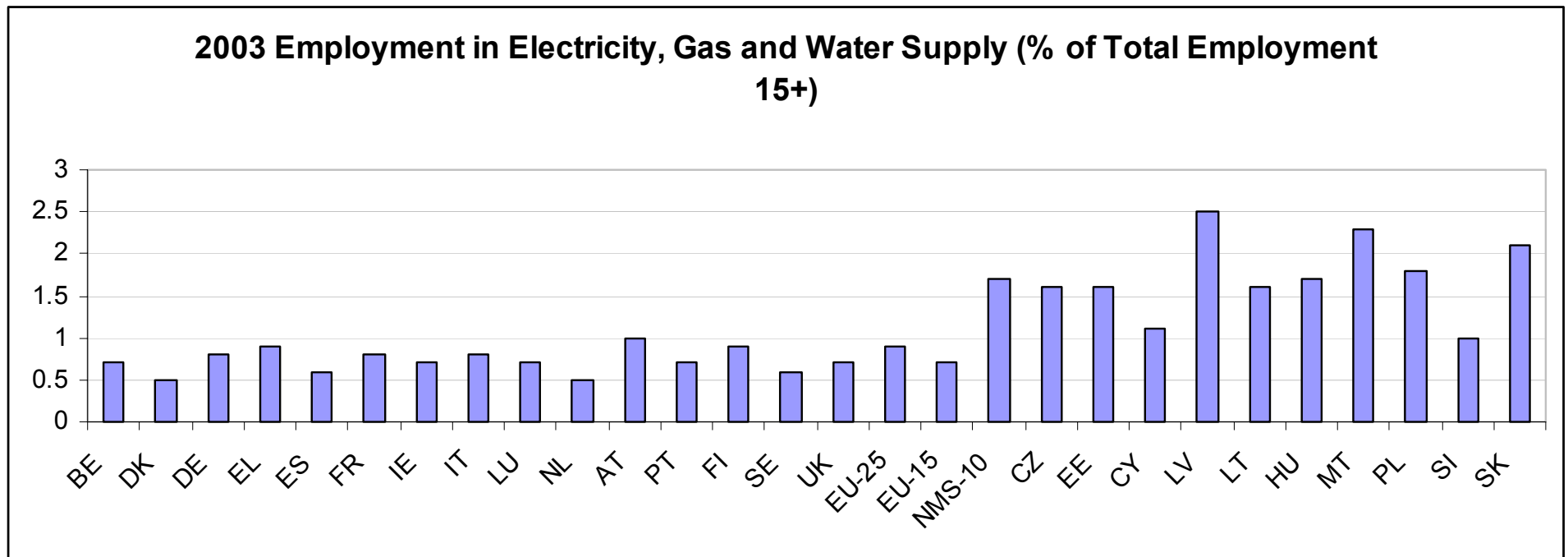
Table 3.1: Employment by Economic Activity

Employment by Economic Activity (Thousands)

	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK	EU-15
Males and Females																
Electricity/Gas/Water Supply	32	15	295	34	91	199	12	167	[1]	35	34	38	21	26	217	1218
All in Employment	4052274136275	39491624123885	175021757188	8176	3734	5133	2406	434828338162974								
Males																
Electricity/Gas/Water Supply	28	14	231	29	74	155	10	143	[1]	28	30	33	16	19	163	975
All in Employment	233114582010924421014913063	101713558113	4620	2056	2810	1245	226615571	92809								
Females																
Electricity/Gas/Water Supply [4]	.	.	64	5	17	44	.	24	.	[7]	4	.	5	7	54	244
All in Employment	1721128216166	1506	609110822	733	8199	75	3556	1679	2323	1162	208212768	70165				
Female Emp Rate in EGW	12.50	6.67	21.69	14.71	18.68	22.11	16.67	14.37	.	20.00	11.76	13.16	23.81	26.92	24.88	19.95
EGW as Proportion of Total Emp	0.79	0.55	0.81	0.86	0.56	0.83	0.69	0.77	.	0.43	0.91	0.74	0.87	0.60	0.77	0.75

Source: Eurostat, Labour Force Survey Results 2002

Figure 3.2: Electricity, Gas and Water Employment as Proportion of Total Employment in 2003



Source: Eurostat, Labour Force Survey, Spring 2004 Results. Note Data for NL and LU Refer to 2002

Employment by Gender

The pattern according to gender distribution is presented in Figure 3.3 (Employment Rates by Gender, 15-64 years (2002)). At a national level, the economic activity of men is clearly higher than that of women. This difference was especially marked in Greece, Spain, and Italy, where the differential in each case was around 30 per cent. In contrast, in Denmark, Sweden and Estonia, the differential was less than 10 per cent. Considered in another way, the employment rates by gender show Greece, Spain, Italy and Hungary with rates below 50 per cent. Only Denmark and Sweden have employment rates for males and females above 70 per cent. These differences indicate the continued dominance of traditional gender divisions of labour as well as a continued segregation in employment patterns in the first set of countries and the progressive impact of ideas relating to social participation irrespective of gender in the latter set.

This impression is corroborated by a comparison of the absolute gender gap in employment rates in 1998 and 2002 (see Figure 3.4). The gender gap in employment rates narrowed to some extent, the EU-15 average shrinking from 19.6% in 1998 to 17.2 in 2002. Two interesting aspects relate to the New Member States. First, the gender gap in employment rates is below the EU-15 average as it brings the EU-25 average down to 18.8% in 1998 and 16.3 in 2002 (and this despite the large gaps for Cyprus and Malta). Second, even though the gender gap decreased in this period, only Hungary and Latvia saw an increase in female employment rates.

The employment rate of women in the energy sector however displayed important variations. Whilst overall there was a 20 per cent employment rate across the EU-15 electricity, gas and water industries, as indicated in Table 3.1, the employment rate ranges from 11.76 in Austria to 24.88 in the United Kingdom and 26.92 per cent in Sweden. The reported 6.67 per cent figure for Denmark would appear to be unreliable since other sources indicate around 20 per cent (see Danmarks Statistik). Presumably, these patterns reflect the complex historical, political and economic relations in each country. Nonetheless, it is against the targets set by the NAPs that these rates should now be assessed.

This pattern is presented graphically in Figure 3.5 (Female Employment Rate in Electricity, Gas and Water 2002). Broadly, there is a cluster of countries where the number of women employed as a proportion of the total employment in the energy sector is over 20 per cent (Germany, France, Finland, Sweden and the United Kingdom). At the other end, women are employed as a proportion of total employment in the energy sector at levels less than 15 per cent in a number of countries (Greece, Italy, Austria, and Portugal).

Another way to look at different employment patterns in the European electricity, gas and water industry is to consider the long-term changes in male compared to female employment in the industry as well as the proportion of male to female employment (see Table 3.2: Employment in Electricity, Gas and Water, Men and Women – 1992-2004). Although the data are sometimes very patchy it is evident that the long process of restructuring had different impacts on the gender composition within the industry.

The changes in male and female employment in the electricity, gas and water sector are equally intriguing. Overall, in the EU-25 there has been a decline in male employment of 5.8% between 2000 and 2003, while female employment increased by 1.4% between 2001 and 2004 (Table 3.3). However, for the EU-15 over a longer time period (1995-2003) there was a decline of 17.2% for men and 1.2% for women. Among the more disaggregated trends, Belgium, Spain, Greece, Slovakia, and Sweden all had increases in the percentage of women employed in the industry while Germany, Italy, Hungary, Poland, Finland and the UK showed a lesser decline for women than men. The pattern in the New Member States was different. In the Czech Republic, France, Latvia, Lithuania, and Slovenia there was a higher rate of decline for women employees than for men (for the time periods indicated in Table 3.3). In the context of further privatisation and integration into the EU, these patterns in the New Member States may raise complex policy questions.

The reasons for this variation are not clear. There are no consistent patterns in relation to political regime, size of economy, religious history. Rather it is likely that these patterns have emerged in the context of a complex of factors, covering national history, employment patterns, economic factors and political developments.

Figure 3.3: Employment Rates by Gender, 15-64 years (2002)

Note: Data for CZ, EE, HU are 2001 data

Source: Eurostat Labour Force Survey Results, 2002; Eurostat Employment and Labour Market in CECs.

Employment Rates by Gender, 15-64 years (2002)

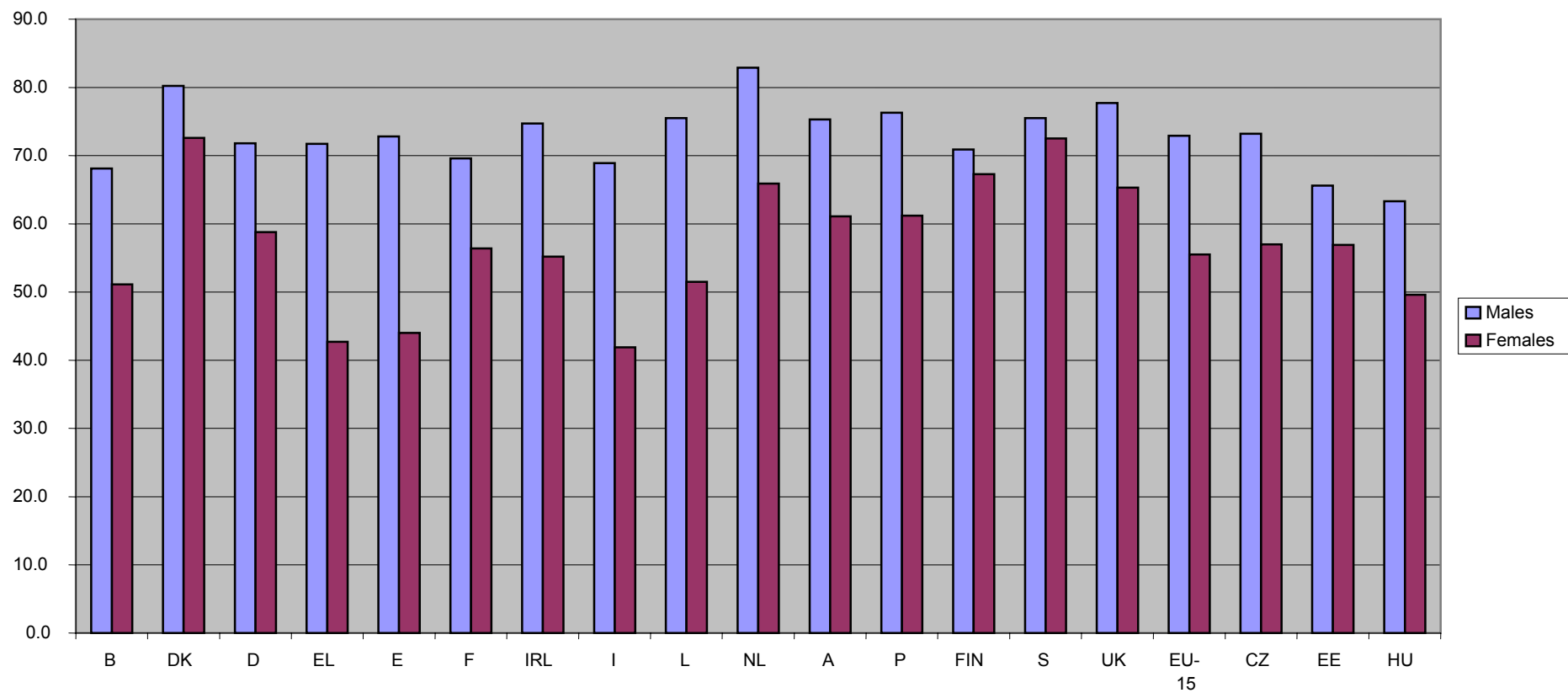
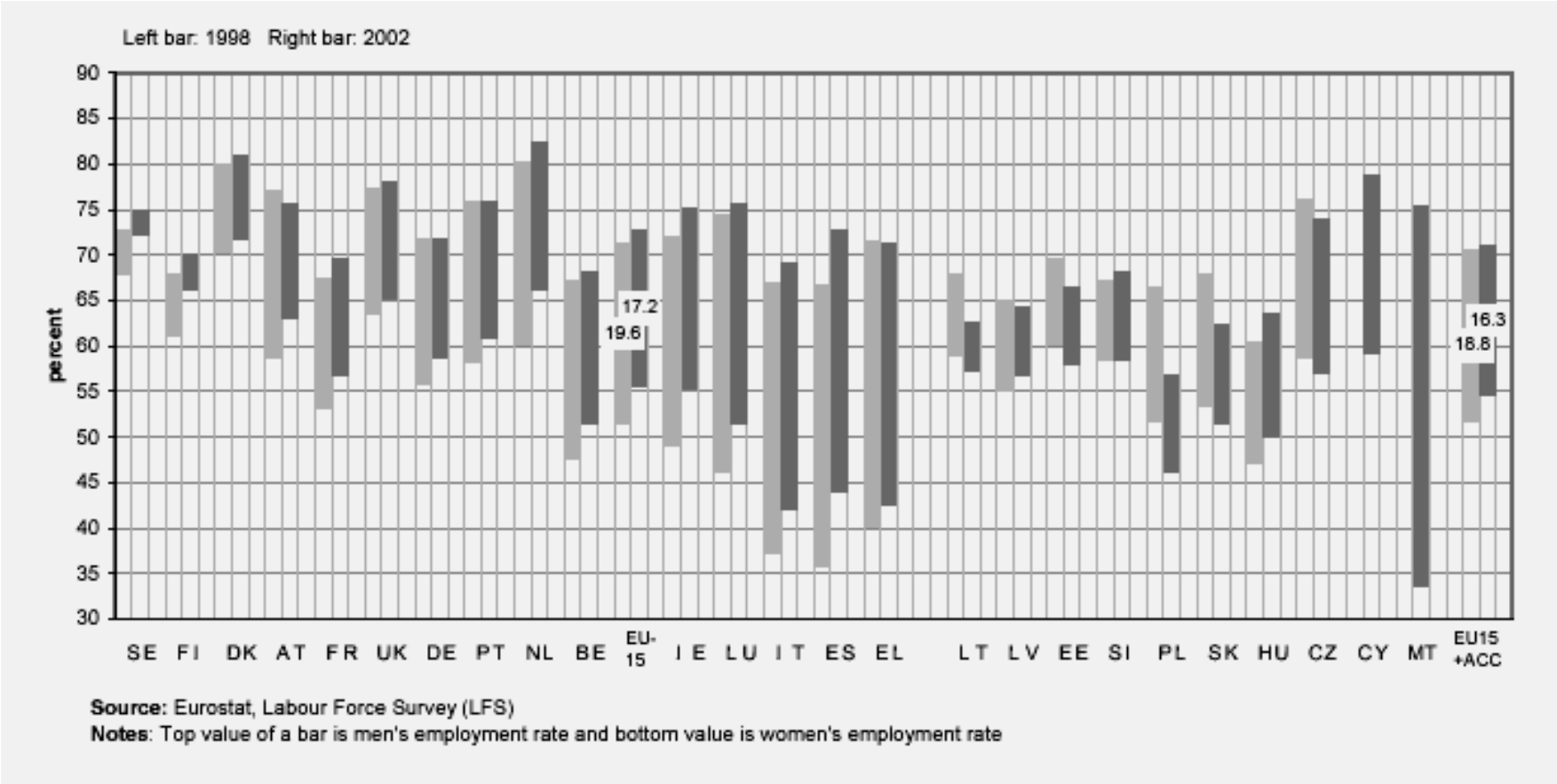


Figure 3.4: Absolute Gender Gap in Employment Rates (Women and Men Aged 15-64) in EU Member States and Acceding Countries – 1998 and 2002



Source: European Commission 2004, 6

Figure 3.5: Female Employment Rate in Electricity, Gas and Water (2002)

Source: Eurostat Labour Force Survey Results 2002

Female Employment Rate in Electricity, Gas and Water (2002)

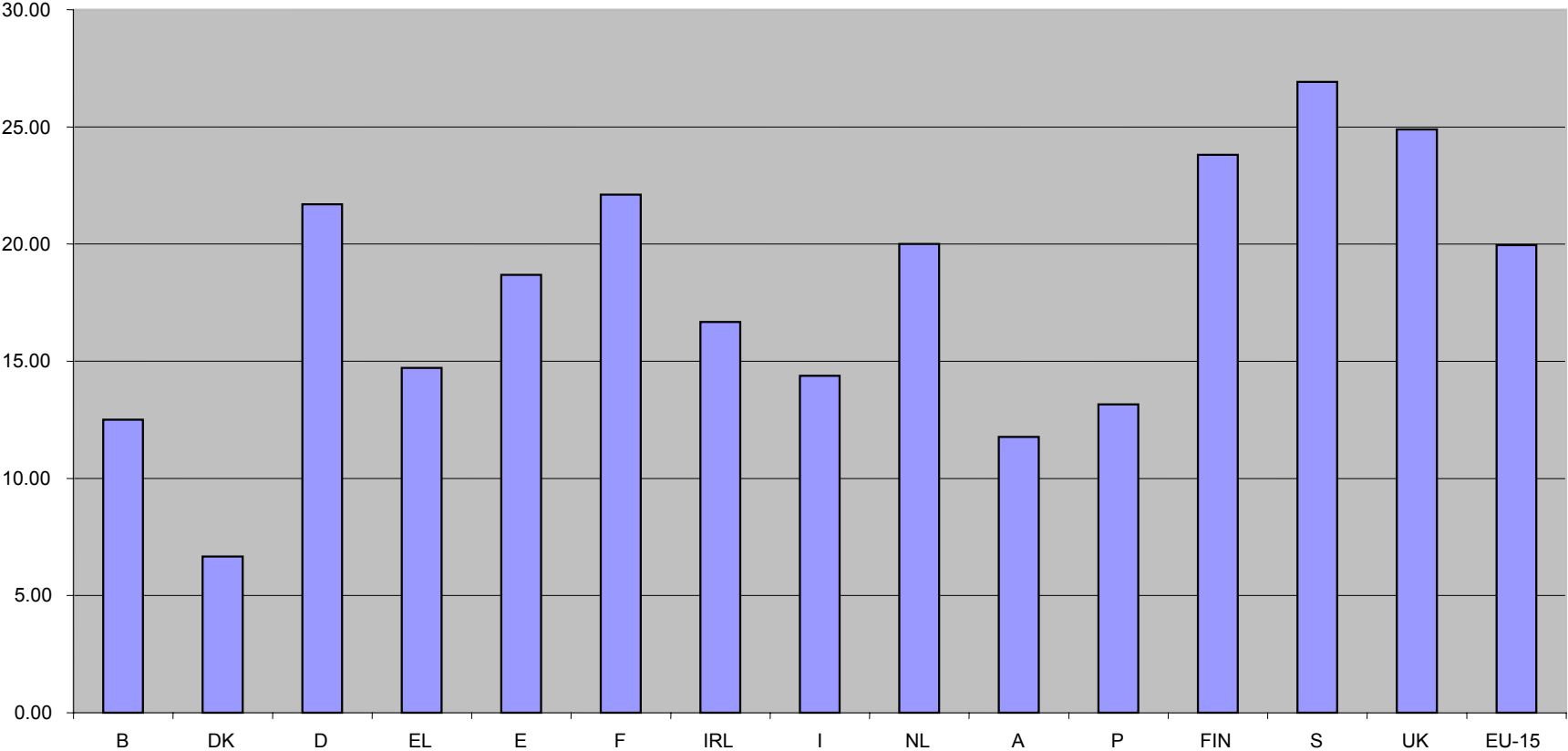


Table 3.2: Employment in Electricity, Gas and Water, Men and Women – 1992-2004

Employment in Electricity, Gas and Water, Men and Women - 1992-2004													
	1992q02	1993q02	1994q02	1995q02	1996q02	1997q02	1998q02	1999q02	2000q02	2001q02	2002q02	2003q02	2004q02
EU-25 m	:	:	:	:	:	:	:	:	1387	:	1382	1307	:
female	:	:	:	:	:	:	:	:	:	348	:	368	353
EU-15 m	:	:	:	1108	1043	1051	1020	978	961	952	974	917	:
female	:	:	:	250	244	227	237	235	234	236	244	247	:
Belgium m	28	29	27	29	26	29	33	25	24	17	28	20	24
female	4u	3u	:	6	4u	4u	4u	4u	6	5	4u	7	9
Czech Republic m	:	:	:	:	:	71	71	64	60	64	64	59	62
female	:	:	:	:	:	24	21	18	17	21	22	17	14
Denmark m	16	14	16	14	15	16	15	16	11	12	14	12	14
female	:	:	:	5u	4u	4u	:	:	:	:	:	:	:
Germany m	316	298	287	283	266	268	254	248	251	224	231	233	:
female	81	82	81	73	68	60	71	66	55	56	64	70	:
Estonia m	:	:	:	:	:	11	12	12	8u	8u	10u	7u	8u
female	:	:	:	:	:	:	5u	:	:	:	:	:	:
Greece m	31	33	35	34	34	33	29	34	30	29	29	31	:
female	6	7	6	7	7	7	6	7	8	5	5	7	:
Spain m	75	75	82	83	81	74	78	85	84	87	74	80	85
female	6	7	9	10	14	9	8	12	14	13	17	15	19
France m	:	:	:	:	:	:	:	:	:	:	:	166	182
female	:	:	:	:	:	:	:	:	:	:	:	47	38
Ireland m	11	10	11	11	12	11	10	10	9	10	10	11	11
female	:	:	:	:	:	:	:	:	:	:	:	3u	:
Italy m	:	187	170	178	173	173	168	150	142	141	143	142	:
female	:	30	19	22	25	25	25	21	24	24	24	25	:
Cyprus m	:	:	:	:	:	:	:	2	2	2	3	3	3
female	:	:	:	:	:	:	1u	1u	1u	:	:	1u	:
Latvia m	:	:	:	:	:	:	16	15	14	16	19	17	14
female	:	:	:	:	:	:	8	6u	6u	5u	7u	6u	:
Lithuania m	:	:	:	:	:	:	32	27	22	26	24	20	20
female	:	:	:	:	:	:	11	11	14	8	:	:	6
Luxemburg m	1u	1u	1u	1u	1u	1u	1u	1u	1u	1u	1u	1u	:
female	:	:	:	:	:	:	:	:	:	:	:	:	:
Hungary m	:	:	:	:	64	68	73	62	57	56	53	45	42
female	:	:	:	:	22	25	24	24	18	19	17	16	17
Malta m	:	:	:	:	:	:	:	:	3	:	3	3	:
female	:	:	:	:	:	:	:	:	0	:	0	0	:
Netherlands m	34	36	40	41	36	38	38	32	24	27	28	:	:
female	7u	5u	6u	7u	7u	5u	7u	7u	8u	5u	7u	:	:
Austria m	:	:	:	:	:	:	:	29	25	:	31	28	:
female	:	:	:	:	:	:	:	4	5	:	5	4	:
Poland m	:	:	:	:	:	:	:	:	213	212	187	192	182
female	:	:	:	:	:	:	:	:	45	58	64	49	44
Portugal m	26	24	32	33	26	32	29	32	26	30	33	30	27
female	8u	:	:	:	:	:	:	:	:	:	:	:	:
Slovenia m	:	:	:	:	11	12	7	6	8	10	9	7	9
female	:	:	:	2u	2u	1u	1u	2u	1u	1u	1u	1u	1u
Slovakia m	:	:	:	:	:	:	45	42	39	45	36	37	33
female	:	:	:	:	:	:	7	9	8	8	8	8	10
Finland m	:	:	:	22	22	22	20	17	17	18	16	18	15
female	:	:	4u	:	6	3u	8	4u	5	6	5	5	5
Sweden m	:	:	:	21	25	25	28	22	21	21	19	20	20
female	:	:	:	7	5	7	6	7	10	7	7	7	8
United Kingdom m	239	224	183	170	147	140	139	135	146	151	163	138	129
female	75	72	55	53	43	40	42	52	55	52	54	50	51

Source: Eurostat

Note: u - unreliable or uncertain data

Table 3.3: Change in Male and Female Employment in Electricity, Gas and Water

Change in Male and Female Employment in Electricity, Gas and Water					
	Percentage Change over Period			Percentage Change over Period	
EU-25 m	-5.8	00-03	EU-15 m	-17.2	95-03
female	1.4	01-04	female	-1.2	
Belgium m	-17.2	95-04			
female	50.0				
Czech Republic m	-12.7	97-04	Luxemburg m	0.0u	92-02
female	-41.7		female	:	
Denmark m	-12.5	92-04	Hungary m	-34.4	96-04
female	:		female	-22.7	
Germany m	-26.3	92-03	Malta m	0.0	00-03
female	-13.6		female	0.0	
Estonia m	-27.3	97-04	Netherlands m	-17.6	92-02
female	:		female	0.0u	
Greece m	0.0	92-03	Austria m	-3.4	99-03
female	16.7		female	0.0	
Spain m	13.3	92-04	Poland m	-14.6	00-04
female	216.7		female	-2.2	
France m	9.6	03-04	Portugal m	3.8	92-04
female	-19.1		female	:	
Ireland m	0.0	92-04	Slovenia m	-18.2	96-04
female	:		female	-50.0u	
Italy m	-24.1	93-03	Slovakia m	-26.7	98-04
female	-16.7		female	42.9	
Cyprus m	50.0	99-04	Finland m	-31.8	96-04
female	0.0u		female	-16.7	
Latvia m	-12.5	98-04	Sweden m	-4.8	95-04
female	-25.0u		female	14.3	
Lithuania m	-40.0	98-04	United Kingdom m	-46.0	92-04
female	-45.5		female	-32.0	
Source: Eurostat					
Note: u - unreliable or uncertain data					

Age

The employment rates by age group are very diverse. Unsurprisingly, countries with overall high employment rates (Denmark, Netherlands, Sweden, UK) show high employment across all age groups. However, as labour markets are segmented along complex lines, a more meaningful picture can only be gained by taking into account employment by age group and gender as well as ethnicity.

The employment rates by Age Group are presented in Figure 3.6 (Employment Rates by Age Group, Male and Female 2002). A substantial number of countries have employment rates for the 25–49 year age group in excess of 80 per cent (Denmark, France, Luxembourg, Netherlands, Austria, Portugal, Finland, Sweden, United Kingdom). Further, in some cases there are substantial numbers of the 65 plus age group still in employment. These patterns indicate key reference points for the EU policies towards age employment.

The profile for age and gender is presented in Table 3.4 (Employment Rates by Gender and Age Group 2002). The majority of workforces are in the age range 25–49 years. What is of significance is that a substantial proportion of the employed workforce, male and female, are in the age bracket, 50–64 years. In view of the emergent EU policies toward the equal opportunity for the aged, these patterns are of interest. Overall, as observed elsewhere the employment rates for women workers at all age levels are lower than males, and in some cases over 30 per cent (in the 50–64 age group: Spain Greece Ireland). In contrast, the differential is minimal in the case of Finland and Sweden for the same age group.

These are very important figures for future employment policies at overall economic as well as sectoral levels. At the 2001 European Council of Stockholm a target rate of 50% in employment for workers between 55 and 64 years of age has been set for 2010. In parallel with this, the Barcelona European Council agreed in 2002 on gradually increasing average retirement by five years until 2010.

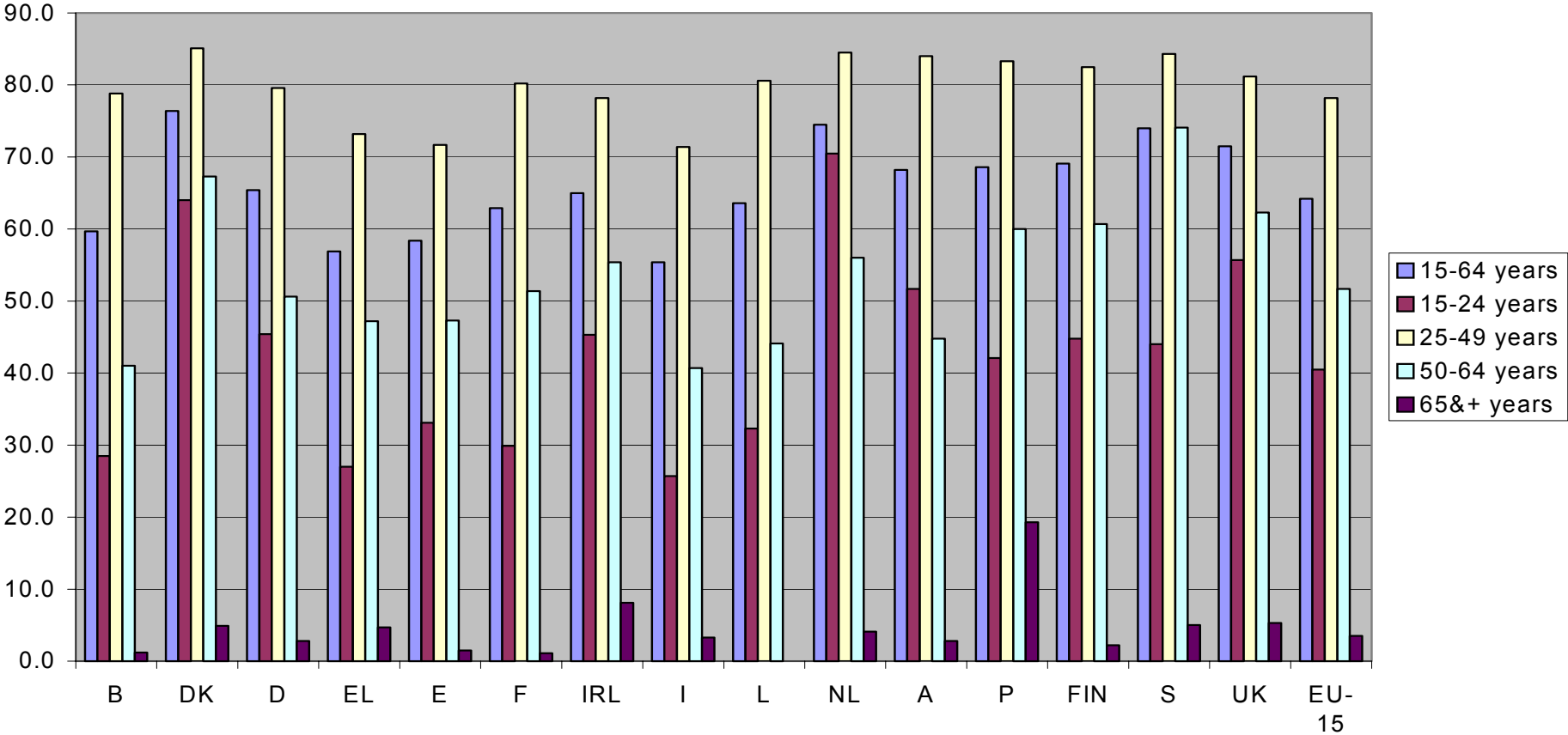
Between 1998 and 2002 female employment has grown faster than male employment - by 4.2% compared to 2.8% and an EU-15 average of 3.5% (see Table 3.5). In 2002 the Eurostat employment rate for employees aged 55-64 was at 40.1%, far from the 50% objective for 2010. Furthermore, the challenges at both, overall economic as well as sectoral levels, will be different as employment rates vary across countries. Peulet (2004, 2) characterises the current situation as follows:

In Sweden and Denmark, traditionally, there has been a high employment rate among older people.

Finland, the Netherlands and Spain had far lower employment rates among this age group but improvements in this situation mean that they can now look towards the Stockholm objective. Germany and France have made little progress over the past seven years. Reforms came late and were not well accepted. The labour market was not favourable for anyone, and even less for older workers.

Figure 3.6: Employment Rates by Age Group, Male and Female 2002

Employment Rates by Age Group, Males and Females (2002)



Source: Eurostat Labour Force Survey Results (2002)

Table 3.4: Employment Rates by Gender and Age Group (2002)

Employment Rates by Gender and Age Group (2002)																			
	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK	EU-15	CZ	EE	HU
15-64 years																			
Males	68.1	80.2	71.8	71.7	72.8	69.6	74.7	68.9	75.5	82.9	75.3	76.3	70.9	75.5	77.7	72.9	73.2	65.6	63.3
Females	51.1	72.6	58.8	42.7	44.0	56.4	55.2	41.9	51.5	65.9	61.1	61.2	67.3	72.5	65.3	55.5	57.0	56.9	49.6
15-24 years																			
Males	31.3	64.4	46.9	32.0	39.1	33.9	48.5	30.2	36.1	71.8	55.9	47.6	45.4	43.7	57.4	43.7	37.4	32.4	35.6
Females	25.7	63.5	43.8	22.0	26.9	25.9	41.9	21.1	28.4	69.2	47.6	36.4	44.1	44.3	53.8	37.2	31.5	21.3	27.1
25-49 years																			
Males	87.6	89.2	86.3	89.9	86.5	88.2	88.4	86.5	94.1	92.7	90.4	90.6	85.3	86.2	88.1	87.6	89.6	79.5	79.4
Females	69.8	81.0	72.8	57.2	56.6	72.4	68.1	56.1	66.9	76.0	77.5	76.2	79.6	82.4	74.1	68.7	74.3	72.2	67.0
50-64 years																			
Males	52.5	72.6	58.9	65.2	67.5	57.8	71.9	56.0	57.9	69.2	54.8	70.8	60.8	76.0	69.8	62.2	52.4	57.1	35.0
Females	29.8	61.6	42.3	30.2	28.0	45.4	38.6	26.1	30.0	42.5	35.1	50.4	60.5	72.3	54.9	41.4	23.0	41.9	14.6
65 & + years																			
Males	2.0	8.2	4.3	7.6	2.3	1.6	14.8	6.1	[2.4]	7.3	4.2	26.2	3.9	8.3	7.6	5.5	6.5	14.5	1.9
Females	0.6	2.5	1.8	2.4	0.9	0.7	3.0	1.3	.	1.7	1.8	14.3	1.1	2.5	3.6	2.1	2.2	5.7	0.8

Note: Data for CZ, EE, HU are 2001 Data; Age Groups 25-49 and 50-64 refer to 25-54 and 55-64 respectively.

Source: Eurostat, Labour Force Survey Results 2002; Eurostat, Employment and Labour Market in CECs

Table 3.5: Total Employment Rate (Age Group 55-64) by Gender

Total	1998	1999	2000	2001	2002
AT	28,4	29,7	28,8	28,9	30,0
BE	22,9	24,6	26,3	25,1	26,7
DE	37,7	37,8	37,6	37,9	38,4
DK	52,0	54,5	55,7	58,0	57,8
ES	35,1	35,0	37,0	39,2	39,7
EU15	36,6	37,1	37,8	38,8	40,1
FI	36,2	39,0	41,6	45,7	47,8
FR	28,3	28,8	29,9	31,9	34,8
GR	39,0	39,1	38,6	38,0	39,7
IE	41,7	43,7	45,3	46,8	48,1
IT	27,7	27,6	27,7	28,0	28,9
LU	25,1	26,4	26,7	25,6	28,3
NL	33,9	36,4	38,2	39,6	42,3
PT	50,0	50,3	50,7	50,1	50,9
SE	63,0	63,9	64,9	66,7	68,0
UK	49,0	49,6	50,8	52,3	53,5

Men	1998	1999	2000	2001	2002
AT	40,5	42,6	41,2	40,1	39,8
BE	32,1	33,8	36,4	35,1	36,1
DE	47,2	46,8	46,4	46,5	47,1
DK	61,3	62,6	64,1	65,5	64,5
ES	52,6	52,3	55,2	57,9	58,6
EU15	47,3	47,5	48,0	48,9	50,1
FI	38,4	40,1	42,9	46,6	48,5
FR	32,5	32,3	33,6	36,2	39,3
GR	55,8	55,4	54,9	55,0	56,0
IE	60,1	61,7	63,3	64,7	65,1
IT	41,4	41,2	40,9	40,4	41,3
LU	35,2	35,8	37,2	35,9	37,9
NL	47,5	49,6	50,2	51,1	54,6
PT	63,4	61,3	62,1	61,3	61,2
SE	66,1	67,3	67,8	69,4	70,4
UK	59,1	59,7	60,1	61,7	62,6

Women	1998	1999	2000	2001	2002
AT	17,1	17,6	17,2	18,4	20,2
BE	14,0	15,7	16,6	15,5	17,6
DE	28,3	28,8	29,0	29,5	29,3
DK	42,0	45,8	46,6	49,7	50,3
ES	18,8	18,8	20,1	21,8	22,1
EU15	26,3	27,1	28,0	29,1	30,1
FI	34,1	38,0	40,4	45,0	47,8
FR	24,4	25,4	26,3	27,8	30,5
GR	23,4	24,0	23,9	22,5	24,7
IE	23,1	25,5	27,2	28,8	30,6
IT	15,0	15,0	15,3	16,2	17,6
LU	15,5	17,2	16,4	15,2	18,3
NL	20,3	23,1	26,1	28,0	29,7
PT	38,3	40,6	40,7	40,2	41,1
SE	60,0	60,7	62,1	64,0	65,9
UK	39,2	39,9	41,7	43,1	44,9

Source: Quarterly Labour Force Data (QLFD), Eurostat

Age Group:55-64

Source: European Commission 2003, 9

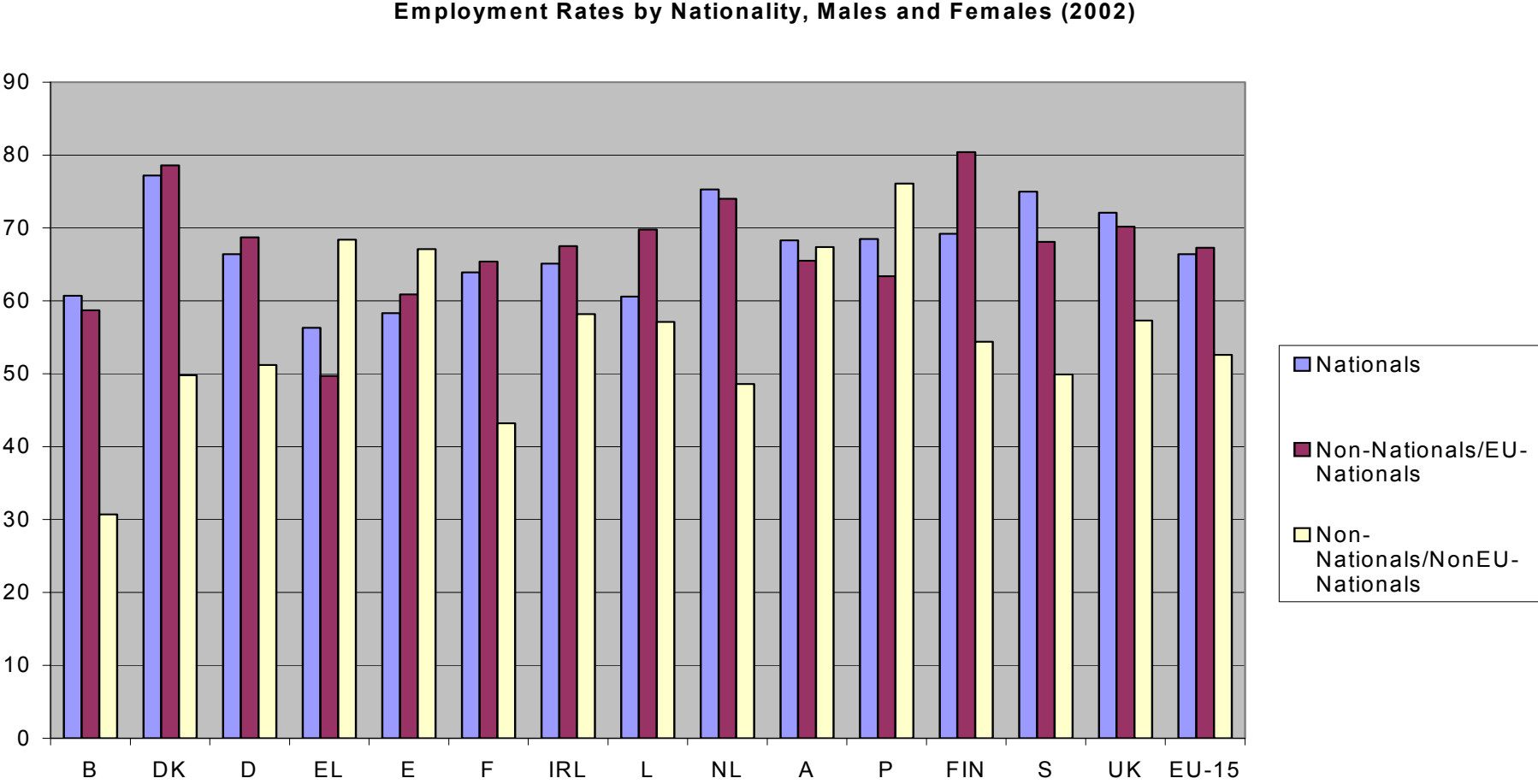
Nationality

Increasingly the populations of many EU countries have diverse workforces, comprising nationals, Non-Nationals but EU citizens, and those who are neither (see Figure 3.7). The employment rates are varied but it is the case in some countries that the employment rate of Non-Nationals/Non-EU is higher than the other two categories (Spain, Greece, Portugal). In six cases the reverse applies (Belgium, Denmark, France, Netherlands, Finland, Sweden). Presumably, such variation reflects employment law and the circumstances in which Non-nationals/Non-EU peoples enter these countries.

These patterns in relation to age categories are presented in Table 3.5 (Employment Rates by Age Group and nationality (Males and Females)). As with other classifications of the employment rates, the most economically active groups are in the age bracket 25–49 years. Of more significance is that fact that there is a complex distribution in the age bracket 50–64 years. This profile is presented below.

These patterns suggest that for many countries the implications of these patterns is unlikely to be straightforward. More specifically, it should be noted that there is little comparative evidence on patterns of migration and ethnicity across Europe. Nonetheless, there is a body of evidence about ethnicity and migration for specific European countries and for clusters of countries (especially on migration) that suggests complex practices are at work in different countries. Questions relating to racism, ethnic discrimination, the location of migrant workers in low paid and unskilled jobs, as well as associated problems relating to citizenship rights, housing and related social benefits, have been raised (Wallraff 1985; Vertovec and Cohen 1999).

Figure 3.7: Employment Rates by Nationality, Males and Females (2002)



Source: Eurostat, Labour Force Survey Results 2002

Table 3.6: Employment Rates by Age Group and Nationality (Males and Females (2002))

Employment Rates by Age Group and Nationality (Males and Females)																
	B	DK	D	EL	E	F	IRL	I	L	NL	A	P	FIN	S	UK	EU-15
15-64 years	59.7	76.4	65.4	56.9	58.4	62.9	65.0	55.4	63.6	74.5	68.2	68.6	69.1	74.0	71.5	64.2
Nationals	60.7	77.2	66.4	56.3	58.3	63.9	65.1	.	60.6	75.3	68.3	68.5	69.2	75.0	72.1	66.4
Non-Nationals/EU-Nationals	58.7	78.6	68.7	49.7	60.9	65.4	67.5	.	69.8	74.0	65.5	[63.4]	80.4	68.1	70.2	67.3
Non-Nationals/NonEU-Nationals	30.7	49.8	51.2	68.4	67.1	43.2	58.2	.	57.1	48.6	67.4	76.1	54.4	49.9	57.3	52.6
15-24 years	28.5	64.0	45.4	27.0	33.1	29.9	45.3	25.7	32.3	70.5	51.7	42.1	44.8	44.0	55.7	40.5
Nationals	29.0	64.3	46.0	26.0	32.8	30.3	45.0	.	28.2	71.9	51.9	41.8	45.0	44.6	56.2	43.2
Non-Nationals/EU-Nationals	29.8	.	48.0	.	[31.5]	38.2	55.3	.	40.8	58.6	33.7	.	.	43.8	57.2	46.6
Non-Nationals/NonEU-Nationals	14.6	49.3	38.0	44.8	51.3	17.6	45.3	.	[30.4]	42.0	52.9	55.8	.	25.5	40.4	36.9
25-49 years	78.8	85.1	79.6	73.2	71.7	80.2	78.2	71.4	80.6	84.5	84.0	83.3	82.5	84.3	81.2	78.2
Nationals	81.1	86.3	81.4	73.0	71.7	81.9	78.8	.	80.3	85.7	85.0	83.3	82.8	85.8	82.2	80.6
Non-Nationals/EU-Nationals	72.2	83.5	80.6	[68.1]	72.1	79.8	76.7	.	83.3	83.8	74.6	.	86.1	76.2	80.0	79.0
Non-Nationals/NonEU-Nationals	36.5	50.6	59.5	76.5	73.6	50.4	63.0	.	66.3	53.1	73.7	83.0	58.8	57.1	62.3	59.9
50-64 years	41.0	67.3	50.6	47.2	47.3	51.4	55.4	40.7	44.1	56.0	44.8	60.0	60.7	74.1	62.3	51.7
Nationals	41.6	67.6	51.0	47.0	47.3	52.0	55.5	.	41.8	56.2	44.0	60.1	60.6	74.9	62.5	54.0
Non-Nationals/EU-Nationals	37.4	[65.5]	55.3	.	39.4	50.6	49.3	.	49.0	58.1	54.9	.	.	62.1	56.3	52.4
Non-Nationals/NonEU-Nationals	23.8	47.2	39.9	66.8	49.8	40.5	.	.	[50.2]	33.0	56.9	.	65.8	46.4	54.6	42.9
65 & + years	1.2	4.9	2.8	4.7	1.5	1.1	8.1	3.3	[1.3]	4.1	2.8	19.3	2.2	5.0	5.3	3.5
Nationals	1.2	4.9	2.8	4.8	1.5	1.1	8.1	.	[1.0]	4.1	2.7	19.3	2.2	5.0	5.3	3.5
Non-Nationals/EU-Nationals	.	.	.	.	.	.	.	.	.	.	.	.	.	.	7.8	.
Non-Nationals/NonEU-Nationals	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.	.

Source: Eurostat, Labour Force Survey Results 2002

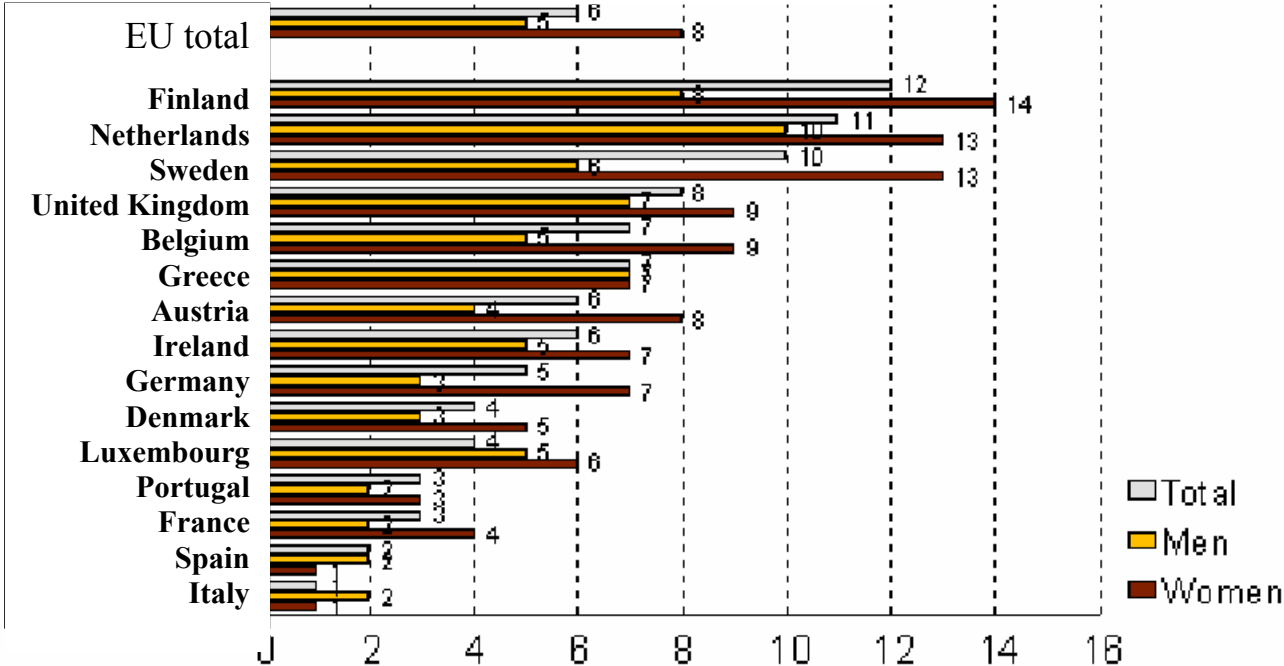
Quality of Work and Employment

European Union policies subsume a range of diverse issues such as career and employment security, health and well-being, skills development. In addition the reconciliation of working and non-working life is placed under the broader heading of quality of work and employment. While an in-depth treatment of these issues is beyond the scope of this report, attention should be drawn to experiences and awareness of intimidation and sexual harassment on the one hand, the impact of children on women’s working lives on the other.

On the first issue, the awareness of sexual harassment at the workplace clearly varies across countries (see Figure 3.8). Whereas men’s awareness is consistently, and often significantly, below that of women, the interpretation of country differences must take into account the effect of policies in recent years aimed at raising awareness and combating sexual harassment at work. The higher levels of awareness in Finland, the Netherlands, Sweden and the UK seem to reflect such policies. In contrast, the lower levels of awareness of sexual harassment in countries such as Italy and Spain would appear to be associated with the absence of such policies.

Figure 3.8: Awareness of Sexual Harassment at Workplace by Country

European Working Conditions Survey 2000, employees

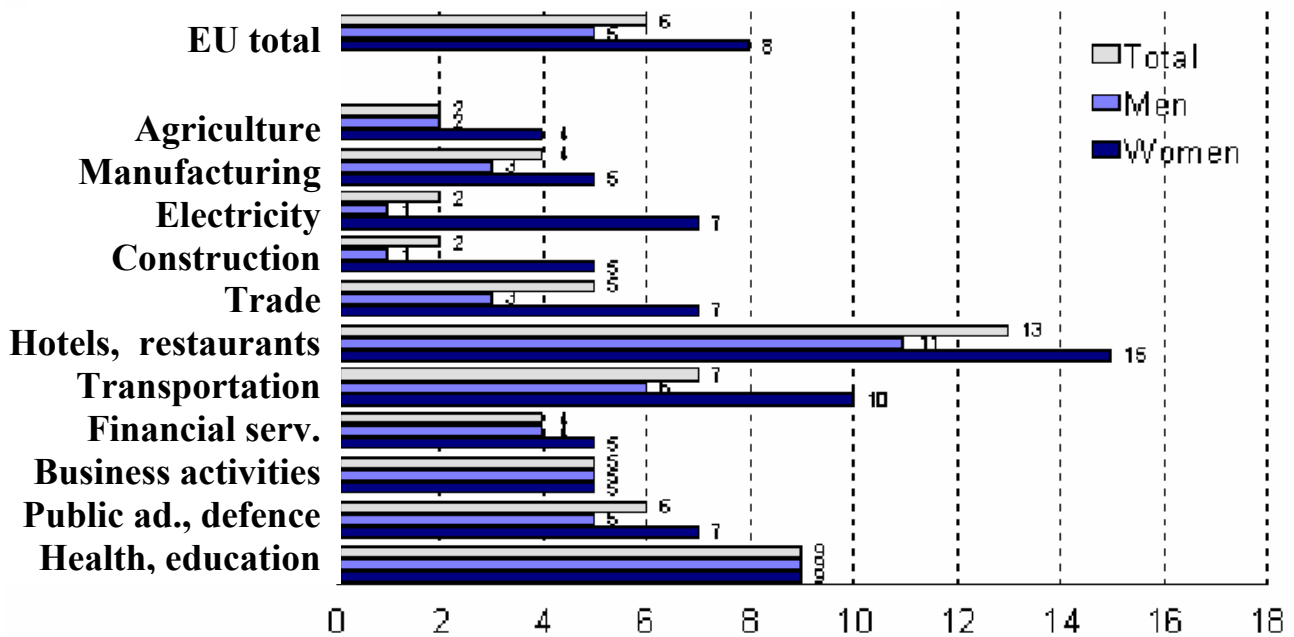


Source: Lehto and Pärnänen 2003, 7

Women’s experiences in the electricity industry reflect these patterns (see Figure 3.9). Whereas only 1% of men working in the European electricity industry are aware of sexual harassment at the workplace, the 7% awareness by women ranks at or above the total industry average. The large gap between men’s and women’s awareness might in itself reflect low female employment levels in the industry as well as pronounced patterns of segregation.

Figure 3.9: Awareness of Sexual Harassment at Workplace by Industry

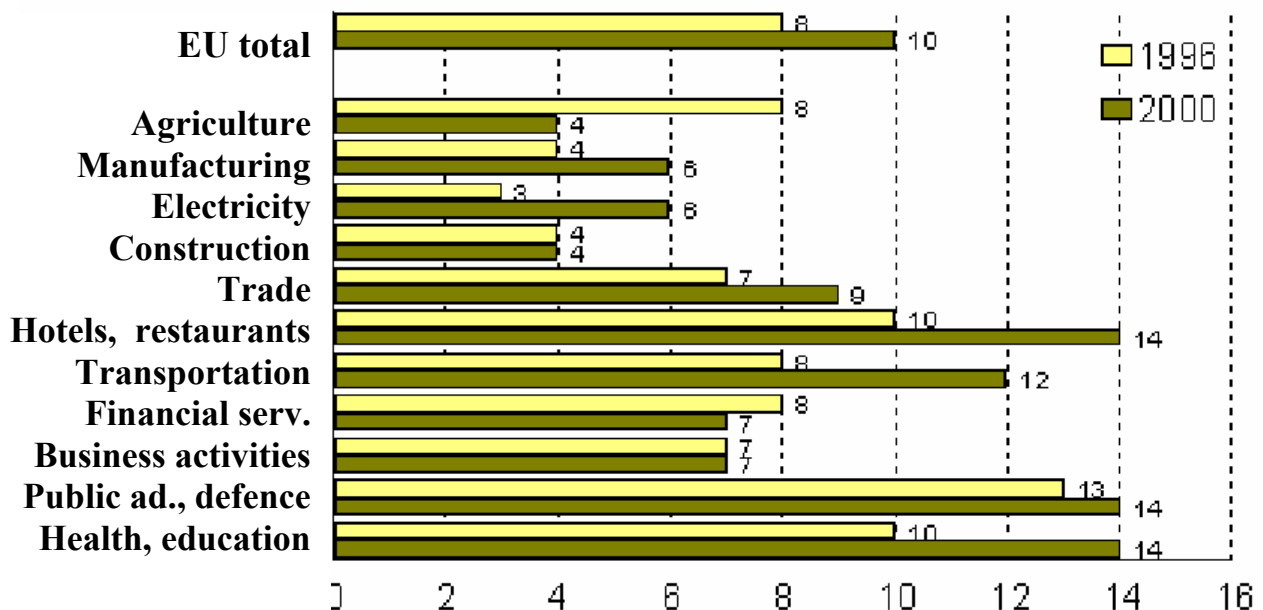
European Working Conditions Survey 2000, employees



Source: Lehto and Pärnänen 2003, 8

Equally, experiences of intimidation, defined as an intentional use of power resulting in harm – ranging from physical violence to harassment, bullying or psychological violence - exist within the electricity industry (see Figure 3.10). These data refer to both intimidation that is internal to a workforce as well as between employees and their customers. Although starting from a low level in 1996, the 100% increase since then is likely to be related to the pressures of an industry under immense structural change.

Figure 3.10: Intimidation by Industry



Source: Lehto and Pärnänen 2003, 6

The institutional context supporting child care is another key factor determining women's employment rates. Table 3.7 compares employment rates between women with and without a child. It shows that across all education levels women with a child are less likely to be in employment, with specifically low participation rates in Germany. Rubery et al (2002, 113-115) calculated a 'relative motherhood gap' as 'the ratio between the employment of women without a young child and those with a young child in the age group specified'.

The impact of motherhood on employment is much less pronounced at the higher education level across all countries. In fact, mothers with the highest education levels have higher employment rates than less educated women without young children in most countries. Indeed, the relative impact of motherhood is negligible for mothers with higher education in Belgium, France, Italy, Greece, and Portugal, indicated by the motherhood ratios of 90% or over. (Rubery et al 2002, 115)

Table 3.7: Employment Rates for Women 20-49 by Education, and Age of Youngest Child in 2000

(a) Low education qualification level

Country	No child	0-6 yrs	0-2yrs	3-6yrs	Relative motherhood gap - child 0-6 yrs	Relative motherhood gap - child 0-2 yrs	Relative motherhood gap - child 3 -6 yrs
Austria	68.7%	57.9%	62.5%	54.7%	84.2%	91.0%	79.6%
Belgium	62.6%	41.7%	40.3%	43.1%	66.6%	64.4%	68.8%
Germany	67.7%	33.8%	27.1%	41.4%	50.0%	40.0%	61.1%
Spain	44.8%	29.8%	26.6%	32.1%	66.5%	59.4%	71.8%
France	66.0%	37.2%	26.0%	48.0%	56.3%	39.3%	72.7%
Greece	45.1%	34.1%	29.4%	37.1%	75.6%	65.2%	82.4%
Italy	43.1%	28.4%	29.3%	27.7%	65.9%	67.9%	64.2%
Luxembourg	65.9%	49.5%	:	:	75.1%	:	:
Netherlands	65.7%	43.8%	38.6%	49.0%	66.7%	58.8%	74.6%
Portugal	72.8%	69.7%	65.1%	73.5%	95.7%	89.4%	100.9%
UK	62.0%	25.9%	19.6%	31.4%	41.8%	31.6%	50.7%
EU	57.1%	35.4%	30.5%	39.7%	62.0%	53.5%	69.5%

(b) Medium education qualification level

Country	No child	0-6 yrs	0-2yrs	3-6yrs	Relative motherhood gap - child 0-6 yrs	Relative motherhood gap - child 0-2 yrs	Relative motherhood gap - child 3 -6 yrs
Austria	81.4%	69.7%	73.2%	66.7%	85.6%	89.9%	81.9%
Belgium	76.0%	68.0%	66.0%	70.1%	89.5%	86.8%	92.2%
Germany	81.8%	57.2%	52.6%	61.9%	69.9%	64.3%	75.6%
Spain	64.8%	51.2%	52.4%	50.0%	79.0%	80.8%	77.2%
France	76.9%	62.0%	53.6%	71.4%	80.7%	69.7%	92.9%
Greece	52.4%	45.7%	41.1%	50.5%	87.2%	78.3%	96.3%
Italy	72.5%	58.5%	57.3%	59.7%	80.7%	79.0%	82.3%
Luxembourg	77.5%	55.6%	:	:	71.7%	:	:
Netherlands	86.0%	69.7%	68.8%	70.7%	81.0%	80.0%	82.2%
Portugal	86.0%	88.0%	86.0%	90.0%	102.3%	100.1%	104.7%
UK	85.2%	58.0%	53.1%	62.9%	68.0%	62.3%	73.9%
EU	79.4%	59.5%	55.5%	63.7%	74.9%	69.8%	80.2%

(c) High education qualification level

Country	No child	0-6 yrs	0-2yrs	3-6yrs	Relative motherhood gap - child 0-6 yrs	Relative motherhood gap - child 0-2 yrs	Relative motherhood gap - child 3 -6 yrs
Austria	92.2%	79.2%	80.0%	76.9%	85.9%	86.8%	83.4%
Belgium	91.6%	88.3%	87.1%	89.7%	96.4%	95.1%	97.9%
Germany	89.9%	70.2%	66.9%	73.9%	78.1%	74.4%	82.2%
Spain	81.6%	70.4%	68.9%	72.2%	86.3%	84.4%	88.5%
France	81.7%	79.1%	77.0%	81.8%	96.8%	94.3%	100.2%
Greece	82.1%	76.1%	74.0%	79.2%	92.7%	90.1%	96.5%
Italy	87.1%	79.0%	76.7%	81.7%	90.7%	88.0%	93.8%
Luxembourg	87.7%	71.3%	:	:	81.3%	:	:
Netherlands	92.2%	81.7%	80.3%	82.9%	88.6%	87.1%	89.9%
Portugal	95.0%	98.6%	96.8%	100.0%	103.8%	101.9%	105.3%
UK	92.1%	77.7%	74.7%	81.7%	84.4%	81.1%	88.7%
EU	87.8%	76.9%	74.7%	79.6%	87.6%	85.1%	90.6%

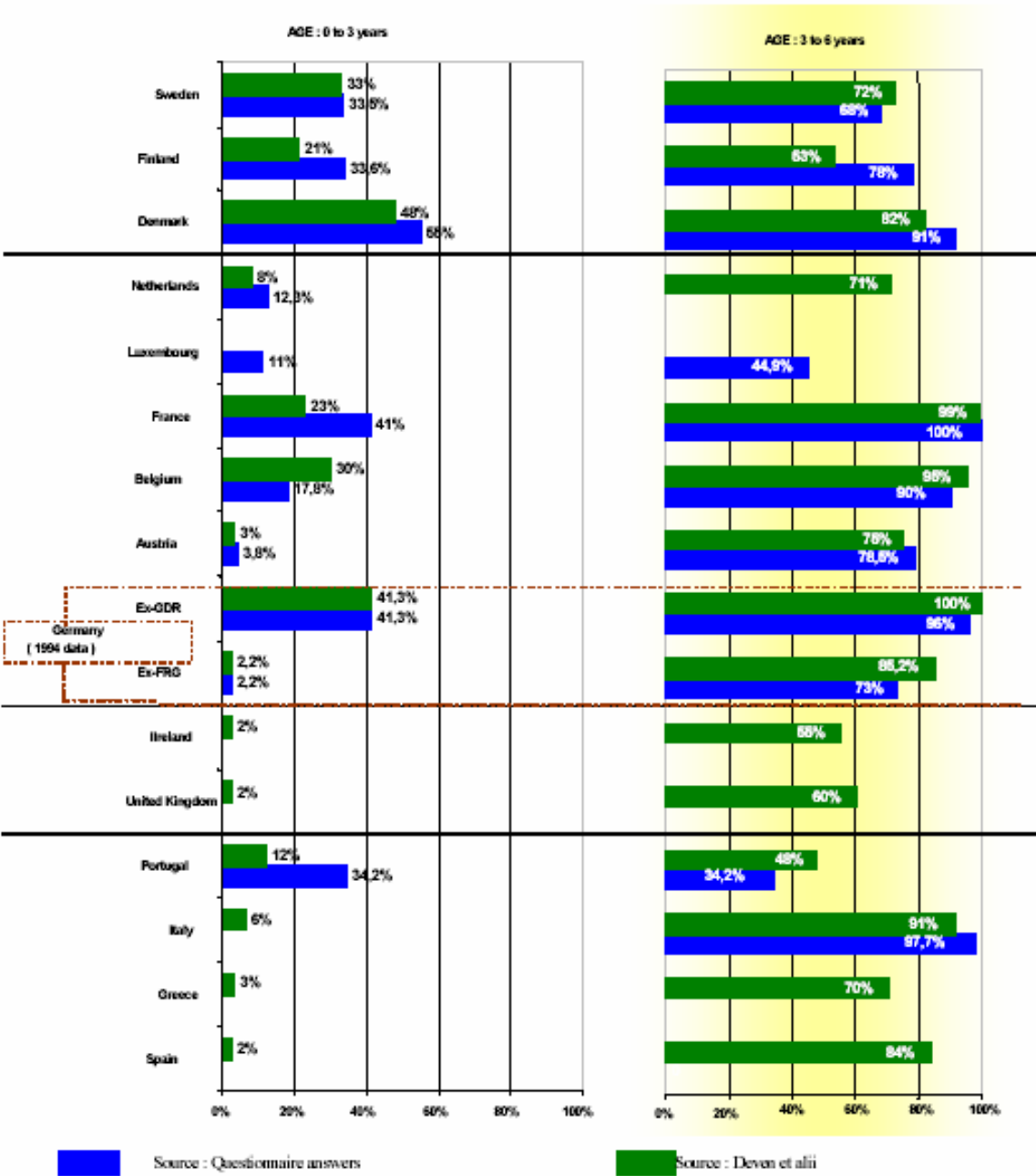
UK 99; EU includes UK 99; data not shown for Luxembourg due to reliability problems.

Note: Data are not available for Denmark, Sweden and Finland. Data only includes Household Head and Spouse. Ascendant relatives or other relatives excluded.

Source: ELFS (own calculations).

The availability of childcare facilities are important in assessing the patterns of women’s participation in the labour force. Figure 3.11 highlights the fact that relates mainly to children aged 3 years and over (based on two different data sources). While some countries such as Sweden, Finland, Denmark and France have collective childcare services for young children, others such as Austria and Germany provide for young child care via extended parental leave arrangements (explaining at least for Germany much of the large ‘relative motherhood gap’ of Table 3.7). Given that state policies often aim to shift responsibilities in this area to the private sector and given that opening hours of child care institutions constitute a longstanding problem for parents, employers clearly might be able to attract and retain a skilled and experienced workforce by arranging or supporting child care arrangements.

Figure 3.11: Distribution of Childcare for Children Aged 0 to 3 and for Children from 3 Years until Entry into Compulsory School in 1998 (Regular and Main Forms of Care)



Source: Rubery et al 2002, 120

Summary

There are marked differences in the profile of employment in the electricity, gas and water supply industries. The proportion of people who are employed by gender, age and nationality varies. However, there are few discernable patterns in relation to specific features of governance, economic organisation, political history, and social arrangements. One set of differences does, however, emerge in the context of the different political and economic histories involving the EU-15 when compared with the New Member States. Another common feature is that the economic activity of males within the industry is higher than that of females, reflecting, in varied ways, the continued salience of traditional ideas about the role and place of women in the public domain in some countries and the progressive impact of ideas relating to social participation, irrespective of gender in others.

When considering the quality of work and employment quite complex patterns between countries become evident. First, there is an uneven pattern of awareness of sexual harassment across different countries. Second, there is also marked variation in the institutional provision of childcare facilities. Such factors are likely to have a bearing on career trajectories and work experiences for women in relation to men.

These patterns raise important questions in relation to the targets set under the EES procedures. Equally, the age profile in the industry displays a weighting towards higher age bands, which also raises questions about EES targets. Whilst, there is little evidence on patterns of migration and ethnicity across Europe, evidence elsewhere suggests that complex practices are at work in different countries.

4 Equality and Diversity in European Electricity Companies – Themes and Issues

Equal opportunities and diversity questions are key concerns of the European electricity industry. The broad context for this engagement is the developments within the European Union in relation to these themes. Obviously, this engagement has a broader background in the political changes that have taken place in Europe, particularly over the last three decades. It is in this respect, that the developments within the European Union, in relation to policy, and the associated requirements placed on governments and companies should be assessed.

The aggregate data analysis sets the scene for the consideration and evaluation of equal opportunities and diversity questions in the European electricity industry. As noted elsewhere, the industry has undergone major changes during the last few years, with the result that the industry can be characterized as facing:

First, ... an impending problem due to the decline in technical and technologically based skills (both at craft and engineering level) because of the ageing workforce in the sector. Second, ... a shortfall in the new skills that emerged following the liberalisation of the industry (trading, sales, marketing etc). (Fairbrother *et al.*, 2003)

These developments provide the context for the introduction of equality measures in the industry.

While the data is general, it is nonetheless indicative of the broad socio-demographic patterns in the industry. The average employment level of female employment in the electricity sector of the EU-15 is 20 per cent. Restructuring, and the associated impact on employment levels, has contradictory effects.

To assess and evaluate the actual practice within the industry, it is necessary to go back to the broad approaches that have been identified as informing equal opportunity and diversity measures. These are: 'equal treatment', 'positive action', mainstreaming, and legal duties. It has already been noted that there is a complex relation between mainstreaming (gender or otherwise) and diversity recognition.

To address these themes, this section addresses five related aspects, against the backdrop of the broad legislative requirements of firm-level equality plans, in each country, and developments in collective bargaining in this area. Building on this analysis, the company studies are reported in the following terms.

The starting point for considering equality approaches in the companies covered by the project is a consideration of actual experiences that employees have during their working lives. The industry is one where there is a tradition of pursuing a career, often involving training and staff development. Nonetheless, in relation to the restructuring of the industry that is taking place it is also likely that different patterns of career development are likely to emerge. These varied staff profiles provide both a mode for analysing the ways in which different sets of employees pursue their careers as well as a benchmark for assessing these profiles.

The detail is then disaggregated in the following sections:

Employment

Pay and remuneration

Work and employment practice

Training

Procedures

The broad finding is that the prevailing approach to equality and diversity in the European electricity industry is to introduce measures and practices relating to equal treatment. While this is an important ambition, it is a limited one. In addition, there is considerable variation in practice.

4.1 Legislation, Collective Bargaining and Social Partners across Europe

One indication of the broad pattern of equality initiatives at a national level is provided by the legislative requirements for equality plans. The countries with specific legislation on firm-level equality plans are indicated below.

Table 4.1: Countries with Specific Legislation on Firm-level Equality Plans in the Private and/or Public Sector

Country	Legislation		Statistics
	Private sector	Public sector	
Austria	-	All public sector authorities at federal level are obliged to take action to eliminate gender inequality, with the Act on Equal Treatment for Men and Women in the Public Service providing for preferential hiring of women (through a quota) and preferential treatment for women in promotion and training. Similar legislation in some, but not all regions (Länder).	-
Belgium	Private sector employers may draw up equality/positive action plans (royal decree of 14 July 1987). This is voluntary, except for companies undergoing restructuring (see main text). Companies are obliged to produce an annual report on gender equality, which must be presented to the works council or trade union representatives.	Public sector employers are obliged to draw up equality/positive action plans (royal decree of 27 February 1990).	-
Denmark	-	Law 286/2003 on Equality between Women and Men provides that all public institutions must work towards equality and incorporate equal opportunity in planning and administration. Ministries, councils, state institutions and state-owned companies with more than 50 employees must, every second year, draw up a report on their equality work.	-
Finland	Employers with at least 30 workers must include measures to further gender equality in annual personnel/training plans or 'labour protection' action programmes, and draw up workplace equality plan (Act on Equality between Women and Men, as amended in 1995).		2002 survey found that 27% of private sector workplaces and 21% of public sector workplaces had equality plans. Larger companies were most likely to have a plan, and all ministries had one.
France	Legal framework for (voluntary) agreed equality plans (law of 13 July 1983). Companies with at least 50 employees obliged to draw up annual report on comparative employment position of men and women, which is assessed by employee representatives. Specific bargaining on gender equality obligatory at company (and sector) level every three years (law of 9 May 2001).	-	Since 1987, only 35 equality plans have been agreed, mostly in larger companies.

Country	Legislation		Statistics
	Private sector	Public sector	
Germany	-	Amendment to the Federal Constitution in 1994 provides for the government to promote equal opportunity at all levels of its administrative, legislative and social structure. 2001 Federal Equality Act for the Public Sector provides for establishment of office-specific equality plans, preferential treatment (quotas) for women in areas where under-represented, and gender mainstreaming initiatives.	-
Hungary	-	(Draft Law on Equal Treatment and Equal Opportunities submitted to parliament in September 2003 will oblige state-owned companies with over 50 employees to draw up annual gender equality plans.)	-
Italy	Companies may apply for total or partial public funding of (voluntary) positive action plans (law 125/91)	Public administrations obliged to introduce positive action measures (law 125/91). Obligation strengthened (by decree of 19 May 2000) through introduction of deadlines for drawing up plans and sanctions for non-compliance, plus funding possibilities.	Public funding granted for 561 positive action plans or measures since 1991 (however, funding not always aimed at companies).
Norway	General duty on employers to promote gender equality recently introduced (amendment to Gender Equality Act, applying from 1 January 2003), and it is not yet clear how employers will meet this obligation. However, some guidelines on implementation from Gender Equality Ombudsman (e.g. referring to measures to promote equality or prevent discrimination). Companies have to report on equality activities in their annual reports.		-
Slovenia	-	Public authorities obliged to produce periodical plans and biannual reports on the implementation of the National Programme for Equal Opportunities for Women and Men (2002 Act on Equal Opportunities for Women and Men).	-
Sweden	1991 Equal Opportunities Act obliges employers with at least 10 employees to draw up an annual equal opportunities plan.		A 1999 survey found that 25% of private companies and 75% of public authorities had equality plans.

Source: EIRO <http://www.eiro.eurofound.ie/print/2004/02/study/tn0402101s.html>, pp. 6 – 7

Of nineteen countries studied (EU-15, Norway and a number of the New Member States), eleven had specific legislation in place (or in the case of Hungary, planned) relating to firm-level equality plans in 2003. In the main, these plans were the result of top-down initiatives. Only six countries had specific legislation that applied to private sector workplaces, while in only two countries, Finland and Sweden, is there a specific requirement to draw up gender equality plans. More common, nine of the nineteen countries surveyed had legislation that applied to public sector workplaces. In addition, it was more common that public sector provisions are mandatory rather than voluntary.

One important feature of the regulation of equality between men and women is the place of collective bargaining in this process. The importance of this aspect of policy development is that it provides an indication of the measures that the social partners may be taking to promote and recognize equality questions, including that of diversity. The role of social partners across the nineteen countries referred to above is presented in Table 4.2 below.

Overall, gender equality issues feature in collective agreements, at inter-sectoral sectoral and company levels. They feature in a variety of ways, occasionally replicating the legislative arrangements and sometimes supplementing these provisions. However, it is striking that in the case of Austria, Greece and Luxembourg equality bargaining is poorly developed, while in central and eastern Europe there was no evidence of equality bargaining of any sort, apart from Slovakia. In fact, the most highly developed level of bargaining in this area of activity occurred in Norway, associated with but formally outside the EU-15.

It is against this background, that the activity over all aspects of equality and diversity within the European electricity industry should be assessed.

Table 4.2: The Role of Legislation, Collective Agreements and the Social Partners in Regulating Work-related Gender Equality Issues

Country	Legislation	Regulation via: Collective agreements (CAs)	Role of social partners
Austria	Yes	Equality provisions in CAs rare. One example of a sectoral CA on positive action, covering white-collar employees of social security providers. A few works agreements at company level provide for equality plans.	No tripartite or bipartite agreements. Social partners tend to regard CAs as gender-neutral. Two trade unions - the white-collar Union of Salaried Employees (Gewerkschaft der Privatangestellten , GPA) (AT0212202F) and the blue-collar Metalworking and Textiles Union (Gewerkschaft Metall-Textil , GMT) - are seeking to gender mainstream CAs.
Belgium	Yes	Intersectoral agreements contain some relevant provisions (BE0101337F). Equality action plans, defined by law (see table 2 below), can give rise to company CAs.	Trade unions have internal structures at all levels that work for gender equality.
Denmark	Yes	Some examples of equality provisions - sometimes involving equality plans - in CAs, mainly at sectoral level.	Extensive presence of gender equality structures in both employers' organisations and trade unions.
Finland	Yes	Some equality provisions in intersectoral (FI0211102F) and sectoral agreements (with one example of a sectoral CA referring to equality plans). Also, legislative changes concerning working life are prepared by tripartite negotiations.	Regular and active involvement in policy issues regarding gender equality.
France	Yes	2001 equality law (Génisson law - see main text) introduced obligation to include occupational equality issues in collective bargaining at sector and company level. However few agreements have been signed. Small number of company CAs on equality plans enabled by law (see table 2 below).	Due to Génisson law, social partners are obliged to initiate sector- and company-specific bargaining on gender equality.
Germany	Yes	Some CAs deal with gender equality issues. Equality plans found in some CAs - especially those signed by United Services Union (ver.di). Some works agreements at company level provide for affirmative action plans.	Both employers' organisations and trade unions at all levels are actively involved in initiatives regarding gender equality.
Greece	Yes	Intersectoral agreements contain some provisions on equality issues, as do a few sector (eg banking) and company agreements. However, no CAs on equality plans.	Modest involvement in gender equality issues
Hungary	Yes	Do not play a role.	Social partners play a role in newly established Equal Opportunity Commission (Esélyegyenlőségi Bizottság). The few trade unions that have a gender equality policy regularly publish statements.
Ireland	Yes	Intersectoral agreements contain equality provisions. Some company CAs deal with equality issues, including equality plans.	Trade union lobbying for change, plus rise in female employment and union membership, have fostered initiatives to promote equality within union agenda, both nationally and locally.

Country	Legislation	Regulation via: Collective agreements (CAs)	Role of social partners
Italy	Yes	Gender equality issues frequently bargained at two levels: national industry-wide level and company level. Positive action plans are generally negotiated locally, with some relevant enabling provisions in sectoral CAs.	Unions' role mostly that of declaring principles. Higher-level social partners have minor role in formulation of company-level policies.
Luxembourg	Yes	Very little bargaining on equality issues.	Social partners not explicitly involved in equality issues
Netherlands	Yes	CAs deal with some equality issues, mainly in areas not covered by legislation. Gender equality plans as such are not part of CAs, but they do in some cases deal with relevant issues such as equal opportunities in recruitment, selection and training, and positive action.	At central level, social partners take special initiatives in field of gender equality.
Norway	Yes	Gender equality referred to or regulated in many CAs. In 'basic agreements', the obligations tend to be general in nature, and in other CAs more specific.	Social partners actively involved in encouraging gender equality issues, both nationally and locally. Joint statement calling for equal opportunities to be integrated into development work in individual companies.
Poland	Yes	Do not play a role.	No known bipartite or tripartite initiatives with wide impact.
Slovakia	Yes	Some CAs contain regulations that oblige employers to work for gender equality. However, equality plans as such are not an issue.	No bipartite or tripartite initiatives have been taken yet. Role of social partners is more one of declaring principles. The Confederation of Trade Unions (<i>Konfederácia odborových zväzov Slovenskej republiky</i> , KOZ SR) has established a commission for equal opportunities for women and men.
Slovenia	Yes	Do not play a role.	Tripartite Economic and Social Council (<i>Ekonomsko socialni svet Slovenije</i> , ESSS) signed 'social agreement' for 2003-5, which contains specific obligations on all parties to promote equal opportunities (SI0307101F).
Spain	Yes	Some CAs at sectoral, regional and company level contain clauses referring to gender equality (ES0312102F). They do not include specific provisions on workplace equality plans, but some cover relevant issues such as positive action.	No social partnership on gender equality. However, 2003 central agreement providing framework for lower-level collective bargaining (ES0302204F) makes recommendations for gender equality to be part of bargaining at all levels.
Sweden	Yes	As they are covered by law, gender equality provisions and plans rarely appear in CAs. However, some CAs contain improvements on legislative provisions.	Social partners at local level play important role in fulfilment of equality law. Gender equality issues in general are of high importance for social partners.
UK	Yes	Role difficult to assess due to fragmented and decentralised nature of collective bargaining. Joint regulation of equality issues is not widespread.	No special bipartite or tripartite initiatives, however the social partners participate in initiatives independently of each other. Mostly involve declarations of principles

Source: EIRO <http://www.eiro.eurofound.ie/print/2004/02/study/tn0402101s.html>, pp. 3 – 5

4.2 The European Electricity Industry

The European electricity industry is a major employer. It has undergone dramatic change of the last decade, associated with government policies relating to privatisation and de-regulation, as well as initiatives at an EU level. These reforms are aimed at the commercialisation of the industry, with implications for the profile of the workforce, the development of new areas of activity, and a re-focusing of the activity of these companies, from consumers to shareholders. Nevertheless, it is also the case that regulation remains strong and governments still use the electricity industry as an instrument to further wider policy objectives, such as environmental and macro-economic aims.

Employee Experience

Employee experience provides a benchmark for the evaluation of the different aspects of equal opportunities and diversity recognition in the companies studied.

Staff Profiles

Most staff most of the time see employment within the electricity sector as a long-term career. As one older staff employee noted:

I have been working for [the company] since 1983. [The company] has got two power stations. I worked as the head of the maintenance department until 1991 in one of these power stations. Then I worked in the headquarters as the head of the two power stations. After the reorganisation, I dealt with investments. At present, I manage the investments of the sub-stations. (Interview, older employees panel, 2004)

This career, although specific, reveals trajectories that are found across the European electricity industry, in both EU-15 countries, as well as New Member States. This particular respondent had worked in power stations, as a technically qualified employee. As time went by he moved up the hierarchy, to manage the maintenance department and then moved to the headquarters and his career shifted into the newer areas of employment that were developing.

In contrast, a younger employee stated:

I'm twenty-nine years old. I've been in [the company] for almost two years now. I started as an engineer, electrical engineer [focusing on telecommunications] ...and as you all know, [the main company in this industry] hasn't been doing very well in the last years, so the outlook for getting a job there wasn't very good. So I saw an ad for a training programme at [this electricity company] which I applied for and it was actually the first job I applied for and I got to the first interview and it sounded very good. It was very, very well planned. So I got really interested and I got ... the job and from there on it's been very, very good. I did the trainee programme that was nine months. After that I started a position as a project manager and since April now I've got into a managing position with a group of about twenty people... (Interview, younger employees panel, 2004)

While this trajectory was of recent duration, the respondent went on to indicate that she saw her future with the company. Her prospects were enhanced by the fact that she was working in one of the newer employment areas and where the future for her in the company appeared to be promising.

A different, more restricted profile, is illustrated by one respondent who is employed in call centre work.

I have been here 7 years and sent in my CV, ...and got a 9 month contract in [one site] and then went to the call centre. The call centre moved and went there [site one] and then went back into [another site] and that is where I am now, was in revenue protection and now in customer [services].....that is where I am now. (Interview, younger employees panel, 2004)

However, when staffs are clustered according age, gender and nationality, a more complex picture emerges. It was the case that migrant workers also saw a long-term career in the electricity industry.

...and I am from Sweden originally, I came here about 3-4 years ago and I was previously working in Sweden as an engineer and worked for power system studies. I was, my company in Sweden was asking me to go to Dublin as a consultant and I worked there, in the same company as I do now, for 11 months before I decided that I should do something about my life. So I decided to join [the company] here and they got me a contract and that is basically how I ended up being here. I didn't see an ad[vertisement] or anything. I was here as a consultant and then applied for a job within the company and I got the same position as I was when I was a consultant, so I am doing the same work. (Interview, migrant employees panel, 2004)

However, while all employees went through a learning process, an apprenticeship, a trainee programme, there was a different nuance to these expectations with some migrant workers. While often there is a commitment to long-term employment there may also be a threshold of learning afresh. As one person commented:

When I came over [from Romania], I had to prove that I could do my job. It wasn't just enough to "show off" my degree. I had had 25 years of experience in my current profession, but it didn't really count here. I had to start from scratch, but I worked my way up with hard work and they appreciated it, so that's where I am at the moment...It was never a problem for me that I came from Romania. Nobody has ever commented on it. (Interview, older employees panel, 2004)

In general, whether staff entered the company (or its predecessor) as a young person and followed a pattern of jobs over a number of decades or had entered employment in the company more recently, the prevailing expectations are that this was long-term employment.

On age, it has already been noted that the age profile of the industry is weighted towards the higher age bands. In the context of the restructuring and reorganization that has taken place in the industry over the last decade, there has been fairly limited recruitment of young staff into the industry, and where this has happened, it is now often the case that these younger employees are graduates.

These patterns of employment resulted in two related outcomes. On the one hand, there is a feeling among many older workers that they are being by-passed, that their expectations of the company are now tinged with scepticism and cynicism. One older worker in one of the EU-15 countries, for example, stated that after a number of moves in different parts of the company he came back to head office, and his career began to change:

So then I come back to head office. Oh yes we negotiated the closure of the place because it was completely out of control in the sense of not structurally and organisationally [sound] ... and we bought a custom-made new storesand I closed the [old] store and I was one of the last to leave it. I didn't get the job [at the new facility]. Very well, I wasn't successful in the promotion ...and then come back to head office and have been spear training as I [call] it. People who know me would know that I call it spear training. It is project one year and then another project another year, project work which I wouldn't recommend to anybody, it is a...type of a job. You know if I had my life over again then I wouldn't have been as easy in taking some of the projects that they have given to me because they are never ending, and so anyway that is where I am now. (Interview, older employees panel, 2004)

Another person, from one of the companies in the New Member States, pointed to the fact that in the past, under a Soviet style regime, they had expected a lifetime of valued employment, but that these expectations were no longer realistic (Interview, older employees panel, 2004).

More pointedly, a number of older staff pointed to the way in which increased graduate employment tended to disrupt the established hierarchies and relations that characterized the industry. As one noted:

I saw a young colleague of mine [who] became manager and it was positive but also the reverse about her. I heard ... someone say that she has become manager because as she is a woman or so it was necessary to make her become a manager because she is a woman. It was not positive. (Interview, older employees panel, 2004)

There was also recognition that the work arrangements for younger people can cause concern amongst older workers, who may feel by-passed:

I have had feedback from the older generation, about new employees who come to work for the company get as much money as someone who has been working here for over 30 years, and it does upset them [the older generation]. (Interview, women employees panel, 2004)

On the other hand, these views contrasted with that of younger staff, who see the older staff as a barrier to some of their ambitions. One way in which this is expressed is that many younger employees spoke of the apparent 'inflexibilities' of older workers. As one stated:

I personally want to be trained and I like to have people around me trained, so I think something that comes with management. The manager is not sensitive to that, then so you're led to a zero attitude towards knowledge of training. So there is really some[thing] more that matters than experience. (Interview, younger employees panel, 2004)

This type of view was expressed even more forcefully at another company:

I mean, if you're coming in and you're younger and your thinking about your future but you come into a structure where the history is that people have been in, in place for a long time [it can be a problem]. You ... know, people my age have a particular way of looking at it which is based on our experience, not on your experience, so it can actually structure separate relationships. (Interview, younger employees panel, 2004)

These reflections by these staff raise a number of points for consideration.

First, there appears to be a polarisation between older and younger workers, which relates to expectations held by older workers and the aspirations of younger ones. While there is no necessary clash between the two groups of workers, it would appear that attention should be given to the integration of each group in the emerging electricity companies.

Second, in the context of industry restructuring and reorganization, it is unlikely that the established hierarchies and established relations will or could be maintained. It is in this context that these different views about age should be assessed.

Third, it is the case that older employees, in general were sceptical of the future. There is a case for addressing this sense of foreboding in a positive way, not least for reasons of equal treatment as well as in view of the EES requirements and ambitions.

Fourth, the increased employment of women in these organisations is likely to challenge established hierarchies in particular ways.

Career Paths

An equally striking feature of the modern electricity industry is the very different career trajectories by men and women. When considering the data, four patterns are apparent: long-term careers paths, interrupted career paths, sideways career paths, and foreshortened career paths. In each case, there are gendered patterns, which then mark out distinctive sets of equal opportunities.

Long-term career paths: The clearest indication of difference came when comparing staff who had long-term career paths in the industry. These older workers had come into the industry, in highly personalised ways, often following recommendation by family members. A typical trajectory for a technical male employee is captured below.

I came in as an electrician in 1970...I was on a technician course and in the second year they streamed out a number of guys. There were about a 150 of us in the year and they picked about 10 of us and we went onto what they called the SET course in Chemistry, Culture Technology which was the sandwich electrical technician...After doing 2 years then we went on to doing 4/5 years off an extended like release if you like for a technician... I went back to ... where I started and I worked in the sub stations area for about a year as the shop electrician. And then again I was sent to metering. ..So I spent maybe 2/3 years at the metering and then I went cable jointing and did overhead and underground cable jointing... So as I say I spent 5/6 years doing that and after 7 years of my time I applied for a job as a trainee draftsman...and we were brought up to head office for a year to what was then the generation department. And spent a year training there as a draftsmen. I then moved from that to the transmission department, there is only 220KV/400KV sub stations and spent 18 months there and discovered that they were looking for draftsmen in the generating area in 1980 and it was May 1980 and I went and ended up in [one] region ... as a draftsman... Then some time towards the middle/late 80's they re-organised again... and I ended up as a technical officer in [a] power station, in the planning and development section. I worked at that for a number of years and then I got an opportunity to go to [another region]... as a draftsman for the duration of that particular project which lasted maybe 18 months to 2 years. ...I came back working as a technical officer and then after a couple of years head office project...This was part of another structural change in the part where we were looking at the situation to see if there were any savings that the company were trying to gain to become more competitive.... ..So I was on that for maybe again 18 months 2 years. At the end of that they decided to see people to look for estate procurement specialists, they appointed 3 of them and I got one of those positions... (Interview, older employees panel, 2004)

A women member from the same company presented her biography as follows:

I joined August 1970. I worked in the civil service prior to that - and I had a friend who worked in [the company] - and that was in the department of defence which was a very dull, very at the time because our troubles up north hadn't started at that stage. So it was a very quiet department and Mary said that there was a great life in [the company] at that stage as they had actually opened up the company to women. Prior to that they hadn't been recruiting women except in select areas. And so ... they recruited a lot of young people at that stage and I joined at that time and I came in as I think it was a grade 8 which would have been one of the clerical grades and I am now in the training department as a project manager. (Interview, older employees panel, 2004).

While these broad patterns are similar, with both men and women entering employment in the electricity industry for the long term. In practice, however, there are differences between the two career paths, not least because of the extension of employment opportunities for women in the 1970s.

Interrupted career paths: Career paths are often interrupted in one way or another. They stop and start, or are suspended for a period; most frequently such 'interruptions' involve family leave. Many women face futures in which they take time out for family and other responsibilities. There is evidence to suggest that for many women seeking leave to have children that this action is informally interpreted as indicating a lack of commitment to the company. In one company, located in one of the New Member States countries, many spoke of difficulties in relation to maternity leave:

They can usually return to the same position, which they had before they went on maternity leave, but nowadays the company dismisses them. However, there have been cases when the company employed new workers for the positions the pregnant women had, but once they (the pregnant women) return the new workers will be dismissed. (Interview, women's panel, 2004)

When these women returned to work, they faced difficulties. As stated:

At this company women can come back to work if there are vacant jobs, but perhaps they will not do the same work as they used to before they left. The point is that the company will take them back. (Interview, younger employees panel, 2004)

Although this is an extreme response by the management in the company, versions of this blockage of careers happened elsewhere.

These practices were underpinned by a view that the employment of women was problematic. It is not just that there are difficulties around maternity leave but women at this company were questioned about their domestic circumstances and their aspirations. As stated:

I think it is easier for men to get promoted than for women. When a woman applies for a job at the company she will be asked about her private life. They will ask her whether she is single or married. They will want to know whether she has children or is planning to have any children. (Interview, women's panel, 2004)

Informally, the respondents at this company observed that in a number of instances women are 'encouraged' to resign after six months back in post (Informal discussion, 2004). While dismissal is unusual, many women who had taken leave found it hard to retain their previous positions or secure promotion.

This aspect of employment blockage, however, is not specific to New Member States. In Sweden, for example, where there is state support for family leave and employers are supportive of such leave it is also the case that men will take time off for family responsibilities. However, what is distinct is that women feel disadvantaged, even where parental leave for men and women is recognised. To illustrate, one woman described her fate when she took leave from the company to have a child:

I had my second baby in January last year. I came back to work in October and every women - now we're talking like ten, twelve that had a baby - get moved out of their position but men have had longer periods - up to a year - and they get a standing for that period [maintain their post and promotion standing] even if they take one year... That is something that happened recently. (Interview, women employees panel, 2004)

Clearly, these features of employment life, in quite different political contexts, are worked out in these companies in rather complex ways.

Sideways career paths: One feature of career paths, especially for women in these companies, is that at crucial life moments, such as having a family or caring for other dependents, decisions are 'taken' to shift from a promising career trajectory into another more limited pathway.

As noted:

I know a few women [after a career break, for example to have children] that go on ...job sharing and reduced hours. For some reason they don't ever really get back into the fulltime [work]. I don't know if it is more difficult for them as the time goes on or maybe they have got used to working half time but they seem to either stay at reduced hours or job sharing or else leave. So they are not really around, it is not as if you see them coming back into the full time working and then they are catching up. I don't know what the statistics are but I don't kind of see it happen, the people that I am looking at. They either leave or stay job sharing. (Interview, women employees panel, 2004)

The women at this company spoke extensively about the way a number of them had either moved from full-time employment to job-sharing arrangements, or that they knew of women in their areas of work who had made this shift, so that they could deal with child-care responsibilities.

The reason for this shift in job responsibilities is that these jobs allow the jobholder to fulfil other 'non-work' obligations. However, such moves are often defined by managerial staff solely in individual terms and not with reference to the company as a whole. Such career patterns are complex and are part of the overall career profile of the company, rather than subject to individual decisions and choice, as is often implied.

Foreshortened career paths: Even where employees expect to remain with the company in the long-term, there are marked differences in these expectations. What is striking is that in these companies, long characterized by senior managements that until recently were predominantly male, women have shortened career paths (Ecotec, n.d.: 47-68).

As one woman employee noted about the difficulties of women gaining promotion into management:

I suppose, average age is high, it used to be forty-eight but it's forty-seven this year, so it's gone down and of course, we're live on engineering ...most of employees are men, about seventy-five per cent... and in those days when they started it was mainly men that studied engineering. ...now we have more women studying engineering but it takes time for them to come into, to do the career and maybe their problem is not, maybe so much for individual women in the company but when you look for a new manager for example, most managers are men, so it's easier to look at men

She went on to note that the problem was structural, not because women did not want promotion:

... we have very few women managers in the first line, only two out of thirty/ thirty-five ...the problem then would rather be that it's difficult for women to make a career in the company...you need to start this with the first line manager to, to make a career and ... that's a problem. It's, we have some more women managers in the support, strategic support functions but that doesn't really....count ...I'd say it's more structural problem than a problem of an individual, an individual employee. (Interview, women employees panel, 2004)

Often referred to as the 'glass ceiling' this quotation graphically illustrates some of the obstacles facing women as they seek to pursue long-term careers in the electricity companies.

Another aspect of this trajectory, which resulted in an employee being locked into a particular area of employment is indicated by the following observation:

I started off my career on the switchboard in [another office]. I worked there for 14 years dealing with an exceptionally busy switchboard and then I became supervisor there. After that I transferred here to head office where I was supervisor still on the switchboard. I left for 6 years and I had my two children, I returned in '88 as a basic Clerical Officer. I worked my way up to a level 4 which I currently am. But I think that after 30 years in the same job I deserve a chance to go into the general clerical field. (Interview, older employees panel, 2004)

What ever, the specific circumstances of the employee and her incumbency in the job, she has had a fluctuating career, whereby her return to work, after her children, also meant beginning her career trajectory all over again.

For a number of staff, there did not seem to be a prospect of advancement within the company. In these circumstances some staff looked outside. Young staff described the situation as follows:

Young people are not going to come into [the company] where they are not made permanent after a 2-year contract and they are not moved, upgraded. I think that it is back to that. What happens then is that people are leaving and they get people from the outside, all these people in that have got qualifications and people that have been in [the company] for 15/20 years are just walked over. (Interview, young persons panel, 2004)

On one occasion, an older worker in another company noted how companies tend to have limited recognition of competencies:

I speak three languages and for years and years nobody cared about this because it ...is that when you have some personal skills [that] the company doesn't need and the risk is you will remain at the same level or levels. ...This is true of both men and women. So these personal skills are left behind, are not taken into account (Interview, older employees panel, 2004)

Often these aspects were cast in terms of the difficulties of achieving an adequate work-life balance, especially in companies where a premium is placed, often informally, via work practice, on hours given to the company. 'Long hours' seem to be a key indicator of commitment to the company.

Such features of the career prospects for these workers, call into question the intent by managers to act not only to the letter of equality and diversity law and regulation but to the spirit of these requirements. Almost without exception, these workers do not find the trade unions of much help and assistance.

Assessment

The career paths and profiles of these workers are quite complex. In general, employees sought work in these companies so that they could pursue a long-term career at the company. In the past, this often meant employment from a young age. These staff received training and in a number of cases promotion. However, more recently this pattern of career advancement over a longer period of time has been qualified by the recruitment patterns of younger staff, often graduates into the 'newer' employment areas, such as commercial activity and marketing. Nonetheless, it remains the case that staff are employed directly into routine areas where there are limited areas of advancement, such as call centres. The overall patterns are qualified by different treatment of women compared to men, migrant employees compared with nationals and the young in relation to the old. The outcome is a set of varied career pathways in these companies.

4.3 Employment

The patterns of equal opportunities are set when staff enter employment. It is argued in many analyses that for an adequate approach to both equal opportunities as well as the construction of a diverse workforce, then the recruitment process can be either an inhibiting process or an enabling one (Ecotec, n.d.: 78 – 79; 86).

In the context of the restructuring and reorganization of European electricity companies, over the last decade, recruitment has been limited. One outcome has been an aging workforce. However, where recruitment has occurred then increasingly companies have sought to reinforce and increase the presence of graduate employees, often recruited to undertake tasks associated with commercial and marketing activities. This development has begun to qualify the long-standing image of the industry as comprising a largely male, technically qualified workforce. Further, the age profile of the workforce in most companies has begun to acquire a dumbbell shape, although as the presence of graduates and the further recruitment of younger employees continues this is likely to change.

One feature of the recruitment procedures at most, but not all companies, is a relatively personalized manner of recruitment (cf. Ecotec, n.d.: 78 -79). There is little evidence that equality and diversity are taken into account, either in the past, or through current procedures. In the past, it was very common for staff to be recruited on the basis of personal contact, often family connections. This was complemented by very cursory interviews, usually with the immediate supervisor in the area of work. As one respondent noted:

I first came in, in February 2002. I was a former consultant for...banking in London, for one of the banks with [connections with the electricity company]. I joined [the company] in 2002 and then before I came here I was a consultant for [the company], so I already knew all the company management because I was working for the bank... Therefore, I needed not to read any Act, any journal, nor to fit any interview because I was offered the job, the position directly by [the company] itself. I already worked as consultant and somebody just brought me on board. There was actually an interview that was just a formality ... with the person in charge of my business area. (Interview, younger employees panel, 2004)

This area of employment is relatively new in most companies, and is a consequence of the types of changes that are taking place within this industry as the processes of competition and de-regulation begin to impact on firms and organizations within the industry. What is also striking is the process of appointment, which was relatively informal.

A different practice involved a young employee from another company.

I had an interview. There were three people interviewing, at the time it was a position for in the cash office, so I had three people interviewing me.

The first job was for nine months and then the employee went through another process of interview:

The first one was very like a nine month contract and then as there was no permanency at the time, so then it actually came up two years later a permanent post came up. [and she was interviewed by] the same .. three people...one HR, one boss and one independent person. (Interview, younger employees panel, 2004)

More recently, there have been moves in many companies to formalise and establish more transparent procedures in relation to recruitment and equal opportunities. In one case, these initiatives occurred against the background that the employment profile was one where there were 'too many old men in the business area' (Interview, older employees panel, 2004). The company set out to recruit a diverse intake, of men and women, and young staff. These features of the employment relation draw attention to the possible impact of mainstreaming, which is predicated on the assumption that:

... mobilizing all general policies and measures specifically for the purpose of achieving equality by actively and openly taking into account at the planning stage their possible effects on the respective situations of men and women (the gender perspective) (Com (96) 67 final from 21/2/96)

However, in relation to mainstreaming there remains an ambiguity in the practice of recruitment. The actual experience of attempting to broaden the intake of new recruits at one company was spoken about in the following terms:

...the ad[vertisement] was, 'we like to see women and immigrants as applicants', so you know, they want to have a diversity.

And:

Actually the job I applied for, there was a guy from Africa applying for the same [job]. He didn't get the job. I got the job ...

However:

...but then the second interview when your sitting with your boss and your boss is going to hire the person who he feels comfortable with, so forget the guy who was applying for the job, he didn't speak as good Swedish as I did, for obvious reasons. So, and maybe my boss isn't very comfortable with English, so they will choose me, probably because it's easier to communicate. (Interview, younger employees panel, 2004)

In some companies the recruitment of younger, qualified staff is coupled with the introduction of specific and special employment conditions aimed at ensuring the retention of the staff.

Since I've been working here corporate, I'm going on a lot of free training courses during my work time and I'm currently attending language training courses, English courses and in training courses that were very much related, occupations profile, not really centred on my specific tasks. (Interview, younger employees panel, 2004)

The introduction of such conditions is coupled with an implicit recognition that the electricity companies feel compelled to take special steps to attract and retain qualified staff.

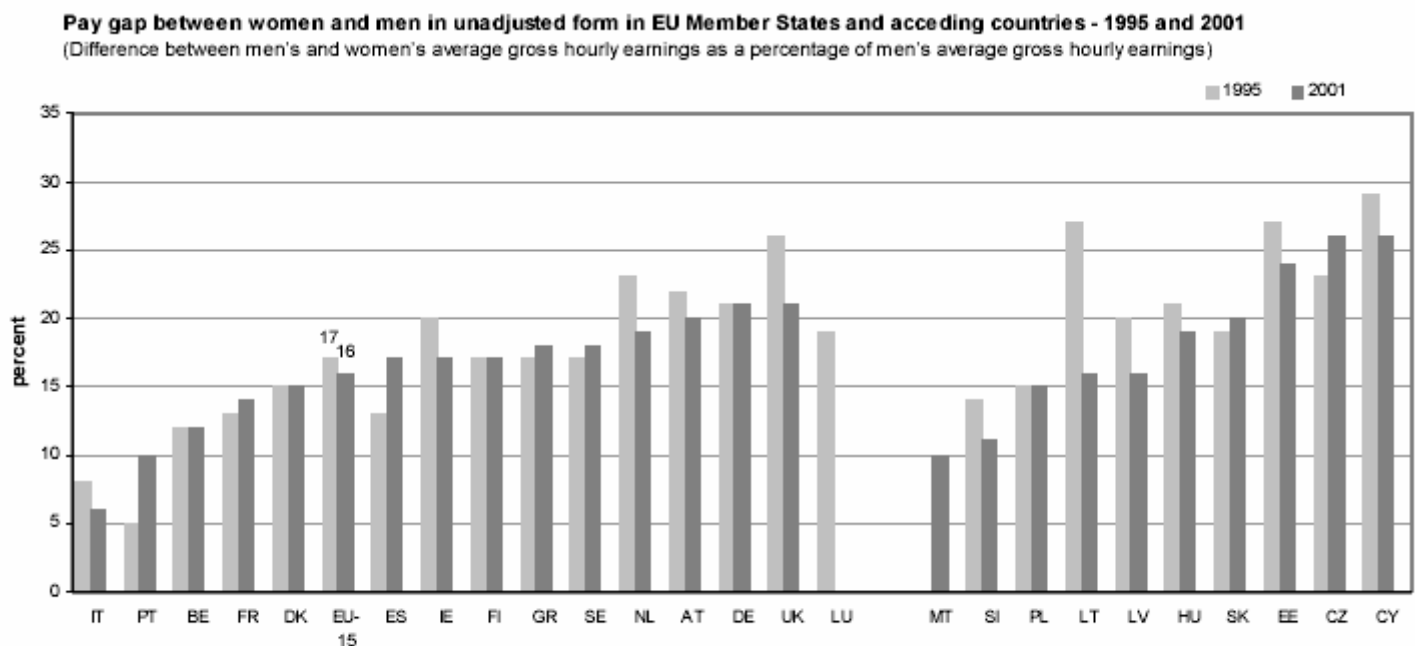
All companies expressed the view that it is important to attract young qualified staff. However, it is much less common to develop recruitment strategies aimed at recruiting a diverse workforce. In the one case where this occurred, it is not clear whether this initiative had to do with the apparent lack of attractiveness of such an industry to young people, or whether the pay levels were low relative to other areas of employment, or whether the developing commercial and information technology areas have only a short-term appeal in an industry such as electricity, or a combination of all these factors. Nonetheless, this approach may indicate the beginning of a distinct recruitment policy in the industry.

4.4 Pay and Remuneration

One of the core issues in relation to equal treatment involves pay and remuneration levels. Overall, there is evidence of continued pay gaps, between men and women employees, in almost all countries.

Although the gender pay gap has narrowed on average for the EU-15 between 1995 and 2001 – from 17% to 16% - the gap is still a large one and important national differences remain (Figure 4.1). In countries such as Portugal, France, Spain, Greece and Sweden, the unadjusted pay gap increased over that period while Belgium, Denmark, Finland and Germany did not register any change. For the New Member States, Estonia, Czech Republic and Cyprus have much higher gender pay gaps, around 25%, than the EU-15. However, there have been important reductions in the gender pay gap in these countries, with only Slovakia and the Czech Republic extending the gap between 1995 and 2001.

Figure 4.1: Pay Gap between Women and Men in Unadjusted Form in EU Member States and Acceding Countries – 1995 and 2001



Source: Eurostat, ECHP UDB version December 2003 except FR, NL, SE and ACC: National sources

Notes: Exceptions to the reference years: FI, SE, CZ, HU: 1996. LV: 1998. SK: 1999

- EU-15: weighted average of national values for old member states estimated without missing countries

- For the Netherlands, data are based on annual earnings including overtime pay and non-regular payments

- For Sweden, data are based on full-time equivalent monthly salaries, not hourly earnings.

- For Cyprus only full-time employees are included

- For Czech Republic only full-time employees in enterprises with more than 9 employees are included

- For Hungary only full-time employees in enterprises with more than 20 employees (1995 – 97) and more than 5 employees (1998 -) are included

- For Lithuania only full-time employees (1995 – 99) are included

- For Poland only employees in enterprises with more than 9 employees are included

- For Slovenia employees in public enterprises and employees in private enterprises with more than 2 employees are included

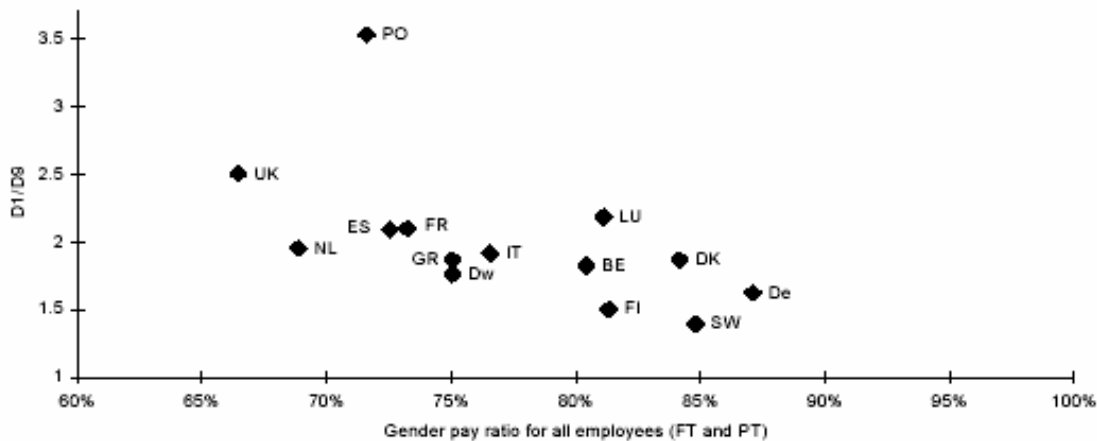
Source: European Commission 2004, 17

Data relating wage inequality to the gender pay gap show that higher pay inequalities tend to come with a higher gender pay gap (see Figure 4.2). Rubery and others (2002, 89-90) cluster different countries and point to the key role of the concentration of women in low paid jobs as a barrier towards increased equality.

Member states with a high wage differential between high paid and low paid groups are at the bottom of the ranking by size of the gender pay gap (Spain, France, the UK and, in particular,

Portugal). Conversely, those states with the most compressed wage structures have a relatively narrow gender pay gap (Sweden, Finland and the former East Germany). ... Women are penalised by high levels of wage inequality due to their over-representation at the bottom of the wage structure and their under-representation at the top. Knowledge of crossnational differences in the share of men and women in low paid work is thus an important indicator of progress towards gender pay equity.

Figure 4.2: Wage Inequality and the Gender Pay Ratio



. Note: The gender pay ratio is for all employees (full-time and part-time); wage inequality is measured as the inter-decile ratio (D1/D9), calculated from industry pay data (48 classifications); gross hourly pay data, overtime included; Austria is excluded due to lack of industry pay data.

Source: Structure of Earnings Survey, 1995

Source: Rubery et al, 2002, 89

While the aggregate data for national wage patterns indicates differential pay levels for men and women, a more complex pattern is evident at a company level. In all cases, there was no formal distinction between pay levels in relation to various forms of difference, age, gender and migration. These companies had all committed themselves to formal arrangements that acknowledged equal pay. However, such formal arrangements often hide substantive differences. In the case of gender, it is well established that even in countries such as the UK, where there have been long-standing attempts to address equal pay questions that these ambitions are difficult to achieve in practice. Part of the problem is the complex relation between formal pay scales and arrangements and grading structures and forms of organisation.

Almost without exception, there were claims that there is formal equality in terms of pay levels. However, it was also acknowledged that in reality there are differences. At one company this was described in the following terms:

I actually see what the people in my groups are earning and I was shocked. Honestly shocked because it's like we women haven't really been doing the business, doing great work and I knew it be some men that haven't really been long in the same business and they're sitting there, not doing anything and the differences in their pay. I was honestly, you know, upset about it, so. (Interview, younger employees panel, 2004)

In almost every case, there was also an acknowledgement that there were substantive differences in relation to opportunities. One difference was in relation to access to performance payments and related benefits. At one company, it was reported that:

Well when you look, most managers are male and the bonuses are handed out at management level, obviously their earning potential has to be greater. I mean the company, how many women are there at senior management grade in this company? There are not that many. We haven't a woman director and the better jobs are held by men. So obviously, men have greater rewards than women have in the company. (Interview, women employee panel, 2004)

Another example was in relation to the allocation of overtime and shift work allowances, in the operational areas. Indeed, there were a number of very sharp comments in relation to these questions, as noted:

In power stations, the few women that I know that work in power stations would have had some definite discrimination with men on shift allowances and overtime and all that extra access to extra wages, definitely.

Even when the women asked to do shift work, their requests were rejected:

They would say well what do you mean, you are not able, ...I won't go into examples of people being picked up and carried out, not me personally, but power stations are ...tough places to work.

Equally, women in the power stations also found it difficult to gain overtime work:

...overtime but there would be difficulties there. There is a few of us [women]. I know. There is a few of us and we get together and we all you know [talk]... (Interview, women employees panel, 2004)

While a stark example, the differentials between men and women appeared to be widespread.

There was a difficulty in making judgments about these arrangements. The problem is that individual remuneration levels were invisible; they are often the responsibility of the individual employee. Indeed, the different life trajectories of men and women in many companies is seen as the basis of difference. It was noted:

I think nearly [all salaries are equal for grade of work], I don't know if it is everywhere but it is difficult to compare because [women] have a break with children and... (Interview, older employees panel, 2004)

Elsewhere it was stated categorically that employees were not in a position to know whether there was inequality in relation to pay levels. As stated:

Can I say something that is very amusing? It is the man that was sat on my, on my left before and me, had started to work exactly the same day, of the same year in another [division]. It's incredible, yes. And even had, of course, how can we say, yes, more or less, more or less we are the same in terms of career. About money, I don't know (Interview, older employees panel, 2004)

Further, complementing earlier remarks, while it is assumed that there is equal pay for people in similar jobs within the same grade bands, employees also knew that there are differences in relation to incentives and time commitments.

...of course, at least, equal pay for men and women holding the same positions and doing the same jobs but then there is all there is to do with incentives and of course, ... in that part there isn't equality between men and women. It all depends on how much you're available to stay for a longer period of time. (Interview, older employees panel, 2004)

As a result, individual employees are relatively unaware of the precise earnings levels of their colleagues.

Nonetheless, these issues are addressed in notable ways by some of the trade unions represented in the case study companies. In these cases, the trade union representatives were in a position to review the distribution of earnings throughout the company and indeed represent members, individually and collectively, in addressing these questions. However, this is certainly not the case for all union groups at all companies. In brief, there is considerable unevenness in addressing these themes.

4.5 Work and Employment Practice

The composition and organisation of workforces in the European electricity industry is undergoing change, with the reorganisation of current staff, such as operational employees, and the expansion into new areas of employment, such as sales and marketing (Fairbrother *et al.*, 2003). Two processes are at work, the retention of existing skilled staff and the recruitment of other qualified/skilled staff. This restructuring and reorganisation of occupations in the industry and the demand for new skills (e.g. commercial activities, such as accounting) raises important questions about work and employment practices within the industry.

These features of work and employment are captured in a statement by one senior trade union officer who deals with the electricity industry in the following terms:

At present, there is no work that is not equally acceptable for men and women at least potentially and virtually speaking.... The point is perceiving this job essentially in a sector like ours that undergoes ... deep changes due, following the liberalisation process that ... especially affects women's work. (Interview, senior trade union officials panel, 2004)

In principles, men and women have equal opportunities, but in practice the changes that have taken place impact on women. One of these changes is the way in which it is difficult to achieve a working life whereby staff are assessed as equals or in recognition of diversity.

Of importance, many expressed a view that staffs are measured by their supposed commitment to work, and one of the measures of this commitment is the willingness to take on extra hours of work. However, as noted above, in the case of shift work and overtime, it may be very difficult for women workers to secure the same levels as the men. In areas such as power station or lines work, the

'male' culture and assumptions implicit about women and work meant that women workers in these types of jobs faced significant barriers in securing equal treatment.

Elsewhere, the main discussion focused on hours of work, and the ways in which most line management made assessments in relation to what is seen as a long hours working culture. The most common finding from all companies without exception is that in the context of restructuring, and establishing the competitive basis of the European electricity industry, is the predominance of a 'long hours' culture. To illustrate:

I see young managers in the stations and they are in there early 30's and they are definitely staying back late at night and coming in early. Some of them are in Saturdays and Sundays or whatever. (Interview, older employees panel, 2004)

In relation to other areas of employment, in the offices, some respondents noted that while work pressures are such that there is an advantage staying longer, it is still an individual choice. As stated by an employee from another company:

... it's not a matter of being willing or wanting to but you want to show off work because I can spend more time. I can afford to spend [time]. Other people have decided ... that they want to stay more that home and that they will leave at five, five thirty in the afternoon or six o'clock in the afternoon. I'm often here at eight, eight thirty, that's a personal decision ... I don't do it because I would be too busy. [I have] a lot more to do on my projects, and you could find that those projects that you deliver on, don't take into consideration that you're suppose to have some time out. (Interview, younger employees panel, 2004)

However, the overall structure of work organisation is such that long hours of work is often necessary. In addition, many noted that it is unwise to be seen to be leaving earlier in many areas.

One explanation of the way staffs drift into this mode of working is the recognition that these former technically-based and focused companies are changing, with increasing emphasis on commercial and related market type activity. Companies have begun to open up these areas of employment in ways that rely on project type work, rather than the detailed and structured approaches of the past in the technical areas. One younger staff employee noted this shift in the following terms:

...it is an engineering company and then the services side is obviously growing and grows ever more because the focus has been reduced. I mean, they try as experts, this was what it was like, experts [doing job tasks] but when you are continually in doing projects and I do work relatively long hours, I think, there's very little time that I could dedicate because I always have a series of [projects]. But that's not, as if you want, the fault of the company. It's the way I've absorbed a lot of projects during my life here (Interview, younger employees panel, 2004)

Not only does this form of working involve workplace-based activity through a series of projects, but it also involves staff taking work home. Increasingly it would appear that staff are assessed in relation to the hours they commit to their working lives, either informally in relation to hours present at the workplace or in the form of taking work home.

One of the features of equal opportunity strategies is to address the relation between work life and other life responsibilities and interests. The argument is that where an equitable balance between these two aspects of life is achieved, it is of benefit both to individual employees and employers as a whole. In this context, some companies have given increased attention to the flexibility of hours worked.

One way in which this aspiration is met is to recognise the limited hours that some people can work, particularly young mothers. One company, committed to equal treatment and attempting to extend the boundaries of this approach, has introduced a set of arrangements to open up employment opportunities. Thus:

... we have extended maternity leave and I have to say that some of our senior women have taken that, some of our senior women are working from home... We have some women working 4 days a week

Such initiatives are evident in a small number of companies. Nonetheless, caution was expressed in relation to men taking up the same opportunities.

Overall, there would be a perception that it could affect negatively impact on your career but there is some that would say there is a perception that there is a long hours culture. (Interview, Management, 2004)

This has taken the form in most companies of enabling staff to work at home where appropriate. Such measures are broadly welcomed:

For me, it's been very good... I always had the opportunity to choose my own workplace. And of course, there are some highs and lows in every work but it's always been a dialogue to me and my manager that if I want to do something, if I need the day off for private issues, then it's not a problem for me to, to take that and maybe work a couple of extra hours or, just so I get the job done that I need to do. (Interview, women employees panel, 2004)

However, the enthusiasm for these arrangements also has to be tempered in the ways in which such home working can also result in further hours of work rather than balanced hours of work. In addition, some staff regretted the opportunities to discuss work with colleagues. Thus:

...also we lose sort of the group feeling and the feeling of being one group [working] towards the same target [with] ...interaction with the rest of the company.[working at home] we lose some of this contract, contact interaction. So it's ... looking a very easy issue but it's, in general the company is very generous but it's, I think it's something that you need to discuss ...from many angles. (Interview, women employees panel, 2004)

These measures have usually been targeted at women and mothers. The result is that such measures often have a tendency in practice to reproduce the sets of arrangements that such measures are aimed at countering. By focusing on measures that combine women's paid employment with 'caring' roles then the paradoxical consequence is that women become even more locked into a set of traditional roles than would otherwise be the case.

For many staff, and particularly women, there is often a balancing act between hours of work and the jobs they undertake. As noted, one way to address this is by considering reduced hours, job-sharing arrangements. However, this is not always a straightforward decision and may only apply to a small minority of employees in some companies. More negative alternatives may mean seeking relatively unattractive employment elsewhere in the company. As noted by one panel of respondents:

I have never job shared but I know people who do and who are do part time and ...there is this kind of feeling that well you could always end up in the call centre...That is the future that awaits a lot of women who opt for reduced hours or take career breaks (all talking at once) (Interview, women employees panel, 2004)

Moreover, many women do not have the choices indicated above. Where women work in call centres, power stations and other areas of employment, such choices about where to work are a luxury. Their jobs do not open up these prospects. As noted:

...the call centre is a job for women with children who can't work 9-5, who can only work odd hours and they end up in the call centre and that is the worse place on the planet to work. (Interview, women employees panel, 2004)

A further complication in relation to these arrangements is that services that would assist in enabling women/mothers to combine these different aspects of their lives, such as readily available crèche facilities, are largely unavailable or inconvenient. Two situations seem to apply. On the one hand, in most companies the provision of such services is generally reserved for a few more senior staff, and generally the headquarters staff, rather than for women workers as a whole. On the other hand, where municipalities do provide such services as a right, then occasionally they are geographically inconvenient for ready access to the workplaces.

The working arrangements where I am working are a bit more flexible I think. I am not on flexi time...and I do a certain amount of hours per week and because I live so far away and I have a long commute. I leave very early in the morning to get into work before the traffic, I used to get into the office at half past seven. So I start at half past seven and I work my day from there and so I finish. If I take an half hour lunch and finish at quarter to four or half three and whatever and I can do it and it is not written anywhere that I can do this, as proof or anything. It is a local agreement, I am doing all the hours and the work and start at half past seven...work. (Interview, women employees panel, 2004)

One consequence of these difficulties is that women are much more likely to foreshorten their career paths, make sideways moves, or make adjustments in their working hours (as indicated) that limit the possibility of progression in the company, than are men.

4.6 Training

With the liberalisation of the industry and the accompanying restructuring of companies, there is an uncertainty where training fits into these new structures. Indeed, as the previous study showed, there is a question as to how the training provision necessary for the industry should be maintained and focused (Fairbrother *et al.*, 2003). This context raises particular questions about equal opportunity and diversity and the training programmes on offer. Is there focused training on equal

opportunities and diversity in the electricity companies? Should the core themes of equal opportunities and diversity be included in the established programmes?

On the first question, there was almost no evidence of specifically focused training sessions on equal opportunities and diversity management. In one case, senior management in the company has encouraged meetings of women employees, usually senior staff or fast track employees. The purpose of these meetings was to enable discussion amongst female staff about specific issues they may have as women employees, to create the basis for support and awareness, and to create an agenda of issues that the company might address over time. However, such meetings are an exception. In most companies, but certainly not all there is an absence of such sessions.

More frequently, there are occasions where specific sets of employees are brought together for training purposes and, in these cases, equal opportunity and diversity issues may emerge as second order concerns. The clearest example of such occurrences came with the attention that many companies give to young graduate recruits. With the increasing recognition of the importance of these employees, coupled with their different experiences and qualifications (especially when compared with older technically trained workers), functional training sessions provide an opportunity to reflect on common experiences and concerns, as young graduate employees. However, such possibilities are a by-product and not the result of any conscious worked out approach by these companies.

On the second question - the inclusion of equal opportunity and diversity themes in established training programmes – there are a number of twists to consider. In one company, the human resource management section developed specific sessions on questions relating to equal opportunities and diversity. The issues covered included bullying, sexual harassment, diversity themes and disability. As stated:

...at induction courses where they would be, or if there is any management training that it was suitable to get in a slot. ... I have been trying to get these slots in places [on the established programmes] (Interview, Management, 2004)

In the past, some specially focused training sessions had been organised.

However, this is unusual. More generally, the focus of training programmes is defined by the relationship with work routines and experience. Trainees are often expected to learn from work experience, implying that there is a capacity within these companies to provide mentoring support. Alternatively, training focused on specific job related requirements, such as information technology software programmes. In either instance, discussion, education and reflection on equal opportunity and diversity management is absent.

In a number of cases, even where companies offer an equal opportunities provision, coupled with a broadly based training programme, some employees have little or no opportunity to receive training (and education). As stated by one call centre worker:

[Managers] discuss the training with me, no way. I bring it up and she gets worried and I haven't done it for a long time now... (Interview, women employees panel, 2004)

It can be argued that there is a profound mismatch in the industry between training and the awareness of procedures, practices, understandings and the appreciation of equal opportunity and diversity questions in the industry. In the absence of such a focus, employees inadvertently drift into procedures and practices that rest on implicit discrimination and inequality of opportunity.

Overall, questions relating to equality and diversity do not receive systematic and sustained attention in training and related education programmes. Even in situations where new staff underwent induction programmes, and the lengthier trainee and apprentice programmes, these subjects are not dealt with in any regular or routine way.

4.7 Procedures

Equal opportunity themes are addressed by companies (and unions) in a variety of *ad hoc* ways. First, in part, a follow up from the developing EU policies and directives on these questions and, in part, a genuine commitment to equality and diversity procedures and practices, some companies have taken steps to promote an awareness of these issues. Second, it is the case that some of these policies and procedures grew out of grievances, problems and ethical positions taken by senior staff in companies. Often these initiatives are part of a much wider awareness in society of the importance of positively addressing equal opportunities and diversity questions. Third, there are a variety of outcomes from the implementation (or absence) of such policies and practices.

Problems

In every company, without exception, staff raised sets of issues relating to equal opportunities and diversity. These took many forms.

Migrant workers are a feature of the employment profile in every company. Overall, the pattern and location of migrant workers in these companies is complex and uneven. At one end of the spectrum, electricity companies will seek out highly qualified staff from other countries, to meet specific requirements.

Thus:

I joined [the company] one and a half years ago, August 2002 and I was hired to set up with this management, the training [unit] and I did that for the last one and a half years and moved over to work for [the company], the ... trade unit, where I'm now developing. (Interview, migrant employees panel, 2004)

However, while the company intentions are clear in this case (and others), it is also evident that this did not always result in 'equal treatment' and equal opportunity. On one occasions a recent highly qualified national from another country was taken aside in his first two weeks by other staff and told that he should not have the job he was recruited to do; rather it should be held by a 'national' as a matter of right (interview, 2004).

At the other end of the spectrum, it is clearly the case that numbers of staff are recruited to fill routine jobs. In one company, because of the close proximity to another non-EU country, where unemployment is high, there is a high level of recruitment of migrant workers. These migrant workers spoke highly of the company and its employment policies, although they occasionally noted the problems they faced in settling into the company. Regrettably, this praise was not always reciprocated when nationals spoke about the presence of these workers in the company (Interview, 2004).

On age, a group of older workers in one company noted:

It is not my own experience, but I can talk about a general trend. I have felt recently that employees over 40 or 50 years of age do not get as much attention. I think the advantage is absolutely with the young generation. (Interview, women employees panel, 2004)

While a group of younger workers at another company noted that there appeared to be promotion blockages for younger staff and stated:

They should definitely have and I think for every [division], there should be at least once, twice a year your manager should be seeing you, speaking to you, looking at and asking what your problems are and not having a problem when you actually say what the problem is and what isn't. I mean they can't solve everything but it can kind of come half way, as in (a) what training you want to do, (b) any kinds of work and then (c) wage. You want to know well look if I am not going to get any money this year, what is going to happen next year and the year after, what do I actually have to do? Do I have to take on extra work, do I have to do a year course and then you will give me extra money, give me a reason why I can't get extra money or why... (Interview, younger employees panel, 2004)

On gender (and religion) another respondent at the same company noted:

Men being promoted over women purely because of the male and female thing, little bit of bullying and harassment as well and in the instance with a girl being, I supposed harassed or bullied I am not sure which. But it was certainly victimisation and even if it was maybe because she was friends with the manager and most of the attack against her was because she was of a different religion. So that would be my experience. (interview, women's panel, 2004)

More to the point, there was a common observation that in the case of sexual harassment (or 'mobbing') that the perpetrator often escapes punishment, while the victim is labelled as somehow complicit. As stated:

I have seen what happens at the end of it. The bully, if you like, it appears to me that they get off scot-free and the individual is moved and everybody looks at why, when you are moved kind of the finger is pointed, must have done something wrong... (Interview, women's panel, 2004)

Of equal concern, it is the case that the staff discourse often fails to recognize some equal opportunity issues as concerns for managers and for work colleagues. This structuring of problems as non-problems is most clearly evident in relation to sexual harassment. In some companies, staff defined this question as a personal issue, not a problem for the company. One aspect of this view is the probable unease about acknowledging sexual harassment as a problem where management deny such abuse could take place.

The ways in which worries and grievances are dealt with varied, from the formal and public to the informal. In a few companies, there is extensive publicly available and union supported procedures to address problems and grievances that arise in the course of work. One caveat to this process is that awareness that staff have, and the availability to staff to 'find out' what the procedures are and to follow them. Nonetheless, there are individual senior staff in place in these companies that seek to ease these burdens as much as possible and to address the causes of these problems.

In a number of instances, especially in relation to sexual harassment, it is all too common, even when acknowledged, for the victim to be moved and the perpetrator to remain in position. Such a response reinforces a scepticism that is evident in a number of companies that where such incidents occurred it was most unlikely that the victim will achieve any sense of respite. But such a demonology is not restricted to cases of sexual harassment. There is also evidence that many nationals expected migrant staff to take the initiative in dealing with and addressing difficulties they face, without any recognition that the structure of employment and the corporate discourse is such that nationals also have responsibilities to address the concerns of migrant workers.

Thus, the procedures for dealing with personal grievances and problems are not always effective or appropriate. Some problems are simply not addressed as equality issues; they are seen as personal, often individual difficulties. Nonetheless, staff at some of the companies and their union counterparts, actively sought to promote a broad awareness of grievances as 'grievances. Some companies have been very successful in raising the profile of some grievances, and in particular questions relating to sexual harassment. Even so, victim fault is still a feature of many assessments of the grievances and difficulties that staff sometimes encounters as part of their working lives.

Outcomes

A first concern by companies addressing equal opportunity and diversity questions is to create an awareness of company policies. One feature of the companies that fall into this category is that they usually have a person, more often than not a woman, who is formally responsible for developing these policies and procedures. Such appointments often occurred because of specific developments within companies, rather than in response to specific legislation or related requirements. In two companies, the most progressive in the list of companies examined, senior management became aware of a set of problems in their companies and/or were intellectually and politically committed to the principles of equity and fairness. In these circumstances, these two companies had commissioned studies of employment practice and procedure, introduced new arrangements, and sought to develop a growing awareness of different aspects of these issues.

Even so, the ways in which policies are publicised and implemented is varied and uneven. It is fair to note, that in the main the policies pursued by the progressive companies are voluntary in focus. To illustrate, most companies state that policies are available either in brochure form, or when appropriate via intranet. The upshot is that there is extensive evidence that staff, at all levels and from all sections of the workforce are largely unaware of the detail of policies. As stated on more than one occasion:

I think that it is the same again, depending on what area you work in. If you are in human resources then they tend to be much more aware of things and what the situation is. If you are working in one of the generation stations you can forget it....I think that [they pay] lip service when you are in those places and when you are a little bit removed from [head office]. (Interview, women employees panel, 2004)

Thus, while policies have been developed, publicity material produced, there is a lack of awareness of the detail, especially in areas outside the head office.

More to the point, it is apparent that in almost every company most staff have little awareness of specific policies, and particularly how to address grievances, in relation to equal opportunities and diversity management. One result is that where particular staff have problems they are almost invariably pushed back on to their own resources. As stated by one respondent:

[I can speak to] Nobody. I think most people will try and come to terms with their problems on their own. It is probably because people fear for their jobs. (Interview, women employees panel, 2004)

When this comment was made there was general assent and agreement from the others present. The implication of this lack of recourse in the event of problems is that many grievances are likely to go unnoticed, or if noticed by management then not addressed.

This last point took on particular force when it became apparent that the crucial layer of staff, middle range line management, who are in a position to ensure good practice in relation to equal opportunity and diversity, do not see this as their responsibility. Nor is this expected:

Certainly not to, no they [line managers] wouldn't. I don't think so ... they only see themselves responsible if there is a difficulty. Like say if there is a case of bullying and harassment or if there is a case of somebody saying they felt that they didn't get an interview because for whatever reason, discrimination. ...Maybe some of the more progressive ones would be aware of equality legislation or whatever but would they actively pursue it, I don't think so. (Interview, Manager, 2004)

However, the problem in practice is twofold. First, it is evident that for many middle level line management they in turn lacked an awareness of procedure and practice. Second, even where they do have this knowledge, they have to juggle the twin demands of operational targets and recognition of equality opportunities and diversity. Almost always the former prevails.

The exception to this relative ignorance occurs in those situations where specific staff in trade unions take up these questions. There are a number of occasions when trade union leaders displayed a refreshing commitment to equal opportunity and diversity questions. They did this within their trade unions as well as in relation to the company. As one stated:

...with regard to part time working or flexible working hours the management were, in some instances, unwilling to give that to staff. So they had to be pushed the whole time and convinced of the business case for it, that it would be a really good idea and that you would have a more flexible workforce and there fore a more committed workforce. You wouldn't lose your female member's if you gave them flexible working options that they could reduce there hours in whatever way, and that was achieved over time for people. (Interview, Trade Union Official, 2004)

However, what is lacking is recognition that equal opportunity and diversity covered more than women, and indeed includes relations between men and women, specifically in some cases sexual harassment. There is a singular lack of recognition among trade union leaders of questions relating to age and in many cases in relation to ethnicity and particularly migrant workers. Nonetheless, it is the case that unions in some companies are an important agent in promoting awareness about policies and practice.

These processes have obvious outcomes. When the career paths are compared between women and men, migrant labour and national labour, old and young, then the former tend to face more difficulties moving through promotional ladders, at whatever level of employment is considered. The way this works out is that given comparable starting points, over time men, nationals and the young tend to move up the promotional ladder more quickly. More generally, it is the view of many women and migrants that in order to succeed in the company they had to prove themselves doubly. Such pressures are not conducive to a positive view towards companies; nor are they an indication that in practice equality of opportunity prevails. For older workers, the situation is complex.

On the one hand, many older workers expressed a view that increasingly the companies have moved away from relatively hierarchical views of the employment relation, with promotion based on seniority, to one where older workers in many instances appear to be an encumbrance and that the future lies with the young. Of course, to the degree that this view is put into practice, companies may face situations where they lose valuable resources in the form of experience and accumulated knowledge with the cost that younger staff have important resources but do not necessarily have the intimate understanding of procedures and practices that comes with time in post.

4.8 Equality and Diversity in Europe – Overview

This section draws the analysis together, by addressing three broad themes:

management
work organisation
unions

Each is addressed in turn

Management

While there is a commitment by the EU to mainstreaming, reflected in the directives and associated arrangements, at a company level mainstreaming on all dimensions of equal opportunity and diversity was absent. Nonetheless, at least two companies had taken the steps to embrace forms of gender mainstreaming, although these initiatives were tentative and at an early stage. In one company, there was concern that some of the earlier positive practices were no longer supported within the company. One consequence is that the recognition of equal opportunities and diversity measures depended upon an overworked and under-resourced senior management team and line management deciding these questions on a case-by-case basis. The outcome in all companies is

either the non-recognition of key aspects of an adequate mainstreaming programme or a tendency towards a degree of partiality and the *ad hoc* introduction of specific measures.

More generally, where companies had staff in post who are responsible for equal opportunity policies and who have a commitment to these programmes, the main impediment to an adequate set of measures is seen to be line management. Often they are seen as a problem by other managers, employees and unions. As noted, these staff often find themselves in situations where their primary responsibility is for operational output, and as a result, dealing with questions relating to equal opportunities is seen as a second order responsibility. The broad view is that equal opportunities, in whatever form, is not seen as a prime or direct responsibility of the line management.

Work Organisation

The way in which work is organised in these companies and the relation between work organisation and employment relations is a crucial dimension in any assessment of equal opportunity policies and practices. In all companies, there is evidence of a tension between work structure and the ability to benefit from flexible work arrangements. In effect, there is evidence that inequalities are built into critical aspects of the employment structure.

The idea that inequalities are part of the very structure of work organisation and associated employment relations means that strategies to address these themes should be far more wide-ranging than has often been assumed. To illustrate, there is a general view, across all companies, that the structure of employment relations and practice had the effect that there are impediments to the possibilities of promotion/progression of young workers, and in particular the progression of women. In a number of cases respondents drew attention to the ways in which two people (a male and a female) may commence their employment at the same time at the same level with broadly similar qualifications and experience, but that over time the male would progress more quickly than his female counterpart. For most respondents (male and female) these patterns of difference are seen as part of a 'built in bias' in practice against female careers.

The tension between work structure and the ability to benefit from flexible work arrangements showed up in a number of ways. The paradox is that some of these initiatives, to promote work/life balance for example, appeared to have a negative impact on the careers of employees. For example, if somebody took a job share then it became a tacit recognition that this person was not ambitious and was not really seeking a career in the industry. The general view is that given the structure, organisation of work and employment relations in the industry is that for women, migrant workers, and others to succeed, then some aspects of people's personal lives have to be sacrificed if a career is to be pursued in the industry.

With regard to age, a paradoxical situation is in the process of emerging. On the one hand, it is acknowledged generally that older workers have an important on-going contribution to make to these companies. At times younger people spoke of such a contribution but also noted the ways in which older people also tended to become fixed in their approaches, in ways that often did not allow younger workers to express their potentials in the company. On the other hand, there is an emphasis

in many companies on integrating younger people, particularly those with qualifications, and often working in the 'newer' employment areas, into the employment structure in advantaged ways. They should receive special support and attention. However, it is also the case with the advent of call centres, and the routinisation of much operational work, that young recruits not only felt themselves to have a temporary and limited future in the company but that others also thought this to be the case.

Trade Unions

A critical partner in this process of addressing equal opportunities is the trade union. It is the case that where trade unions are well organised and positively engaged with management, that they become an important vehicle for highlighting and defining such policies and practices for the workforce. Trade unions have a long history in addressing equal opportunity questions, and indeed in some countries have taken a leading part in defining equal opportunities as a trade union concerns and issues. The consequence is that in countries such as the United Kingdom, the trade unions have played an important part in defining the national agenda on these questions.

However, the picture is more complex at a local level. It is the case that in many companies, trade unions tend not to take up equal opportunity questions at a workplace level. One aspect that has not been explored by the social partners within companies to any extent is that equal opportunity policy is often developed via consultative arrangements that do not always involve trade unions. In this respect, the trade unions may become sidelined in relation to the development of policy and practice. Nonetheless, this broad observation must be qualified in that trade unions in most but not all companies do take up both individual and collective grievances, a number of which had their roots in policies and practices relating to equal opportunities.

Conclusion

The baseline for equal opportunities policies and practice, as well as the recognition of diversity, within the industry is the European Union directives and policies. In some cases the principles of equal opportunity are recognised in national Labour Codes and related decrees. In other instances, governments have set up statutory bodies and publicly recognised a range of principles relation to equal opportunity and diversity.

At a company level, there have been a range of responses to these broad initiatives as well as attempts to establish the principles of good employment practice in its own right. Overall, these practices range from the comprehensive and multi-faceted to the non-existent and non-recognition of anything specific in relation to equal opportunities. In almost all cases, equal opportunities are not defined as a right, but as a set of practices subject to discretionary concern within the companies.

It is also the case that even where comprehensive policies have been developed and elaborated, that staff are unaware of the detail. In some cases, staffs were not aware of where to look to learn of

policy, although this was unusual. In this respect, it is also the case that trade unions have an important part to play in both focusing policy and drawing the attention of members to different aspects of these broad policy initiatives, at both a company level and more generally

Overall, there is no evidence of mainstreaming equal opportunities policies and practice at a company level, or elsewhere in the company organisation and operation, for all but two companies. Even in these latter two companies the practice was uneven, and at an early stage of implementation. In this respect, the companies, and the trade unions are at a beginning in attempting to address these questions.

5 Recommendations

Eighteen recommendations are made under five headings

Legislation and Public Policy

The social partners should agree a joint public statement supporting a set of objectives about the value of equal opportunities policies and the recognition of diversity. The importance of such a statement resides in the restructuring and reorganisation of the electricity industry following the implementation of the Electricity Directive 1997. With the reorganisation that is in process companies are now more likely to operate on a cross-border basis and there is evidence of movement of workers both within specific countries and between them. It is in the interests of both sets of social partners that there is a common set of arrangements and practices that apply across the EU. Such a statement provides a starting point for the consideration, company by company of good practice in relation to these policies and practices.

The social partners should promote dialogue and debate via the social dialogue committee on approaches to equal opportunity and diversity at a company level. Management, staff and trade union officers often expressed uncertainty about the aims and objectives of policy, without in any way disagreeing with the overall objective of 'equality in practice'. It is also the case that most companies have not moved beyond policies relating to equal treatment. As a result, some admirable policies were little understood or embraced. The social dialogue committee has an important role to play in promoting discussion and debate about policies and practices.

The social partners should take a lead in promoting the principles encapsulated in the EU employment guidelines. There is an opportunity for social partners to lead the way by adopting a best practice approach. Such an initiative would involve advocating that national social partners engage with the newly established equality bodies to ensure full and effective transposition of the ET Directives. It also implies lobbying for their enforcement.

Policy

Eurelectric should consider ways of promoting policy initiatives and development by companies in relation to equal opportunity mainstreaming. Most companies sought to promote an equal treatment strategy, although there are widely varying practices. In two cases, there are attempts to extend the boundaries of an equal treatment approach to encompass mainstreaming. There would be considerable value in committing to a best practice approach on these matters, not least because of the benefits that may ensure.

The trade unions should review their approaches to questions relating to equal opportunities and diversity management, with a view to developing a uniform best practice approach across Europe. At present, the approach by trade unions is varied and uneven, ranging from an active and well-thought out approach to a minimalist one. In some cases the trade unions are engaged in promoting policies together with management, while in others trade unions seemingly are not active at a local level on these questions.

In the context of ongoing restructuring in the electricity industry, the social partners should consider policies that take into account the differential impact of these developments on different social groups. As noted the impact of patterns of restructuring have differential consequences across the EU-25. In the case of the New Member States over the last few years it is more likely that women will leave the industry than men. Such developments call for attention from the social partners to encourage positive measures in relation to training, work organisation and internal mobility.

Resources and Tools

The social partners should commission research, in conjunction with Eurostat, to produce a robust database of the profile of employment in the European electricity industry as a whole. Such a database is an essential condition, although not a sufficient one, for the development of policy within the industry. The absence of such a data source makes it difficult to develop approaches to such complex subjects as equality policies across an entire sector.

The social partners should encourage companies in the European electricity industry to carry out equality audits of their companies and the divisions that make them up. The importance of equality audits is that they provide a robust and convincing basis for the development of relevant and effective equal opportunity policies. Such audits not only provide a basis for identifying problems but also successes. Such audits are critical to make visible both the formal and informal arrangements that may be at work in terms of differentiation across workforces, in relation to remuneration as well as in relation to the grading structure and its connection with remuneration arrangements. There are established and well recognised procedures for conducting such audits which should be carried out at periodic intervals. Where these audits are conducted, it then becomes possible for companies to develop the basis for substantive equality measures, on the strength of robust evidence.

The social partners should consider the possibility of bidding for funds under the EU programmes to address questions relating to the many dimensions of equal opportunities. The EU has a large number of programmes providing research, training and promotional activity, some of which deal with equal opportunity questions. One such programme is the EQUAL programme, designed to

support the integration of ethnic minorities. It runs until 2006. To date, 700 transnational projects have been financed by the European Commission to promote the integration of immigrants and ethnic minority communities.

Mainstreaming Employment

The social partners should seek a commitment from electricity companies that recruitment strategies should have targets relating to the proportion of women that should comprise the workforce. While there is evidence that the proportion of women in the European electricity workforce ranges from near 10 per cent to over 20 per cent, there is no logical reason why the proportion should not be over 20 per cent. Similar aspirations should be formalised in relation to other dimensions, including age. By promoting a broader numerical involvement of women in the workforce a more extensive pattern of participation from various social groups will be enhanced.

The social partners should encourage companies to introduce formal recruitment and promotion practices that do not inadvertently result in unequal treatment between different categories of workers. The result of different ways of entering, participating in and seeking promotion within companies is that women are disadvantaged in relation to child care arrangements, migrant labour in relation to qualifications, previous experience and language. Men tend to move up the promotional ladder in relatively unproblematic ways, and women and migrant labour face barriers that are not of their making. It is important that employers seek to mainstream difference so that these other non-work factors do not have a salience in a work setting.

The social partners should develop a policy in relation to the age polarisation evident in many companies, advocating that steps are taken to positively integrate and involve different age groups. The evidence in most companies is that the age profile is increasingly taking on a polarised aspect. Younger employees are involved in the company in various ways, while older workers often experience a sense of being by-passed. These situations do not make for productive and beneficial working environments.

Mainstreaming Procedures

The social partners should use the social instruments already at their disposal, such as collective bargaining procedures and practices, to address questions relating to equal opportunities. In all electricity companies there are established bargaining arrangements and procedures, dealing with pay, working conditions, employment relations and so forth. In view of the pay gap identified across Europe as a whole, and the evidence of informal arrangements relating to different levels of remuneration, the established bargaining procedures should be utilised in a positive way to address questions relating to equal treatment and diversity management.

The social partners should consider ways of encouraging the development of equal value tool kits to address questions relating to equal opportunities and diversity management. One of the features of the development of policies in relation to gender is to address the basis of formal and informal segregation and discrimination. A key part of this strategy is to construct 'equal pay for equal work' evaluation kits, as a means for promoting equal treatment.

The social partners should encourage companies to consider ways of bringing the detail of equality policies to the attention of employees in more comprehensive ways than exist at present. The evidence from the companies ranges from intranet, newsletter publicity, and the occasional seminar aimed at particular social groups to a formal statement in a national Labour Code. In all cases, staffs were unsure of policies and practices. Nonetheless, there are examples of companies taking decisive steps to draw attention to these policies in an on-going way. It also maybe the case that much could be learnt from current company practice in promoting awareness in relation to other policies, for example dealing with health and safety at work.

The social partners should encourage companies to consider ways of raising the awareness among staff, and particularly line management about the value of equal opportunities and diversity management. There is a tension between a commitment to equal opportunity practice, evident in work life balance questions as well as other aspects of work organisation and social relations, on the one hand, and production and output requirements on the other. These competing demands are difficult to reconcile, but it becomes more so when there is a lack of clarity about the detail of equal opportunities and the importance of such initiatives.

The social partners should promote opportunities for senior line managers to meet together and review best practice strategies on equal opportunities and diversity management. A key finding from the research is that there was an enormous variation in understanding of equality and diversity issues and requirements amongst line management. It is important to consider ways of developing an understanding of best practice measures.

Companies should be encouraged to include equal opportunity and diversity training in all training programmes, whether technical in focus or otherwise. As part of mainstreaming equal opportunities and diversity, attention should be given to equal opportunities and diversity issues. In view of the very different career pathways in the industry and the considerable diversity of experience in the workforce, whether male or female, young or old, migrant or non-migrant, and by extension other socio-demographic distinctions and differences, the recognition, discussion and reflection on equal opportunity and diversity is likely to be hugely beneficial to the quality of working life for all staff.

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