
Equal Opportunities and Collective Bargaining in the European Union

A Case Study on the Belgian Food Industry from Belgium
Phase III

WP/97/67/EN



EUROPEAN FOUNDATION
for the Improvement of Living and Working Conditions

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by
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Summary

Aim

This report on equal opportunities and collective bargaining in Belgium aims to identify and analyse factors which affect, positively or negatively, the pursuit of equal opportunities via collective bargaining. It was proposed to carry out this analysis through the examination of a collective agreement considered as "innovative" in terms of equal opportunities objectives. We have therefore chosen the collective agreement of 16 February 1993, concerning positive action for female employees in the food industry.

Choice of agreement

The food industry has concluded programme agreements with provision for positive action on two occasions, namely in 1991 (for years 91-92) and 1993 (for years 93-94). In the coming months this sector plans to examine progress achieved and obstacles to positive action.

The food industry comprises enterprises manufacturing food products, excluding distribution. It is a highly varied sector including many sub-sectors characterized by great diversity in the structure of their female workforce. Even so the proportion of female staff accounts for 40% of the white-collar workforce employed.

Factors favouring equal opportunities in collective bargaining

The focus on positive action in the private sector has its origin in the Royal Decree of 14 July 1987 on measures to promote equal opportunities between men and women. Sectors and enterprises are encouraged to adopt positive action plans for women.

“Positive actions are measures taken in areas [of access to employment, professional promotion, guidance, training, proficiency and retraining courses, access to self-employment and working conditions] and aiming at eliminating "de facto" inequalities which affect the opportunities of women”¹.

This legislation was followed by the conclusion of central agreements under which the social partners also undertook to draw up positive action measures. From 1991 to 1994 resources were even made available to fund these plans.

¹Article 1 of AR 14/7/87 which refer to article 116 of the law of 4/8/78 of economic reorientation

In the food industry there was clearly a will on the part of the trade unions to pursue action on behalf of female employees. This commitment was favourably received by the employers who, while not considering it an important issue, did not oppose it. Some companies also saw positive action as a means of providing training for poorly qualified employees, mainly women, in the new quality standards.

It is noted that the role of women, whether at employers' organization, trade union or political level, has been crucial in providing the impetus for positive action. It should also be pointed out that the Positive Action Unit (of the Ministry of Employment and Labour), serviced by female experts in the field of equal opportunities, represents a key resource for the social partners in the formulation of positive action plans.

Content of the agreement

The agreement adopted by the Joint Committee of Food Industry Employees provided for the setting up of a working group to draw up the principles and recommendations which would facilitate positive action in enterprises. This agreement, like most sectoral agreements, was concluded for a period of two years and has been extended.

Effects of the agreement

At the request of the Joint Committee an independent study was conducted to examine the employment situation of male and female workers in the sector. The study, launched in 1993, was completed at the end of 1995. The results have been presented to the Joint Committee but have not been followed up by any discussion either on the content of the study or the recommendations put forward.

According to those interviewed this lack of response is due to the fact that the issue of positive action and equal opportunities in general is not a priority for the social partners, especially at a time when the economic crisis, enterprise competitiveness and the reduction of unemployment are the focus of attention.

Hence, in the discussions on job classification (an issue running in tandem with that of positive action), the question of equal pay for men and women was not addressed. Yet, as the sectoral study has confirmed, job classification is one of the main sources of pay inequality.

This limited interest in the equal opportunities issue seems confirmed by the fact that no mechanism for the monitoring of the agreement adopted was put in place.

What lessons can be drawn?

Firstly, equality of participation (in numbers and status) by men and women must be a priority for future action. This will ensure that the equal opportunities issue will not be systematically “forgotten”, although that in itself is not a guarantee of action.

Secondly, a sustained effort to make men and women more aware of equality must be made. Attitudes are still influenced by traditional male and female role models which, in these times of crisis, are reappearing with renewed vigour in the context of an uncertain future. Inequalities in the work-place have their origin in the earliest stages of education and in the educational bias experienced by boys and girls at school. The world of work must address existing inequalities and ensure that they are not reinforced.

Thirdly, policies on positive action and equal opportunities are influenced predominantly by actions at political level. There exists a close relationship between the adoption of collective and/or central agreements and the adoption of binding legislation. Clear support at political level is however not always understood or well accepted by the social partners at sectoral and company levels. Without real motivation and mobilisation of the social partners on equal opportunities issues the progress achieved will remain limited.

Finally, positive action measures are tools, means of action, to achieve effective equality between men and women. They must be discussed in an overall context of equality and not marginalized. They must be open to both women and men, so that equality becomes everyone's priority.

Acknowledgements

The author warmly thanks :

Pascale Degraef et Carolien Zandbergen for carrying out the interviews

Françoise Goffinet for her advice and active collaboration in looking for relevant information.

Annemie Pernot, Marie-Françoise Chardon, Katrien Raeymaekers (Cellule Actions Positives), Lies Buekens (auparavant LVN-FIA), Erika Pulings (LVN-FIA), Peter De Waegeneer (Callebaut), Nelly Brisbois (CGSLSB), M. Van Der Vecken (SETCA), M. Henricy (Ferrero), M.Derkens (Mio), Mme Wieselere (CSC-Arlon), M.Colas (Delacre), M.De Jaeger (CGSLSB) for the time they gave to meeting with us.

List of Abbreviations

AR : Arrêté Royal [Royal Decree]

CGSLB/ACLVB : Centrale Générale des Syndicats libéraux de Belgique [Federation of Liberal Trade Unions of Belgium]

CNE/LBC : Centrale nationale des employés (affilié à la CSC) [White-collar section within the Confederation of Christian Trade Unions]

CP : Commission Paritaire [Joint Committee]

CSC/ACV: Confédération des syndicats chrétiens de Belgique [Confederation of Christian Trade Unions]

FIA/LVN : Fédération patronale de l'industrie alimentaire [Employers organisation of the food industry]

FGTB/ABVV : Fédération Générale du Travail de Belgique [Belgian General Federation of Labour]

SETCa/BBTK : Syndicat des employés techniciens et cadres (affilié à la FGTB) [National white-collar union, affiliated to the Belgian General Federation of Labour]

Explanatory note

This report is part of a European-wide project managed by the Dublin-based European Foundation for the Improvement of Living and Working Conditions.

This European project aims to promote equal opportunities for women and men through collective bargaining by:

1. providing contextual information regarding the position of women in the labour force, the process of collective bargaining and the inclusion of equal opportunities issues in the social partners' agendas;
2. examining innovative agreements containing provisions that are likely to have a positive effect on equal opportunities;
3. identifying and analysing factors which may have positive or negative effects on the implementation of equal opportunities via collective bargaining.

The three phases of this project have produced three separate reports on the situation in Belgium. This report contains information on phase three. While all three reports can be read independently, some of the background information contained in the previous two reports are not reproduced here in order to avoid unnecessary repetition.

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Introduction

Aim of the study

This study is the final phase in an investigation of equal opportunities in collective bargaining.

The aim is to analyse factors conducive to the inclusion of sexual equality issues in collective agreements.

The choice of the food industry as the field of investigation is based on the following factors:

1. the importance of the sectoral level in Belgian collective bargaining;
2. the high proportion of women in the food industry. Women represent 40% of the white-collar workers. The percentage of female manual workers is lower (22%)². In 1995, the percentage of women in the workforce overall was 32% (see annex 1);
3. the commitment of the food industry to positive action since 1991. An analysis of the situation of male and female workers is available and in addition, the experience of some positive action schemes is documented at company level³. It was important to obtain sufficient documentation for this study.
4. the fact that the food industry has just revised its job classification. It was interesting to note to what extent the equal opportunities aspect had played a part in this process.

Methodology

The choice of the case study was endorsed by the people who served for reference throughout the study. Key individuals were then contacted: the members of the Joint Committee for employees in the sector, people with responsibility for positive action in the Ministry of Employment and Labour, people responsible for human resources in enterprises, particularly those applying positive action schemes, and trade union officials at national or regional level in the food industry.

² B. Denis and JM Frère, Recherche sur l'égalité des chances pour les employés de l'industrie alimentaire, phase 1, page 27

³ Although the positive actions in companies are targeting only female manual workers, whereas the agreement focuses on white-collar employees, it was interesting to meet these companies in order to understand their motivation for positive actions.

The interviews with the people we met were recorded, transcribed and analysed. This information is supplemented by the documentation available on the sector (see References).

Difficulties encountered

The guidelines for this European study called for the consultation of many internal documents of the organizations: negotiating priorities, minutes of meetings etc. These documents are not generally available or even systematically produced. The people interviewed did not always wish us to have the documents explaining the process of the accords.

Concurrently, certain people did not wish to be interviewed on this subject, feeling that there was nothing to be said. As demonstrated below, this area is still regarded as the concern of a few individuals and is relegated to a marginal status in the overall negotiating process.

Also, the available statistics are rarely disaggregated by sex. An example of this is the statistical information on employment in the food sector presented in Annex 1: while the total percentage of workers is disaggregated by sex the proportions of manual workers and employees are not disaggregated between men and women.

It should be noted that the recent Royal Decree on the state of social affairs⁴, which makes provision for an annual report⁵ in order to obtain a more detailed view of employment in Belgium, does not envisage the systematic collection of statistics on male and female employment. There always appears to be strong reluctance in Belgium to the suggestion of a detailed analysis of employment statistics from an equal opportunities perspective.

⁴ Royal Decree 4 August 1996, M.B. 30.08.96, page 23039

⁵ Meanwhile, since 1993, there is an obligation on the part of companies to produce an annual report on equal opportunities between women and men, a report which unfortunately only needs to be communicated to the work council and the statistics of which cannot consequently be used.

1. Context of the agreement

1.1. Status of collective bargaining at multi-industry level

In 1992 the economic situation deteriorated and the government stepped up its budgetary austerity policy (reduction in public spending) in order to ensure that Belgium would meet the convergence criteria laid down by the Maastricht Treaty and hence qualify for inclusion in the single European currency. In 1992 multi-industry bargaining also had to take place, since the Agreement of 27 November 1990 was due to expire.

The budgetary measures relating to manpower costs or charges on enterprises adopted by the government also indirectly affected negotiations at multi-industry level. In addition, faced with the risk that an agreement would not be concluded, the government brought the social partners together and made recommendations in what it considered to be priority fields: maintenance of enterprise competitiveness and promotion of employment. The margin of manoeuvre for the parties in their negotiations was thus considerably reduced⁶.

1.2. The food industry

The enterprises

Some 2 000 enterprises are members of the *Fédération des employeurs de l'industrie alimentaire* (Food Industry Employers' Federation). Most are SMEs with fewer than 10 employees (81%). 146 companies have more than 100 employees and employ 43% of the total workforce of the sector (see Annex 1).

The food industry groups all enterprises manufacturing food products but does not include distribution. Activities cover, amongst others, agricultural products, milk, meat, biscuits, beverages, bakery products and confectionery, although the latter are often considered separately because of their specific characteristics. It is a highly varied sector, including many sub-sectors characterized by diversity in their patterns of employment (particularly of women) (see Annex 2).

⁶ See Pierre Blaise, l'accord interprofessionnel du 9 décembre 1992, *Courrier hebdomadaire*, 1993, n°1388-1389, CRISP;

Employment⁷

The level of employment in the sector overall is fairly stable, although for some years a decline has been observed in the number of unskilled workers while the number of skilled technicians and white-collar workers has risen. This is because staff in this industry are subject to increasing demands in respect of technical knowledge, particularly as regards hygiene and manufacturing processes.

In the survey conducted⁸ among enterprises in the sector, it was clear that they expect to see both internal changes (49%) and external changes (34%) in the near future (period 95-98). The external changes will relate to the development of markets and changes in legislation, particularly in the environmental field. The internal changes will be mainly changes in the range of products and introduction of new technologies. These trends will have a positive influence on the workforce (higher standards of training) and the volume of work⁹.

Female workforce

The female workforce is constantly increasing. In absolute terms, there are more female manual workers than female white-collar workers. On the other hand, the percentage of women in white-collar jobs (40%) is higher than of those in manual jobs (20%). Only one managerial employee in ten is female¹⁰.

Team-working

This is a sector in which team-working (in groups of two or three) is widespread and in which the question of female night work arises. Some consider that a ban on night work for women would systematically exclude them from jobs carrying responsibility in production, since they would not be able to supervise all stages of the teamwork process¹¹. For others, the relevant work takes place during the day and the issue of the introduction of night-time work for women is a false debate.

⁷ informations from B. Denis and JM Frère, op.cit.

⁸ B. Denis and JM Frère, op.cit., pages 22-24

⁹ B. Denis and J M Frère, op.cit, page 28

¹⁰ B. Denis and J M Frère, op.cit, page 27

¹¹ *Des têtes plus que des bras* (Heads rather than arms), La libre entreprise, La Libre Belgique, 9 November 1991.

Training

In the field of training, the *Institut de formation professionnelle* (Institute of Vocational Training) was set up in 1987 by the employers' delegation and trade union organizations in the sector. Each enterprise contributes to the financing of the Institute, which serves to provide appropriate training for the long-term unemployed and for job-seekers lacking skills. The food sector is the only industrial sector which, since 1992, provides for the financing of positive action training. In effect, the grants system explicitly envisages the funding of positive action initiatives.

2. Origins of the agreement

2.1. External origins

2.1.1 Legislation in force

Positive action in Belgium has to be seen in the context of the Royal Decree of 14 July 1987 on measures to promote equality of opportunity between men and women in the private sector¹².

“The term positive action refers to a coherent set of measures designed to establish effective equality between men and women in all areas of work organization, such as recruitment, working conditions, pay, training, promotion and severance”¹³.

Hence positive action is a strategy of change aimed at increasing the proportion of women in the organization, improving their position and getting them into jobs other than those traditionally taken by women.”¹⁴

“Positive action policy depends on (...) the voluntary participation of enterprises and is geared to the effective involvement of personnel management at the level of equal opportunities for men and women. (...) It is thus, more than anything, a policy of stimulation.”¹⁵

It became clear to us in the course of this study that the people interviewed had very different, sometimes opposing ideas of the concepts of positive action and equal opportunities. The latter tends to be understood as equality of treatment between men and women (formal approach to equality)¹⁶.

According to the people we met, positive action is:

“Putting women at a slightly greater advantage in their work: providing them with opportunities for promotion and job enhancement.”

“Everything done to reduce inequality of status between men and women in the enterprise.”

¹² See Report on equal opportunities and collective bargaining in the EU: overview of the situation in Belgium. Nathalie Wuiame, Working Paper. European Foundation for the Improvement of Living and Working Conditions, Dublin, Chap. 5, sect.3.

¹³ Positive Action definition in Ministère de l'emploi et du travail, "La négociation des plans d'actions positives dans les entreprises privées", page 9

¹⁴ Denis and Frère, op.cit., page 1

¹⁵ Ibid., page 5

¹⁶ See N. Wuiame, Examples of agreements favouring equal opportunities, working paper, European Foundation for the Improvement of Living and Working Conditions, page 1-3

“The important thing is to correct the situation. When equality has been achieved (a process that takes time), there will no longer be a need for positive action. There must also be positive action for men.”

“An action programme to be implemented in an enterprise in order to increase interchangeability between male and female workers. Improving their vocational skills and promoting their adaptation to new technologies.”

“This is interpreted as ‘positive discrimination’, a term with very negative connotations because it is also discrimination (i.e. against men).”

Some consider that such action should be geared exclusively to women, others advocate action favouring men as well or action integrated within a personnel management policy.

One of the people interviewed even thought that positive action had negative implications for women.

“Specific action for a target group which feels disadvantaged. I think that is nonsense as far as women are concerned (...). Positive action conveys a negative impression: ‘oh dear, these poor women can’t fend for themselves’.”

2.1.2 Accords interprofessionnels [Central agreements]

The development of the positive action issue from the 1988 central Agreement to the 1992 Agreement was amply covered under the previous phases of this study. We would, however, stress the attention given to the importance of getting the debate underway immediately in the wake of the central Agreement and the need to formulate the debate properly at the start.

“It was the central Agreement that launched the debate. All the joint committees have addressed and debated this subject.”

It should also be noted that a “model” collective agreement as well as a practical guide aimed at the social partners on the negotiation of positive action plans has been produced by the Ministry of Employment and Work. This recommends the adoption of positive action plans in five steps: involvement of the social partners; analysis of the situation of women in the sector or company concerned; design of a plan; implementation of the plan; and, finally, evaluation of the plan.

2.1.3 Political will

Ms Miet Smet has for many years¹⁷ (cf. Royal Decree of 1987) shown a definite political will to advance the cause of equal opportunities, in particular positive action. Thus in June 1990, during the period of the 1990 multi-industry bargaining, when she was State Secretary for Social Integration and the Environment, took the initiative to make recommendations to the social partners on the promotion of employment for women, in particular the inclusion in sectoral and enterprise agreements of positive action plans to secure equality between men and women on the labour market¹⁸. This political influence was stressed by many of the people interviewed, although not all necessarily favoured the general approach of the Minister.

“It was the political will of Miet Smet that rendered these positive action initiatives effective. The situation called for such an approach but, if a man had been in Miet Smet's place, despite the European directives, matters would have advanced more slowly.”

“Highly politicized progress. It has become a fashionable subject to discuss; everyone suddenly found that it was important after all and, like the rest, they had to do something about it too.”

¹⁷ Initially as Secretary of State for the environment and social integration, later as Minister of employment and work.

¹⁸ Recommendations for multi-industry consultation on the promotion of employment for women, 20 June 1990, cited by Pierre Blaise. Central Agreement of 27 November 1990, page 12

2.1.4 Financing

As was mentioned in the previous reports, funding was available for positive action plans from 1991 onwards. In the central agreement of 91-92, social partners decided that within the contribution of 0,25% to the "Fond National pour l'emploi" [National Employment Fund] or to the "Fond sectoriel" [sectoral fund], the heading "employment and vocational training of high-risk groups" could include positive action plans for women. The subsequent central agreement of 93-94 also stated that the contribution of 0,25% (93) and 0,30% (94) (out of which 0,10% for support measures for the unemployed, 0,15% for high risk groups and 0,05% for child care) could also be used for positive action plans.¹⁹

Opinions differ on the effect of this "providential manna".

"There were funds for it, so something had to be done with them. In many sectors, money was suddenly found for 'positive action'."

"To me the fact that 'there is money on offer', that aid is available to companies wishing to involve themselves in that area, does not always make for good practice in promoting positive action. I do not think that the objective is necessarily served, although it is an incentive."

"There were grants (in the Unit) for projects concerned with positive action, but no-one put in an application."

It may be concluded that financial incentives were only an argument for companies favourably disposed to, or at least open to the possibility of, such action.

2.2. Internal origins

2.2.1 Trade union will

A political will on the part of the trade unions towards action on equal opportunities is to be noted, although the concrete measures proposed are limited to certain areas (rejection of night work, improvement of child-care facilities, training, etc.) and there is apparently no overall strategy to achieve equality of opportunity for men and women. It seems principally about responding to and appeasing the demands of the female rank and file.

¹⁹ Extract from the activity report of the "Cellule Actions Positives" [Positive Action Unit], 1996, non published, page 2

In parallel there is also evidence of a will to increase the presence of women in the trade union field, which may be regarded as positive action internal to the trade union organizations themselves²⁰.

2.2.2 Employers' initiatives

The employers are not really interested in positive action, but they are not opposed to it. Furthermore, it can provide a suitable opportunity to “give the union a present”.

At the level of enterprises which have embarked on positive action, it may be noted that most of the schemes launched involve training and information for female blue-collar. This reflects the desire of the women themselves to obtain better working conditions and pay by increasing their knowledge and skills. It is interesting to note that positive actions in the food sector are targeted at manual workers, whereas the agreement addresses only white-collar workers. The adoption of a collective agreement does not therefore appear to have been the major motivator for the positive actions.

As has been pointed out, the food sector is undergoing changes in regard to workforce. The object is to offer chances to existing poorly qualified staff (mostly women) of acquiring the knowledge and skills necessary for the sector to develop. It is therefore crucial for the enterprises to have better qualified staff in order to improve the performance of the sector and win seals of quality for its products.

“We needed trained staff in order to meet the requirements of Standard ISO 9002.”

“We are committed to a process of total quality.”

2.2.3 Presence and influence of women

There was a clear demand at trade union level, particularly from women and/or women's organizations, for positive action. The latter have played a major role in exerting pressure within the trade union organizations themselves. In addition, around the negotiating table three out of the eight people were women, i.e. 37,5% and constitute a “critical mass” which can influence decisions. Moreover, these women, and especially the representative of CGSLB/ACLVB, have been very active and willing to get this issue through.

²⁰ 1990 Congress of the Food Industry Centre of the Confederation of Christian Trade Unions (CSC). Antwerp Regional Section of the Belgian General Federation of Labour (FGTB), Food and hotels.

One can therefore imagine that the presence of women in this joint committee was an important factor in the conclusion of the agreement. Moreover, the role of Minister Miet Smet has already been highlighted in the development of the concern about positive action.

“There was openness on the part of the employers and a spokeswoman was involved.”

“At that time the ACLVB representative was a woman and, because of that, the issue of equal opportunities was addressed.”

The importance of women at the negotiating table seems to be confirmed by the apathy that followed the change in the complement of women on this joint committee.

The role of the *Cellule action positive* (Positive Action Unit) attached to the Office of Collective Labour Relations of the Ministry of Employment and Labour also needs to be stressed. It seemed important to several interviewees to be able to call on independent female experts able to “get the debate moving on the right lines”.

“The role of joint committee chairpersons is important. They can, for example, call in female experts from the Positive Action Unit to pass on the message. At the start, not so much ideas as bits and pieces.”

3. Content of the agreement

3.1. The parties to the negotiations

Employers:

Employers federation for the food industry (FIA-LVN), social affairs section: Mr Minne and Mrs Buekens

Employe(e)s

LBC : Mr Van Sevenant and Mr Verschaeren

CNE: Mrs Meyes and Mr Pirotte

SETCA/BBTK: Mr Van Der Veken

CGSLB: Mrs Brisbois

3.2. The process

According to some of the people interviewed the negotiating process, at least in the field of positive action, seems to be as follows:

1. a declaration of intent (in the programme agreement for the years 1991 and 1992, undertaking by the Joint Committee to set up a bipartite group to study the situation of staff in the sector);
2. a non-binding agreement: programme agreement for 1993-94;
3. The undertaking of a study on the position of women and men in the sector;
4. possible adoption of a binding agreement, which should then contain specified targets and concrete action for the implementation of the agreement. This could be negotiated in the coming months in the context of the conclusion of a new programme agreement for 1997-98.

3.3. Content and nature of the agreement

As noted in phase two of the current study, positive action was addressed in two programme agreements (1991-92 and 1993-94) in the food industry.

“In cooperation with the Positive Action Unit of the Ministry of Employment and Labour, a working group consisting of representatives of the employers' and employees' organizations will work out principles and recommendations to facilitate positive action in enterprises which will then be submitted to the Joint Committee” - Article 14 of the Collective Agreement, 16.2.93.

The formula used is fairly vague, as it represents a compromise and the sector is highly diversified. This formula enables each enterprise to subscribe to the general process and to take measures appropriate to its particular situation.

In fact the agreement is limited to producing a study on the position of female staff in the sector which, for some, represents an easy and cheap way of doing something.

“Such a study represents a single item of expenditure - no structural investment for which money has to be found each year.”

A study on the situation of women in the sector is one of the five proposed steps in the development of a positive action plan. Another sector illustrating this is the metallurgical industry, on which such a study has been financed.

“Very vague and general to start with: an undertaking to make contact with the Positive Action Unit and to carry out a survey (it was not even known where there were women in the enterprises, for example). Approach inspired by the metal industry.”

Why a programme agreement?

As indicated in the previous studies, a model agreement on positive action schemes has been drawn up by the Positive Action Unit. One can ask why the social partners have not been inspired by this model, which has the advantage of being concrete and of dealing with the different steps required for the development of a positive action plan. This has also served as a framework for the adoption of enterprise agreements in the food industry (Ferrero, Mio, for example).

It is possible to argue that a programme agreement offers the advantage of being integrated into the overall negotiations for the sector. On the other hand, a programme agreement has a broad field of application and is not binding. Also, the choice to adopt a programme agreement relates to the desire not to impose too much on the sub-sectors.

“A diversified sector (...) with about a dozen sub-sectors, some of them included without really being on the inside (bakery), grouped within their own federations and unwilling to have agreements imposed on them.”

Why two years?

Sectoral agreements are generally adopted for a set term but are usually extended, which is the case here. Hence the two-year term does not correspond to any particular strategy.

“Because it is usual practice to conclude agreements for two years.”

It was pointed out that the two-year term was very short for a fairly long process such as positive action but that, on the other hand, it could facilitate the regular assessment of action launched in the period just ended and the adjustment of agreements as the situation evolved.

“This is an ideal period of validity if the intention is to assess action taken. Agreements for an indefinite period can run out of steam and lack dynamism if they are not subjected to regular assessment.”

One can conclude that since the agreement has been of only two years, it respects the concern about sustainability (possible and probable renewal) necessary for positive actions, all the while ensuring a regular monitoring of the actions taken. Unfortunately this has not been the case, as we see below.

4. Implementation and effects of the agreement

4.1. Study of the sector

The agreement provided for the formulation of principles and recommendations for the adoption of positive action measures in enterprises.

An independent study was conducted by the HIVA (research centre of the University of Leuven) and RIAT (research centre of the BBTK). The study was structured in two phases:

- Stage one: employment situation in the sector
- Stage two: survey among staff and personnel managers in the sector.

The study was initiated in 1993 and completed at the end of 1995. Proposals were made in five areas: poor awareness of positive action; under-representation of women in decision-making positions; the multiple role of women, unequal opportunities for men and women; opinions of employees on positive action. Recommendations were also presented to the Joint Committee.

These five field of actions and recommendations²¹ are summarised below:

1. Poor awareness of positive action: the joint committee initiative in the field of positive action is not widely known. However, the employees surveyed are clearly in favour of such action. Employees and management need to be informed about positive action. To this end, the following initiatives are put forward:

- presentation of a 'declaration of intent' in advertisements or articles published in specialised magazines or in company papers;
- target the 'secretariats sociaux' and other company service providers through awareness raising campaigns. These bodies have an increasingly important counselling role in the field of human resource management with SMEs;
- encourage training centres for the self-employed, chambers of commerce, etc. to offer a course on positive action or certain of its aspects, such as professional guidance
- mainstream the issue of positive action in the training programmes of trade union officials and elected representatives and/or address this issue in trade union magazines;
- encourage the food industry companies become part of the networks of companies headed by the Positive Action Unit.

2. Under-representation of women in decision-making positions

Information and communication work are essential in order to make women aware of the range of career options available in companies, the training courses on offer, internal vacancies as well as the decisions taken by management. Middle management must also become aware of the need to give women and men the same career opportunities.

²¹ extract from JM Frère, Recherche sur l'égalité des chances pour les employés de l'industrie alimentaire: interviews d'employés masculins et féminins, 1996, pages 97-119

3. The multiple role of women

Setting-up childcare facilities is a means of improving the position of women in the organisation of work and to remove the potential obstacles presented by childcare needs. According to the conclusions of the study by Bouckhart and Vandenhove²², employers consider that childcare facilities offered by the company as well as the presence of women in decision-making or management positions are secondary issues.

In parallel, part-time possibilities should be developed for men who are less favourable to it than women or set up work redistribution schemes (32 hours) that suit the employees.

4. Unequal Opportunities for women and men

- the pay gap between men and women persists;
- the sectoral classification of tasks is not applied in all companies;
- men obtain indefinite contracts more rapidly than women who are also more likely to have temporary contracts;
- an overwhelming majority of men can be found in decision-making and management positions;
- women have less say in matters such as freedom to organise one's own work and decisions taken at department level. Female employees are therefore more likely to be subject to stress;
- differences can be noted between women and men with respect to training courses followed in companies. These reflect their position in the organisational structure of the company. Women are less likely to acquire the qualifications required for decision-making positions. They show more willingness than men to follow assertiveness training. A sectoral initiative could be taken in this field;
- prior training and qualifications seem to be less important for men than for women in obtaining a decision-making position.

5. Opinion of employees on positive action

- employees support the positive action initiative and are conscious that women are disadvantaged within the company;
- women mainly put forward family reasons to justify team work whereas men prefer work related reasons. Only women consider part-time work a solution to reconcile better paid work and family life. Only a sustained effort leading to a better division of labour within the family will yield tangible results. The role of the Joint Committee in this respect is limited;
- the context within which positive action is implemented rests mainly on traditional conceptions of the respective roles of men and women. Men and women tend to have a different view of the role of women in the organisational structure and young people tend to favour a better gender balance.

The following initiatives are proposed to the social partners and to companies as **recommendations**:

- mainstream equal opportunities in the personnel policy of companies, i.e. in terms of career planning, staff information, recruitment, training, etc..
- comply with the obligation of producing an annual report on equal opportunities;
- organise an annual survey of all the complaints put forward by employees concerning their working conditions and the quality of their work;

²² L.Bouckaert et J. Vandenhove, Meer dan strategie? Sociale verantwoordelijkheid als bedrijfstrategie, ACCO, Leuven/Amersfoort, 1994

- ensure the implementation of the job classification schemes, especially in SMEs;
- take childcare measures since it still constitutes an obstacle to equal opportunities
- discuss the redistribution of working hours and the possibility of developing initiatives in favour of male employees;
- organise or encourage training courses on positive action

The results were presented to the Joint Committee by the investigators. Its presentation was not followed up by any discussions, in terms of either the content or the recommendations made.

The interviewees all thought that the study presented an accurate and detailed account of the situation of staff in the sector, although some felt that the results were fairly predictable and very general.

“I myself thought that the study was very good and thorough. The result was perhaps what we knew already, but that does not make the report any less worthwhile.”

“The study took longer than planned, and the conclusions were really very general. It seems difficult to get companies to co-operate. The HIVA and RIAT conclusions were also fairly obvious: job segregation, lower-ranking jobs and lower pay rates for women. The employer is partly to blame for that, but society itself bears the greater responsibility.”

The reactions provoked by the publication of studies are fairly disappointing. They have not given rise to any discussion or proposals for action from the sector.

“The studies were passed on to the various (trade union) branches for perusal and comment. I don't think I received them.”

It was noted that the length of time which elapsed between the agreement and the results of the study (two years) was a negative factor in the dynamic of the process. Nor were there many discussions at political and inter-sectoral level on positive action measures (a problem which was not addressed in the 1994 central agreement).

“Many collective agreements were concluded and companies committed themselves by having studies carried out, but all that research merely served to shelve the consideration of concrete initiatives.”

4.2. What were the concrete effects of the Agreement?

The question of positive action has never been a priority for the social partners. Even in companies that had launched positive action schemes, the people concerned, particularly on the trade union side, considered that, even though they were personally very much involved, they did not always have the time and resources necessary to make their action effective.

“The record showed that a study had been commissioned and conducted and nothing else happened. There was no deliberate obstruction; there were simply other priorities, which meant that neither the employers nor the workforce were in a hurry to do something about it.”

“As far back as 1966 there had been studies on equality of opportunity and fieldwork to investigate how it could be achieved, but the process usually ended in studies establishing needs; rejection occurred at the negotiating level.”

4.2.1 At sectoral level

At sectoral level the only effect mentioned was the provision for career interruption, where priority was given to women with children. Women now have a career interruption entitlement from the second child. Men only get it if the employer agrees (!). The balancing of work and family life remains the exclusive preserve of women. It should be pointed out, however, that at least one of the trade union organizations has decided to negotiate for an extension of this entitlement to men.

The introduction of this new entitlement for women would, according to some, mean a loss of interest in positive action!

“Recently in the Joint Committee both employers and employees said: now that we have career interruption, that's as far as it needs to go.”

This confirms the results of the survey concerning the poor understanding of the objectives of positive actions.

Job classification

As stressed in the report for phase two of this study, the adoption of the collective agreement on the new job classification ran parallel to the commitment to positive action. It was interesting to see to what extent the issue of equality of remuneration - “equal pay for work of equal value” - had been the focus of special attention.

Although the new classification is considered fairer (a larger number of classes and evaluation on the basis of activities performed rather than on the basis of the job), it seems that the issue of equality was not really addressed.

“The new job classification arose because the text was hopelessly out of date: obsolete items had to be removed and the text brought up to date. Equality between men and women was not the motivation and played no part in the new job classification.”

4.2.2 At enterprise level

It may be noted that at the level of enterprises in the sector there is little information on the results of studies carried out, particularly among female staff.

“No particular recriminations on the specific point of equality of opportunity in the company. I think everyone had to agree that it existed in the company. Of course it is always possible to feel that one is discriminated against in relation to another employee, objectively, everyone was on an equal footing. That was not a demand because habits and practices were ahead of the content of the agreement.”

The only enterprises in the sector which had launched positive action schemes (exclusively in Wallonia) had done so before the adoption of the industry agreement.

“People are afraid of making demands. I am pessimistic; I think they can be met at enterprise level, provided the employers have an interest in them.”

In enterprises involved in positive action, the experience gained is considered interesting. The schemes implemented were mainly concerned with training and information to female workers. Concrete actions concerned mainly training and information of female workers. It should be stressed that these actions were targeted only at blue-collar workers who are not covered by the agreement studied.

“It was interesting; that is an obvious plus. It was an unmissable opportunity to bring them (female manual workers) up to par, to train them.”

“It was especially the women's career aspect that we developed.”

“The working group on positive action in the enterprise enabled problems to be discussed which would otherwise not have been addressed.”

“More women are to be seen in technical jobs than in the past. Few women had basic technical training, and the enterprise could give it to them. They were trained and it is now recognized that they have the same abilities.”

4.3. Mechanisms to monitor the agreement

There were no mechanisms for monitoring the agreement put in place. Nevertheless a working group was set up in December 1996 in order to evaluate the results of the study and the application of recommendations.

It is thus likely that in a few months the information available on this subject may be more complete than at the time this report was finalized.

4.4. What lessons can be learnt?

The two main lessons indicated by the people involved are, on the one hand, the importance of increasing the representation of women at the negotiating table in particular and, on the other hand, the core problem of attitude and making people aware of the issue. The latter is still to be addressed, indeed where both women and men are concerned.

“We need a sustained awareness drive. It is important to nudge and coax a little, and bring up the debate every six months.”

“There should be a balanced presence of men and women, in both numbers and status.”

“There are seldom any women on joint committees, certainly not enough. So positive action tends to disappear from the agenda. If women were better represented at sector and enterprise level, the problem would be solved.”

Many individuals stressed that discrimination was rooted in the earliest educational experience of boys and girls, although at this level many changes have taken place in recent years in both models and representations of our society.

“I am surprised that the subject apparently has no priority among employees. Perhaps it is generation-related or due to the fact that the employees' representatives are nearly always men.”

Indeed the obstacles are mainly to be found in entrenched attitudes, particularly in the context of the traditional roles attributed to women and men.

“On the subject of pensions, for example, it is not a question of finance. The question of derived rights, which are a very heavy cost to the social security system (35 billion), was not addressed because that would call into question a traditional view of women and the family.”

Thus women themselves are not always interested in positive action and do not necessarily understand the general implications.

“There is no mobilization of women. It is difficult to bring them onto the streets.”

“No real motivation among female (manual) workers. They did not see the advantages that positive action could bring them.”

Men, for their part, see positive action as bringing advantages for women, to their disadvantage.

Faced with the jobs crisis and the uncertainties that the future seems to have in store for us, many traditional stereotypes are reappearing.

“Meagre results looking back over ten years; as soon as we relax, everything goes into reverse.”

“It becomes a problem when some people talk of sending women back to the kitchen.”

“The problem of unemployment today is probably due to the fact that a whole class of women who were not on the labour market 20 years ago are now going out to work.”

“The household counts: if both (members of a couple) work for the company and there is an employment problem, the employer will put the woman out of work.”

The principle of equal opportunities is perceived by many as a complicating factor in the transitional phase between the traditional “family” model and the model of tomorrow.

“The traditional family model of previous generations was fairly simple, and equal opportunities have complicated and modified that image. Attitudes are slow to evolve; you don't jump from one sociological model to another just like that.”

Conclusions

Equality of participation (in numbers and status) by men and women must be a priority for future action. This will ensure that the equal opportunities issue will not be systematically “forgotten”, although that in itself is not a guarantee of action.

A sustained effort to make men and women more aware of equality must be made. Attitudes are still influenced by traditional male and female role models which, in these times of crisis, are reappearing with renewed vigour in the context of an uncertain future. Inequalities in the work-place have their origin in the earliest stages of education and in the educational bias experienced by boys and girls at school.

Thirdly, policies on positive action and equal opportunities are influenced predominantly by actions at political level. There exists a close relationship between the adoption of collective and/or central agreements and the adoption of binding legislation. Clear support at political level is however not always understood or well accepted by the social partners at sectoral and company levels. Without real motivation and mobilisation of the social partners on equal opportunities issues the progress achieved will remain limited.

Finally, positive action measures are tools, means of action to achieve effective equality between men and women. They must be discussed in an overall context of equality and not be marginalized; they must be open to both women and men, so that equality becomes everyone's priority.

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Annex 1 : Belgian food industry 1990-1995

	1990	1991	1992	1993	1994	1995
Employment Total	90.572	90.606	89.969	87.252	86.383	86.997
Manual	64.943	64.806	64.162	61.970	60.863	60.500
White-collar	25.629	25.800	25.807	25.282	25.520	26.497
Men	61.825	61.706	61.345	59.723	58.914	58.789
Women	28747	28.900	28.624	27.529	27.469	28.208

Distribution of employment according to size of enterprises (1995)

Number of workers	Number of companies		Number of workers	
		%		%
< 10	5.674	80,6	17.004	19,6
10-49	1.038	14,8	21.289	24,5
50-99	160	2,3	11.523	13,2
> 100	146	2,1	37.181	42,7
TOTAL	7.018	100	86.997	100

Source: LVN-FIA

Annex 2 : Distribution by sex of the number of employees in the different sub-sectors of the food industry

Extract from the study of Bert Denis et Jean-Maurice Frère, Recherche sur l'égalité des chances pour les employés de l'industrie alimentaire, rapport phase 1, RIAT et HIVA, Leuven 1994, page 32

	Men	Women	Total	
	%	%	%	Total
1.Slaughter/preparation and processing of meat	59,4	40,1	100	234
2. Milk products	69,7	30,3	100	132
3.Fats and oils/fruit and vegetables/fish and seafood/various food products	57,8	42,2	100	223
4. Cereal products and processing/pasta/bakery products	47,4	52,6	100	409
5. Sugar products/chocolate and confectionery products	63,6	36,4	100	316
6. Alcoholic beverages/wines/beers/non-alcoholic drinks	67,7	32,3	100	192
7. Animal food products	71,9	28,1	100	196
Unknown	73	27	100	100

$\chi^2=71,9$ $df=7$ $p=0,00$

Annex 3: Collective agreement of 16 February 1993

Note: Photocopies of annexes may be requested from:

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