



RESOLUTION of the International Conference

“GOVERNMENT AND BUSINESS: ARE THERE PROSPECTS FOR THE IMPLEMENTATION OF NON-DISCRIMINATORY NORMS IN UKRAINIAN LABOR MARKET?”

November 3, 2017, Kyiv city

On November the 3rd in Kyiv, the conference “Government and Business: Are There Prospects for Introducing Non-Discriminatory Norms in the Labor Market?”, organized by the Bureau of Social and Political Developments, Coalition "For Equality in Labor" and the Ukrainian Index of Corporate Equality under the auspices of the Ukrainian National Platform of the Eastern Partnership Civil Society Forum and Ukrainian side of the Ukraine-EU Civil Society Platform with the support of the European Union and the International “Renaissance” Foundation.

The conference participants assessed the results of the implementation in Ukraine of six "non-discriminatory" EU Council Directives concerning equal opportunities for Ukrainian citizens, regardless of their sex, to combine family life with a professional, to build a system of social security, taking into account the principle of equality of sexes, to introduce the principle of gender equality in access to goods and services, in media, advertisement and education. The event was attended by representatives of the Ministry of Social Policy of Ukraine, the State Employment Service of Ukraine, the Civil Service of Ukraine on Labor, specialists of the National Academy of Sciences of Ukraine from Research Institute for Labor and Employment, Center for Problems of European Social Law Implementation, Anti-Discrimination Coalition experts, Council of Europe, representatives of trade unions and business, international experts. Taking into account the speeches and information provided by participants of the Conference, based on the importance of the event, the Conference recommends – to take into account the importance of the proposals of the participants, namely:

- I. To reinforce the expert support from public and scientific-expert institutions to the implementation process of the Council of Europe Directives: Directives Nos. 2000/43/CE of June 29, 2000 Concerning the implementation of the principle of equality of persons irrespective of racial or ethnic origin; 2000/78/CE of 27 November 2000 establishing a general framework for equal treatment in employment and occupation; 2004/113/CE of 13 December 2000 on the implementation of the principle of equality of men and women in access to goods and services; 96/34/CE of 3 June 1996 on a framework agreement on parental leave concluded by UNICE, CEEP and ETUC; 92/85/EEC of 19 October 1992 on the adoption of measures to improve the safety and health at work of pregnant workers, workers who have recently given birth or are breastfeeding (the tenth individual Directive

within the meaning of Article 16 (1) of Directive 89/391/EEC); 79/7/EEC of 19 December 1978 on the gradual implementation of the principle of equality of men and women in social security.

- II. To create within the framework of the Coordination and Advisory Council on Social Policy (CAC) of the Research Institute of Labor and Employment Ministry of Social Policy and the National Academy of Sciences – an analytical and advisory group on the implementation of the above-mentioned Directives, a gender expertise of legislative initiatives in the field of labor and services, a gender expertise of reforms.
- III. To recommend to the Ministry of Social Policy of Ukraine – to complement the composition of the Expert Advisory Group set up by the Ministry for the implementation of the Association Agreement between Ukraine and the EU Order of the Ministry of Social Policy of Ukraine of February 3, 2015 No. 102 "On the establishment of an expert-advisory group", with the experts from the CAC of the Research Institute of Labor and Employment Ministry of Social Policy, and with the specialists in gender issues from non-governmental (public) organizations.
- IV. To initiate, before the Committee of the Verkhovna Rada of Ukraine on Social Policy and the Committee of the Verkhovna Rada of Ukraine on European Integration, to examine the status of execution and implementation by Ukraine of the above-mentioned Directives of the EU Council and the following conventions of the International Labor Organization:
 - Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value, 1951 (No. 100), ratified by Ukraine on October 22, 1999;
 - Convention of the International Labor Organization concerning Minimum Welfare Provisions, 1952 (No. 102), ratified by Ukraine on March 16, 2016;
 - The 1952 Maternity Protection Convention (No. 103), ratified by Ukraine on June 15, 2000; Convention concerning Discrimination in Labor and Occupation, 1958 (No. 111), ratified by Ukraine on June 24, 1975;
 - Convention concerning Workers with Family Functions, 1981 (No. 156), ratified by Ukraine on October 22, 1999.
- V. To conduct consultations with the Ministry of Social Policy, representative organizations of employers and trade unions, and interested civil society organizations, on the possibility of ratifying the following ILO conventions, important in view of the need to eliminate gaps in legislative provision of equal rights and opportunities:
 - Night Work Convention, 1990 No. 171;
 - Convention concerning the revision of the Maternity Protection Convention (revised), 1952, No. 183;
 - Convention concerning the Basis for the Advancement of Safety and Health at Work, 2006, No. 187;
 - Convention concerning the decent work for domestic workers (freelancers), 2011, No. 189.
- VI. To conduct consultations with the Ministry of Social Policy, representative organizations of employers and trade unions, and interested civil society organizations, on the development of a draft law on the implementation of gender equality plans at enterprises, institutions and organizations, taking into account the EU experience. To develop a toolkit for labor inspectors to ensure the implementation of such plans at the workplaces. To initiate inclusion of issues of stigma and discrimination prevention in labor relations into the General Agreement.
- VII. For the State Employment Service of Ukraine – to develop gender-sensitive active employment programs for attracting women and men to productive work, especially from

vulnerable groups; to develop efficient mechanisms for preventing and responding to discriminatory vacancy announcements.

- VIII. For the State Labor Service of Ukraine – develop a toolkit for labor inspectors to prevent the manifestations of discrimination in labor relations and to ensure compliance with the labor law in the light of the ILO Conventions on Labor Inspection in the Industry and Trade of 1947 (No. 81) and the Labor Inspection in Agriculture, 1969, (No. 129), ratified by Ukraine, and taking into account the best practices of EU countries.
- IX. To extend the dialogue on the implementation of the non-discriminatory Directives of the EU Council and the mentioned ILO Conventions between the experts and government officials of Ukraine, the Eastern Partnership and the EU. To consider the best practice of implementing the non-discriminatory EU Directives and the mentioned ILO conventions in the EU+3 format (Ukraine, Georgia, Moldova), and the possibility of their implementation in Ukraine.
- X. To recommend donors and technical cooperation programs with Ukraine to include the issue of equality and non-discrimination in the realization of socio-economic rights into the priorities.
- XI. To send the Recommendations and Resolution to the profile committees of the Verkhovna Rada of Ukraine, the Ministry of Social Policy of Ukraine, the Ministry of Economic Development and Trade of Ukraine, Commissioner of the Verkhovna Rada of Ukraine for Human Rights, the Government Office on European Integration, the State Employment Service, the State Service of Ukraine Labor Federation, Federation of Trade Unions of Ukraine, Federation of Employers of Ukraine, Confederation of Free Trade Unions of Ukraine, UN agencies, representations and programs of technical assistance.

The participants of the International conference

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