Title: Evaluation of National Action Plans in a Gender Perspective: French Final Report

Country: France
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SUMMARY: PRESENTATION OF THE FRENCH NATIONAL ACTION PLAN 2000

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| Measures for the unemployed                    | - « New departure » (initial programme for young and adult unemployed: 1 100 000 have benefited in 2000).  
- Development of qualification contracts, sandwich courses and apprenticeships |     |      |       |      |     |      |
| Measures for the inactive and returnees        |                                                                                             |     |      |       |      |     |      |
| Entrepreneurship                                | Reduction of administrative formalities and financial contributions for new businesses       |     |      |       |      |     |      |
| Adaptability                                   | Law of 19th January 2000 on the reduction of the working week (launching of the 35 hour working week, supported by financial measures with some conditions attached) |     |      |       |      |     |      |
| Gender mainstreaming                            | Inter-ministerial committee on the rights of women, committing all ministries (including those not concerned with labour issues) to implement mainstreaming |     |      |       |      |     |      |
| **Desegregation** | - Agreement with the Ministry of Education to work towards a better gender balance on technical courses, to include mainstreaming in all training courses (including for teachers)  
- New bill on equality at work which makes gender negotiation compulsory and promoting equality in the public service |

| **Pay** | Publication of a guide to negotiate equal pay. |

| **Parental leave** | |

| **Care (children, elderly, other)** | - Reinforce measures for provision of care to infants (quality and quantity, flexibility in terms of hours, vocational training).  
- Improve assistance to dependent people. |

| **Other family friendly measures** | |

(i) gender impact taken into account in the design  
(ii) aimed at improving the process of gender mainstreaming  
(iii) monitored for gender impact  
(iv) aimed at closing gender gaps  
(v) aimed at improving the reconciliation of work and family life  
(vi) aimed at allowing women and men to return to the labour market |
2 – ASSESSING THE IMPLEMENTATION OF GENDER MAINSTREAMING

Since the strategy for employment was launched at the Luxembourg summit in 1997, it is clear by reading the three French action plans for employment that policies to promote equality and the place granted to *mainstreaming* in France have undergone a major transformation: although our assessment of the first action plan was very critical (cf. report 98) as to the inclusion of equality into policy in general, one can say that much has been achieved since. The first plan highlighted the actions already undertaken in favour of equality but proposed few new initiatives. However, a new strategy has been launched and has gained impetus in particular since the end of 1999 and in the outlook for 2000-2001.

Thus in our report for 1999, the French NAP was assessed in the following terms: The path towards equality is still a long one... Although such a plan (1998) undoubtedly has great merits, from the standpoint of employment in general and the reiteration of a concern for gender equality in particular much remains to be done so that equality does not remain merely a principal admitted in law but is embodied in the practices of all the social players (be it the government, companies, but also trade unions and male and female employees)... Since then, the NAP for 99 and 2000 have taken better account of actions for equality and especially of *mainstreaming*, both in their methodological approach and in the implementation of practical measures.

### 2.1 Monitoring and evaluation

Firstly, from a methodological point of view, the 1999 plan already put forward a new approach: "the objective is, **alongside positive action aiming at correcting inequalities and targeting certain categories of women**, to examine all current policies and actions in order to assess their impact on men and women. This approach concerns all the ministries who, apart from the policies themselves, will have to foster the development of a balanced participation of men and women in the bodies that come within their scope or authority" (French NAP, 1998).

As a result of the drafting of the Action plan for employment of 1999, the ministry of employment attempted to launch new *mainstreaming* initiatives. Two main measures were thus introduced in the NAP and implemented in 2000:

- the first measure attempted to systematically provide gender indicators in all guidelines. Thus, the first step in the *mainstreaming* approach would be to draw up gender indicators for the labour market, to ensure that they are updated so as to ensure that *inequalities on the labour market are fully visible*. «Having access to data that has a gender breakdown is a necessary condition to assess the situation in terms of gender equality, to monitor measures to foster gender equality and to assess the latter » (NAP, 1999). This measure can also be found in the NAP, which in most cases includes gender statistical data in the appendices;

- the second measure aims at developing quantitative and qualitative objectives for equal opportunities in terms of women’s access to all services and positions (training, back-to-work schemes, access to managerial posts, etc.).
Overall, both these objectives have been met in the latest plans, even though some areas have not really been tackled in gender terms (for example pillar II, cf. the following point). Thus, new measures proposed, for example to tackle unemployment, follow a dual track: statistical data is broken down in terms of gender and a quantified target concerning women’s representation within these measures is spelled out. Nevertheless, in some cases, the gap between the stated target for representation and the real situation is such, that the indicator chosen will be an intermediary one: for example for apprenticeship contracts, which are mostly male oriented because these are related mainly to the traditional industries, the objective for 1999 was of 34% of women and ...35% in 2000 (instead of 28%, which is the approximate share for 1999) and not of 55% as is the case for people benefiting from back-to-work schemes.

From these observations it appears that some measures which purport to be neutral from a gender point of view are not so in fact. The example presented concerns the share out of support for market and non market jobs: in the first part of this report, we have shown that support is often granted for market jobs, where women are underrepresented because of structural aspects pertaining to women’s patterns of employment and female-oriented sectors of activity but also because of discriminatory practices which still exist in companies. Few corrective measures have been put forward in this respect, but specific efforts in this area have been announced: « The specific difficulties of young and adult women will be better taken into account by the public employment agency. The target is to reach 55% of women users of employment services before the end of the year 2000. The need to improve access to measures facilitating employment in private companies has been underlined (increase of women’s share from 39 to 45% in the Contrat initiative emploi – back-to-work contract - (CIE)) » (French NAP, 2000).

This example shows the difficulties encountered in the implementation of mainstreaming: although, as we shall see later, many measures directly applied by the public employment service truly take into account the gender issue (training for relevant employment agencies, awareness raising, etc.) it is harder to have a real impact on measures which are determined by the hiring policies of private companies. This is the case for apprenticeship contracts were it is not sufficient to simply announce a quantified target of apprenticeship contracts for girls (as their share remains rather low).

2.2 Initiatives to promote gender equality

According to the two approaches to mainstreaming as defined by J. Rubery et al (1999), - the « defensive » approach or the « offensive » approach -, it can be said that France is changing its strategy and is adopting for some aspects a pro-active approach.

Let us examine in practice what are the effects of these two objectives in the three pillars for employment defined in the NAPs of 1999 and 2000.

Pillar I : Improve the ability of young and adult job seekers to join the labour market.
Guidelines 1 and 2 : offer a fresh start to young people and adults who are unemployed.
Since 1998, France has set up a «new start programme», which is a customised service of the A.N.P.E. (national agency for employment) targeting the young unemployed, long term adult unemployed or people who are potential victims of exclusion (job support, access to training...). In 1999, 841 000 people were involved and the objective for the year 2000 is of 1,1 million. Out of this total and for the year 1999 54% were women.

In 2000, the NAP even expects to involve more women who are in the following specific situations: either victims of violence, or women wanting to go back into employment, and without applying any criteria as to the length of time spent in unemployment, which normally is of 6 months for young people and 12 months for adults.

More generally, the different agencies involved will be asked to co-operate in order to incorporate gender into their programmes (training of ANPE and AFPA1 personnel in appropriate techniques and procedures promoting gender equality).

Guideline 3: increase the number of people benefiting from active measures to facilitate their reintegration.
This concerns mainly the provisions for sandwich courses and apprenticeships. Mention is made that women are underrepresented in most of these measures. The objective stated is to reach an equitable representation of women (55%), or more gradually to increase their share of contracts in areas where they are still a minority (for example to reach 35% of girls receiving apprenticeship contracts). In the same way, the AFPA has embarked upon a long term programme (7 years) aiming at doubling the share of women on training courses leading to a qualification.

Guidelines 4 to 6: promote possibilities for lifelong training
The measures put forward for the year 2000 mainly seek to reform vocational training, in order to promote the granting to all employees, and in particular the least qualified ones, of an individual right to vocational training. The objective is to strengthen the likelihood that professional experience will be recognised. Strangely enough, although this objective is well developed in the 2000 NAP (over 2 pages), although these measures were taken at the behest of the minister for women's rights AND vocational training, and last but not least, although the rate of access to vocational training is more limited for women than it is for men (34.5% as opposed to 37% in 1997), not a single guideline directly concerns the issue of gender for this axis. It is as though the question of equality in access to training only concerned people in difficulty (due to the need for reintegration, or even because they are victims of violence) and does not concern all employees, for whom the access to continuous training is difficult for a number of reasons (not enough free time available for training where a several day trip is involved, difficulty to have access to information, underestimation of their capacities, unwillingness to a lesser or greater extent of the companies...). All these factors should be analysed in the NAP, and corrective measures provided.

Pillar II: Developing entrepreneurship.
Guideline 11: encourage the development of economic activity.
One of the shortcomings of mainstreaming policies in the French NAP has to do with this pillar: not a word is said concerning women setting up their own business in the presentation of this pillar in 1999 or in 2000. An yet women are still a minority when it comes to setting up new

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1 AFPA: French agency for adult training.
businesses in France (27%). It is true that this question is mentioned in pillar IV: in 1999, there is a presentation of the Guarantee Fund for the creation, take over or development of businesses on the initiative of women (FGIF) which was created in 1989 in order to facilitate access to bank loans for women wanting to set up their own business. In the 2000 NAP additional means are added to the Fund (20 million FF corresponding to 1000 new businesses set up in 2001), in the same line, “greater support of businesswomen will be made possible thanks to the harnessing of support networks for entrepreneurs which benefit from public subsidies which will have to increase the number of women participants by 25% in 3 years». However these factors are not part of pillar II in the NAP of 1999 and 2000, as though these measures of correction and instigation were not an element belonging to the very objective of this pillar but merely as ever a corrective measure, extraneous to the measures concerning enterpreneurship.

**Guideline 12 : foster the emergence of new activities**

« New services – youth employment » This is one of the programmes which has been selected as a « good practice » at community level for 1999, as it led to the creation of 160 000 new jobs in the social economy in 1998 and 250 000 new jobs are expected for 1999. 60 000 additional jobs are planed for 2000, in order to involve 300 000 young people since the launch of the programme. Although most of these jobs were taken up by women (55,6% in 1999), no indicators have been set up to monitor their share, which was larger in 1998 (56,5%). The lack of a mainstreaming approach is regrettable, as a large number of these jobs are direct services to individual and the community or in the area of « care », which is largely women oriented, and where the gender balance should also be looked into so that this does not become a « ghetto » of women’s jobs. We can therefore point out here the lack of any anticipation of the impact of this measure in terms of gender.

**Action plan in order to tackle recruitment**: with the upturn in employment prospects (almost one million jobs created over the past three years), some surveys show that one company in three is faced with recruitment difficulties: computing, food retailing and catering (bakers, butchers, cooks…), building industry, processing, metalwork and foresters. The NAP for 2000 is planning a campaign to inform young people and job seekers about these professions as well as an improvement in working conditions, easy access to training… **But here again, nothing is said about the gender issue**, whereas the diversification of jobs for women is one of the stated objectives: and yet the access of young women to these potential sources of employment is not to be taken for granted and their access would help limit the recruitment difficulties, whilst fighting women’s above average-unemployment mentioned at the beginning of this document.
Pillar III: Foster the adaptability of companies and employees.
Guideline 16: the reduction in the working week (RTT)

France has gone its own way by introducing a law on the reduction in the working week in June 1998, which will reduce the working week from 39 to 35 hours for companies with over 20 employees, with financial support. In the first versions of this law, no measure for promoting equality had been included (in 1998). On the contrary, the maintenance of a reduction in payroll taxes for part-time employment could be considered when reading the plan for employment of 1998 as encouraging the development of involuntary part time work.

However, in the second law presented in the NAP of 2000 this aspect has been taken care of: «The law of 19/01/2000 (...) has taken account of the improvement in the reconciliation of professional and family life, be it the limitation of supplementary hours for part time workers or the improvement in the transition towards part time, the strengthening in the agreements of the organisation of work for managerial workers, the development of “time saving accounts” and the establishment of a system of short term notice in case of a change in working hours. Moreover, a reduction in payroll tax will be applicable to companies whose convention or agreement includes measures to foster equality at work and in particular that try to prevent discrimination in their hiring practices» (French NAP, 2000).

Although this approach seems to be a step in the right direction and is a departure from the spirit of the first law which had totally “disregarded” the gender issue, our own assessment of the law incites us to be cautious on this particular point: much remains to be done, in particular for people in part time jobs for whom the law does not necessarily spell out the possibility of returning to a new full time position (in particular for those who were on 32 hour contracts before the agreement came into force). Similarly, in the case of some managerial workers, the working week could be spelled out in terms of days rather than hours (and reach 13 hours a day, which is a major constraint for people with children, especially women due to the fact that domestic and educational chores are not equally shared out between men and women); finally nothing is specifically said concerning the role of women who have been recruited within the framework of these agreements, apart from some financial allowances. It is up to the collective bargaining system to take care of these arrangements without any guarantee for the employees. For the time being, no assessment has been carried out on the agreements signed on mainstreaming but we may wonder about their real impact of these measures which often seem marginal for the parties involved in the process of negotiation as compared to the implications of the 35 hour working week. Conflicts and tensions around the agreements have appeared in companies on the following issues: terms of the reduction in the working week, implementation of flexible working practices with for example work on Saturday, concerns due to the increase in the work load, level of pay, job creation…
Pillar IV : strengthen equal opportunity policies for men and women.

Guideline 18 : integrating equal opportunities for men and women into the 4 pillars of the Luxembourg process.

Since the NAP 99, a number of provisions have been adopted by political and economic bodies and programmed until 2000-2001. These are worth looking into :

In the NAP 99 :
- firstly at the political level, a constitutional review in order to introduce equal access for men and women to mandates and elected office has finally been adopted in 1999 after rowdy discussions at the French National Assembly and Senate;
- the establishment of a ministry for women’s rights in 1998 
- the revival of the inter-ministerial committee in charge of women’s rights which must ensure the coherence of initiatives taken by the different ministries, propose initiatives and ensure the regular follow up of decisions taken ;
- publication of a number of official reports, which assess the current situation of women in the economic sphere;

In the NAP 2000 :
- Most of the measures announced in 1999 have been implemented. Thus following the inter-ministerial committee meeting of March 8th 2000, a number of partnerships between different ministries were set up : alongside the policies for employment and training, the ministry of justice has decided to take part in order to better follow up the complaints of women who are the victims of violence, the ministry for transport is involved in the improvement of public transport which is used to a greater extent by women, and the ministry of youth and sport which aims at improving the participation of women in associations and clubs and to give them greater access to decision making bodies.
- Moreover, the mobilisation of players is strengthened: « prefects will have to mobilise local decentralised services in order to implement equality policies not only within the framework of structural funds and governmental contracts but also in all the spheres of activity of the State ». Thus it is at a decentralised level that the training modules for equality will be set up for each ministry and for the different local employment services.

2 Let us recall nevertheless that during the previous year, a post of inter-ministerial delegate for women’s rights, directly attached to the Prime Minister had been created, the aim of which was precisely the integration of equality into all political, economic and social spheres. His/her role was to include a gender perspective into public policy at large, be it the promotion of the bill on parity in the political sphere or to make a contribution to the reflection process accompanying the launching of new bills (such as the reduction in the working week). Unfortunately, the experiment was too short lived to bear fruit, the post of inter-ministerial delegate has since been abolished. The junior minister for vocational training has received a broader mandate : she is now also a junior minister for women’s rights, attatched to the Ministry of employment. Although in terms of the government hierarchy a junior minister has greater prerogatives than a delegate, her field of action is nevertheless narrower. We can thus consider that this change has not directly affected the development of mainstreaming, but has implications in terms of the political outlook.

Finally, follow up tools have been expanded: a budgetary document will be drawn up in November 2000 in order to make more visible « the efforts of the nation in favour of equality between men and women » (French NAP, 2000). Likewise, following a report of the INSEE (National statistical office) in charge of recording all the shortcomings in terms of statistical data with a gender breakdown, an inter-ministerial circular letter of March the 8th 2000 invites all the ministries to produce, exploit and publish statistics with a gender breakdown.

Guideline 19 : fight discrimination between men and women

In the NAP 2000, new measures are spelled out concerning 5 areas: initial training, equality at work, the social dialogue, public employment services and business creation. These areas are of different import: thus, the two first points deserve particular attention (alongside the content of the NAP, we have used other official documents, cf. below), however the three other points are less important or have already been dealt with in the other pillars:

- as regards the social dialogue, mention is only made of « a reflection process launched with the social partners on the role of women in the social dialogue ». Let us observe nevertheless that the NAP goes further than this: the bill on equality aims at reinforcing the negotiation on equality, just as the law on the 35 hour working week also indirectly strengthens the social dialogue on equality.
- As regards the public employment services, the measures have already been presented, as the aim is to increase the number of women in the different provisions through awareness raising in the employment agencies (ANPE, AFPA...).
- Finally we have already pointed out that the issue of new business creation by women had not been included into all the guidelines concerned, which we believe only limits its impact.

The first points mentioned deserve further specific development:

1 – The convention for « the promotion of equal opportunities for girls and boys and men and women in the educational system ».
Following the signing of a convention between five ministries, a number of measures will be adopted for the period 2000-2003:

- Improve career guidance for girls and boys and ensure that the initial training offer is well suited to the job prospects. With regard to the above average-unemployment of women and the limited presence of girls on scientific and technical courses, initiatives are needed aiming at providing better support for girls and boys in their career choices and systematically incorporating the gender aspect in all the general information provided throughout their schooling life. Thus data with a gender breakdown for school results will be systematically collected and analysed; information meetings will be organised for students and teachers on the issue of gender, with appropriate teaching supports.

Moreover, seven targeted sectors (concerning the new technologies or on the contrary, that have limited professional outcomes) will be systematically monitored in order to assess the situation of

4 These are the ministry for national education, for schools, for employment, for agriculture and the junior ministry for women’s rights.
young women and their involvement. Relevant measures will be adopted in order to encourage girls to embark on scientific courses: for example aims will be set in order to follow their progress and support will be provided. Other measures will be taken in order to develop lifelong learning (with enhanced recognition of existing competencies and experience).

- **Promote an education based on the mutual respect of men and women.**
  This line of action seeks to challenge in depth the way we view gender-based roles from early childhood. This will be achieved by integrating this issue in the school curriculum (civic education, health and sex education, prevention of sexist violence).

- **Strengthen tools for the promotion of equality and training of the different players.**
  Development of training for equality at all levels (training of trainers and teachers, pedagogical support...); give prominence to the role of women on the programmes, ensure their access to positions of responsibility within the administration of national education, improve statistics with a gender breakdown...

2 – **The civil service**

The study carried out by Mme Colmou on the role of women in the civil service gave rise to much discussion: this is a sector with a high percentage of female employees, that is tightly regulated and where equality is guaranteed legally via the status that applies to civil servants. Yet this study has highlighted many instances of severe inequalities between men and women in the access to positions of responsibility. The government intervened as a result in order to remedy this situation (circular letter of the Prime Minister of March, 6th 2000). This will lead to “equality plans” being introduced in every ministry in order to ensure balanced participation of men and women on the basis of quantified indicators and targets for each ministry.

More women will also take part in juries on examination boards and act as representatives of the State on consultative bodies in the Civil Service. Finally, the access of women to professions which continue to be male preserves (such as the army and the police) will be encouraged. On the other hand, jobs usually taken up by women should be made more accessible to men (for example child minding).

All these points are contained in the bill on professional equality so that they may be included into the new Statutes for the Civil Service.

3 – **Bill on professional equality for 2000**

A bill supported by the government was adopted by the National Assembly in March 2000 and will be put to the Senate next May. It is made up of two major sections: the first section concerns the private sector and the second the public sector (see aforementioned paragraph. This bill seems noteworthy enough to be further presented in the 4th part (as an example of a “good practice”).

Guideline 20 et 21 : reconciling professional and family life, facilitating the return to work.
These last two directives have led to very few new measures and have not even been much commented upon. The only point that has been discussed is new forms of public child-care in both quantitative and qualitative terms with a pilot programme providing support for new forms of child-care for which 6 m euros have been earmarked, and greater flexibility in the opening hours of schools and child-care facilities. A similar initiative had already been announced in the previous NAPs and was based on the following observation: financial support for individual forms of child-care (APE, house helps, AGED...) have been given preference over the past years over collective forms of child-care (in the case of infants). Similarly, nothing has been said concerning the Allocation parental d’éducation (Parental child-care allowance) which can lead to a situation of exclusion for young mothers with 2 children (cf. part I) or about encouraging fathers to take parental leave. This whole aspect of French policy is for the moment at a standstill, pending the Family Conference of June 2000. This is unfortunate as the measures that will be developed will not be assessed in terms of equality.

Concerning the return to work, the only practical measure has already been mentioned: from now on, women who resume work no longer need to have completed a certain number of working years in order to benefit from the “new start programme. The refunding of child minding expenses in order to facilitate their return to work will also be looked into during the Family Conference.

2.3. Coherence and consistency in the gender mainstreaming approach

It is probably in this area that some difficulties must still be solved concerning the impact of the mainstreaming approach in France. Some tensions have appeared between the stated political will and the practical implementation by the social partners (company managers, trade unions), public institutions but also due to individual patterns of behaviour.

The main instance concerns guidelines for family policy: on the one hand there are the different plans and governmental actions, the wish to move towards a “féminist family policy” which is a stated objective, and on the other, mechanisms which work against equality are maintained or are simply not mentioned in the NAP for 2000: thus, the APE (cf. 1st part) is criticised for having favoured a withdrawal from the labour market of women in a precarious situation who have difficulty returning to work. Proposals have been made to make this allowance more flexible (for example by paying the allowance in instalments in order to avoid a 3 year withdrawal from the labour market) but its abolition has not been discussed because it is a successful allowance. But as long as part of this leave and of this allowance are not granted only to the fathers, as long as a higher compensation is not considered (for example a pro rata of the parents income), as long as further measures are not taken to help these beneficiaries return to work (training, retraining for a different job), this allowance will remain a form of indirect discrimination vis-à-vis mothers of working poor families.

This point shows that there are somewhat different approaches to the concept of mainstreaming. A major divide seems to appear in the NAP and in the approaches to mainstreaming: on the one hand, the government takes practical measures in order to ensure equal access for women to the labour market (except in some aspects which still need to be fully tackled such as the
apprenticeship contract or the CIE –return-to-work contract), and even goes so far as to launch a true mainstreaming approach in the methods chosen (role of employment agencies, awareness raising, training at all levels and at all ministries). But on the other hand, whole areas of activity appear to be unconcerned with these objectives: **companies** (few direct, enforceable measures, and few positive actions seem to have been planned except in the public service, and the equality plans that have been implemented in companies have on the whole had rather negative results (only 34 plans signed since 1983). In the same way, trade unions have expressed the will to organise training for awareness raising, but no such campaign has been planned vis-à-vis company managers. Collective bargaining is therefore used to foster equality in the company, but this on its own appears to be insufficient, unless other ways and means are also sought out. Thus, one measure which had been announced in 1999 was subsequently abandoned in 2000: the idea of the creation of “equality counsellors” was abandoned although these mediators could have promoted mainstreaming in the company. Another area has not been taken into account: **that of the family and individual patterns of behaviour**: the latest figures concerning the activities of households show that individual behaviours and the link between professional and family life continue to be gender biased and lead to inequalities being reinforced within the couple: 80% of household chores are carried out by women, even when they have a job of their own, and few changes appear to have taken place, in particular concerning child-care. And yet, equality can only come about by better sharing domestic chores and child rearing within the couple and by adopting “family friendly” measures.

### 2.4. Mechanisms for implementing gender mainstreaming

The most promising initiative taken by the French government so far in terms of mainstreaming concerns in our view the meeting of the inter-ministerial committee in charge of women’s rights and equality. This committee, which was set up in 1992 was given new impetus during the latest international women’s day of March 8th 2000. The objective of the committee is to bring together all the ministers in order to “ensure that their activities are coherent, put forward initiatives and ensure regular follow up of decisions taken » (NAP, 1999).

This decision stems from the impetus created during the discussions on the access of women to the decision making process in the political field, which is gradually spreading to the economic and social areas.

Thus, 8 fields for action have been studied and will be assessed on an annual basis, amongst which are the following:
- The access of men and women to positions of responsibility
- Equality at work between men and women
- The contribution of women to economic development (…)
- Improve management of tasks and activities outside work(…).

Each area has been the object of specific bills (such as parity or occupational equality); awareness raising initiatives, information campaigns (in the educational system, culture and sport…), symposia, meetings (symposium on equality at work during the French presidency of the
European Union, “women and community organisations” “meetings on violence “...) or specific committees (for example in charge of reviewing competitive entry examinations to the grandes écoles) contracts between the State and some institutions (National Education, ANPE, AFPA...) in order to ensure that women are better represented. Finally a pilot programme has been proposed in order to support innovative experiences in child-minding.

3. ASSESSING THE PRIORITY ACCORDED TO GENDER EQUALITY

It is very difficult to carry out a quantitative and qualitative assessment of the place of equality in the general employment policy programmes. Through the evolution of the 3 NAPs, there is evidence of substantial progress in the implementation of this goal, as regards mainstreaming (as defined in the 3 first pillars) as well as in the forth pillar.

1- It is not possible to quantify the place given to equality measures (whether stand-alone or integrated to other measures) and this has not been attempted in the NAP for 2000. Only the contribution of the SFE (Structural fund for employment) is allocated separately for each pillar: thus, out of a total of 4 179 million F, 180 million were allocated to pillar IV (4,3%). This amount is obviously very small, but this shows the place given to equality in France’s employment policy. As was pointed out in part I, A. Fouquet and C. Rack (1999) have evaluated France’s spending on employment policies at less than 1%. Thus, according to their overall evaluation, 161,1 millions F were allocated to specific measures in favour of the employment of women in 1999, with the following breakdown:

- NOW : 125
  ( New opportunities for women)
- FGIF : 10,5
  (Guarantee Fund for the creation or take over of companies by women)
- BAIE : 5,2
  (Bureau for individualised support towards employment)
- Budget for the intervention of the rights of women department : 21,4

To this incomplete data for 1999 can be added the financing of the only two measures in the NAP 2000 for which a set amount has been earmarked: an additional 20 million for the FGIF and 40 million for the pilot programme on innovative forms of child-minding, that is a total of at least 221 million F for the year 2000. However, it is necessary to wait until November 2000, as the exact budget involved will be calculated then.

2- Adoption of specific targets: mainstreaming in France has adopted specific targets, in particular for women who are long term unemployed and who want to return to the labour market. The target of 55% of women receiving support is now systematically announced. However this amount is far from having been reached when it comes to job-seeking facilities where only a third of women are concerned (38,4% excluding measures relating to part time allowances in 1998 and 44,7% if these measures are included). As already pointed out, women who return to the labour market do not have to have spent a specified period of time in employment in order to benefit from the “new start”.
3- **Number and nature of measures presented in pillar IV.** 5 measures have been announced as specific equality measures: the convention concerning initial training, the reinforcement of occupational equality via a bill, fostering a social dialogue, the mobilisation of the public employment agencies and support for the creation of new businesses. These measures are different in nature, but almost all of them aim at reinforcing the social dialogue and the partnership between all those involved in employment policies.

4- **Existence of new policies for equality.** Most measures are in line with existing policies (such as the greater involvement of women in designing and implementing the measures). The most novel aspect is the method used: raising awareness of the different players, transversal and structural action of ministries, decentralised employment agencies... Finally, the social partners are involved throughout, but as mentioned earlier, few direct measures targeting companies have been envisaged. The government is setting the example with a new organisation of the ministries and a better balanced civil service... However, this experiment should be extended to all for-profit activities, which is not the case for the time being.

5- **Development of complementary measures.** This part of the NAP has not been acted upon as much as others. Although in part I, it was stated that more had to be done in terms of family and tax policies, few new measures have been presented here. Only the obvious impact of the constitutional change introducing equal access of men and women to political mandates is present as a backdrop to the issue of mainstreaming. The outcome of the forthcoming Family Conference will have to be assessed in order to see whether equality has really been included in the new family measures (change in the APE system, development of public child-minding facilities).

4. **PRIORITY AREAS FOR FUTURE ACTION AND IDENTIFICATION OF BEST PRACTICE**

Although our assessment of the place of mainstreaming and equality in French public policy is overall positive if compared to the first NAP, much still needs to be achieved. The employment outlook is far better in France since the resumption of growth and the broadening of employment profiles. Thus, unemployment rates have continued to fall (9% for men and 12.5% for women in December 1999). Nevertheless, the gap between men and women is still large (3.5), with only a 0.1 narrowing of the gap per year.

We have first shown that the actions put forward do not always include mainstreaming. Although in pillar I especially and to a lesser degree in pillar III mainstreaming has been implemented, pillar II is insufficient. That is to say that the support provided to the unemployed (personal support, back-to-work programmes...) is a procedure that now includes mainstreaming in France. However, this exercise is still difficult when promoting new activities and intervening on the demand for labour, and not just the supply. This is also the case for measures relating to the hiring of workers for which no mainstreaming has been proposed although job creating sectors are characterised by major forms of discrimination against women. It is precisely to this area that
efforts will have to be channelled, since it must be pointed out that no measures have been suggested to directly challenge segregation on the labour market. This should be a dual objective: to ease access for women of positions which so far have been male preserves (food retailing and catering, new technologies); and on the other hand, encourage men to take up professions which so far have been carried out by women (domestic employment, nursery staff...) by giving these jobs a higher profile by making them more professional (training with awarding of diplomas, satisfactory pay, improved working conditions etc.). Moreover, nothing is said in the NAP for 2000 concerning equal pay, a review of tax and social security regimes in order to achieve equality. Mention is only made of a guidebook on pay written in 1997, but only published this year. Moreover, the whole aspect of the link between family and professional life does not seem to have been included as an objective in the NAP for 2000, although the link between equality at work and family policies is a crucial one. For example a negative assessment of the impact of the APE should be speedily carried out.

As far as the method is concerned, the French NAP has made good headway. The involvement of social partners and the transversality of mainstreaming have now been clearly stated. Now an evaluation and ongoing monitoring of proposed measures needs to be carried out. The fact that different measures have not been quantified nor the general employment policy budget allocated to equality does pose problems. Systematic quantification, in particular for the budget, is needed in order to achieve real transparency concerning the impact of proposed measures. The objective of the circular letter of March 8th 2000 on statistical tools should help improve this situation (cf. the second example of “good practices”).

EXAMPLES OF “GOOD PRACTICES”

The professional equality bill

For companies in the private sector, alongside the improvement of tools set up since the Roudy Act (improvement in the situation report, facilitated access to government grants and subsidies), there is another important measure from the point of view of mainstreaming: the bill sets “a specific obligation to negotiate on professional equality between men and women” at company level and at branch level every three years. The bill also seeks to set “the obligation to take into account, in an integrated way professional equality between men and women in all compulsory bargaining processes” in the company (wages, working hours, freedom of expression) and at branch level (wages, social grading, vocational training). Moreover, non-compliance with this obligation will lead to the same legal sanctions as those which apply to the non-negotiation of other compulsory matters. This question is especially interesting from the prospect of mainstream development since it aims at tackling the main shortcomings in French practices of mainstreaming:

- Firstly, this principle involves the social partners at branch level and at local level, whereas the law of 1983 showed how these players were not using the tools available, which made the transition from equality as a right to equality in practice difficult;
Secondly, for a number of years and in particular in our research on inequalities in pay, we have shown that negotiating on equality as a separate issue is not an efficient approach (Silvera, 1996, 1999). That is because inequalities crop up throughout the bargaining process and cannot be dealt with subsequently via corrective measures. Only careful consideration before the bargaining process begins and carried out in a transversal manner can avoid a later impasse;

Thirdly, this proposal must be binding, as sanctions are applied in case of non-compliance. This is an important aspect, since until now, the measures brought about by the 1983 law were not binding. And it seems that in France, there is no “spontaneous” desire to negotiate equality issues.

Although this bill can truly be said to be in line with a mainstreaming approach, some insufficiencies appear nevertheless. We must refer here to the specific context of industrial relations in France and in particular the weakness of trade union representation in companies as this poses the problem of the implementation of such a law: what will happen in the numerous companies where there are no trade union representatives who can carry out negotiations? This question is all the more important as it is mostly small and medium size companies that employ large numbers of women. Will the principle of mandating (the possibility for an employee who is not a trade union member to obtain a mandate from a trade union from outside the company) be applied in equality matters? This type of question is also important in view of the current tensions around negotiations on the reduction in the working week: the increase in contractual risks might in fact play against equality...

This project should thus be supported by other awareness raising measures, as well as the provision of information and training for equality in companies, on the lines of what is already achieved in education or the Civil Service. Moreover, current incentives and sanctions seem insufficient. Although mainstreaming has already been launched, there is still one aspect which is lacking in order to achieve the full integration of equality: the introduction of positive actions which would presuppose pro-active measures to correct existing inequalities, be it in the public sector or in the private sector. This brings us back to one of the initial questions in this report: in order to achieve a policy of integration of equality, we need to establish both positive actions and mainstreaming and involve all social players and not just the government.

Circular letter of March 8th 2000: Adapting the government’s statistical services in order to improve our understanding of the current situation of men and women
A circular letter of the Prime Minister addressed to the council of ministers aims at developing statistical tools with a gender breakdown.

An awareness campaign could be imagined in companies on the issue of equality, which would attempt to challenge some prejudices (on absenteeism for example) and to set up family friendly measures in the company. Similarly, as has already been achieved in Nordic countries, campaigns should be organised targeting fathers so that they better manage their family and professional life to everybody’s benefit.
An inter-ministerial working party lead by INSEE and the department for women’s rights carried out a review of available statistics with a gender breakdown for all areas. This showed that in some areas this data is absent or hardly exploited.

“A great amount of available statistical data does include a gender breakdown. Nevertheless, in some major areas, “neutral” terms are used such as “tax paying household” “social security beneficiary”, “company manager”, “elected official”, “staff representative”. The objective is thus to supply in a systematic and regular fashion data with a gender breakdown rather than “neutral” data, and for all ministerial publications to present a comparative picture for men and women.

This data will be completed by systematic studies of the impact of some measures in gender terms (in some areas such as culture, sport or the reduction in the working week…). Moreover, a permanent network for the follow-up of statistical data will be set up and operated by INSEE in charge of co-ordinating the statistical services for each ministry. This data will be published once a year.

Finally, an appendix to the budget summing up all the public credit lines earmarked to the promotion of gender equality will be published from the year 2000: “Alongside the identification of specific credits allocated to equality, it is necessary to highlight in the document for all of the ministries the share of women benefiting from all public policies.”

This approach seems particularly useful as it will provide a clear understanding of inequalities on the labour market and outside the labour market. But beyond that tool, this process seeks to involve all ministries and raise awareness concerning the gender issue and the question of equality… And that is at the very heart of mainstreaming…
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