



European network of legal experts in gender equality and non-discrimination

FLASH REPORT

Country:	Italy
Title:	Update of the guidelines on the promotion of equal opportunities and the fight against gender discrimination and gender violence in the Civil Service
Date:	12 August 2019
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<u>Context</u>	
Issue at stake:	Promotion of equal opportunities, of conciliation between private and working life - tackling gender discrimination and gender violence in the Civil Service
Grounds of discrimination:	Gender
Field of application:	Gender mainstreaming, Employment, Violence against women
Source:	Policy development
Applicable law:	Decree No. 198 of 11 April 2006 on the Promotion of Equal Opportunities between men and women; Decree No. 165 of 30 March 2001, ruling the working relationship in the public sector

Content

Policy development: At the end of June 2019, the Minister of Public Administration published Directive No. 2/2019, stating guidelines for the promotion of equal opportunities in the Public Sector and strengthening the role of the Guarantee Committee for Equal Opportunities, Employee Wellbeing and Non-Discrimination at Work (the CUG), which is set at each Public Administration under Article 57 of the Decree No.165 of 30 March 2001, as amended by Article 21 of Act No. 183 of 4 November 2010. The Directive will be issued in agreement with the Undersecretary of the Prime Minister's Office with delegation for Equal Opportunities and published in the Official Journal soon. The Directive will replace the Directive of 23 May 2007 on the promotion of Equal Opportunities and will update some guidelines already provided for by the Directive of 4 March 2011 on the functioning of the CUG.

Key points of analysis: The first section of the guidelines recalls different bans on gender discrimination and asks Public Administrations to ensure the enforcement of these provisions, in particular regarding the implementation of the compulsory three year positive action plans, gender representation in boards of examination for hiring procedures in the public sector, and tackling the gender pay gap.

The following sections pay attention to the promotion of equal opportunities, admitting that gender mainstreaming is not sufficiently taken into consideration yet in the Public Sector. The guidelines highlight professional training as a central measure to bring about a real change regarding women's representation in high-level-positions in the Public Sector,

to promote a better conciliation between working and private life, and to tackle gender violence.

Moreover, the role of the Guarantee Committee for Equal Opportunities, Employee Wellbeing and Non-Discrimination at Work (the CUG) is strengthened. Detailed guidelines are laid down about its composition and tasks. The CUG, which has a branch in each Public Administration following Article 57 of the Decree No. 165 of 30 March 2001, consults, supports and monitors the promotion of equal opportunities, enhances employee wellbeing and prevents discrimination. The guidelines also established a Network of CUG, mainly aimed at sharing best practices, and a coordination with other institutions, such as Equality Bodies.

Moreover, the CUG has to provide the competent Minister, before 30 March, with an annual report on the implementation of the three year positive action plan and containing an analysis of gender equality in working conditions, considering issues of gender representation in boards of examination for hiring procedures in the public sector, gender pay gap, conciliation between working and private life, and gender violence. Therefore, each Public Administration is required to provide the CUG with all necessary information before 1 March.

Finally, a specific section is dedicated to the monitoring of the implementation of the Directive, which is entrusted to a Group of 8 representatives, four from the Equal Opportunities Department and four from the Department of the Civil Service, both set at the Prime Minister Office. The group, in collaboration with the National Equality Advisor, must also give the necessary support to different Public Administrations in implementing the Directive as well as propose possible amendments or integrations.

On a whole, the guidelines issued by Directive No. 2/2019 are very detailed and cover a large number of issues. Different objectives are quite challenging and a real implementation seems to involve the allocation of suitable resources. Nevertheless, on this point the Directive does not affect the autonomy of Public Administrations and simply requires them to specify the activities planned in relation to, and the resources allocated to, the production of the annual report of the CUG.

Internet link source: Directive No. 2/2019, stating guidelines in implementing and promoting equal opportunities in the Public Administration, published on [http://www.funzionepubblica.gov.it/articolo/dipartimento/27-06-2019/direttiva-recante-
\"misure-promuovere-le-pari-opportunita-e](http://www.funzionepubblica.gov.it/articolo/dipartimento/27-06-2019/direttiva-recante-\).