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Re Outline of the Labour Market Discrimination Action Plan 2018 – 2021

Everyone in the Netherlands has the right to be treated equally and given a fair chance of succeeding on the labour market. In this way people can grow as individuals, develop their talents and make a valuable contribution our society. Labour market discrimination denies people such opportunities and prevents equal treatment; moreover, it puts undue pressure on social cohesion because it furthers systemic inequality between groups of people. Employment discrimination is simply unacceptable. Our society demands that people participate actively and, to the extent possible, remain involved in the labour market over a long period of their lives. We demand this of everyone regardless of sex, age, background, sexual orientation or disability. This means we have to offer people equal opportunities and provide a solid programme for dealing with employment discrimination. The Cabinet wants discrimination to be dealt with decisively and resolutely. Thus the Action Plan for Labour Market Discrimination (2014)<sup>1</sup> included in the government programme will receive a sequel which will aim at, inter alia, eliminating discrimination in job application procedures as well as for pregnant mothers, and accords Inspectorate SZW a strong enforcement role. As requested in the Van Weyenberg/Gijs van Dijk motion,<sup>2</sup> I am hereby sending you the action plan, also on behalf of the Minister of Social Affairs and Employment (SZW), the Minister of the Interior and Kingdom Relations (BZK), and the Minister of Education, Culture and Science (OCW).

In recent years, the Cabinet has invested heavily in strengthening the job market position of certain specific groups of Dutch citizens by means of a variety of programmes and stimulus measures focused on integration in the labour market. Examples include the recently initiated programme Further Integration in the Labour Market (VIA), directed at Dutch citizens with a migration background, the Ministry of SZW's Perspective for Workers Over Fifty, and the Ministry of OCW's Emancipation Document. There are many different reasons why certain groups suffer disadvantages on the labour market, and these also vary per group. For example, young people often lack the desired experience, and Dutch citizens with

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<sup>1</sup> Parliamentary Papers II, 2013-14, 29 544, no. 523.

<sup>2</sup> Parliamentary Papers II, 2017-2018, 34 775-XV, no. 57.

a migration background a good network. However, not all differences can be explained in this way: another reason for such disadvantages is the discrimination these groups face on the labour market. The measures outlined in this letter, therefore, are specifically directed at this problem, while keeping in line with the stimulus policy already implemented.

In support of this, I will here outline the three pillars of the fight against labour market discrimination, which continue and strengthen the currently existing efforts of Inspectorate SZW. In addition, I will examine how monitoring discrimination in the recruitment and selection phase can be effectively formulated, because deliberate discrimination must have palpable repercussions for employers. The second pillar, investigation and instruments, is directed at developing practical instruments for employers, personnel officers, and works council members can apply in order to discourage prejudicial treatment during job recruitment and selection. Research has shown that unconscious prejudice often lies behind labour market discrimination. Within the third pillar, knowledge and awareness, I target the dissemination of knowledge and greater awareness of discrimination in, and exclusion from, the labour market, and reveal what favourably disposed employers can do to prevent this.

The achievement of a fair and inclusive labour market requires a shared feeling of urgency among employers, intermediaries, government, employees and social partners. Therefore, I would like to concretise the plan further jointly with them and target discrimination in the labour market collaboratively. In the coming weeks and months, I will be inviting these parties to help me further elaborate the implementation plan which will mean adding further specifics to the measures and actions of the plan. This document describes the ambitions and perspectives of the policy for the years ahead; the implementation plan directly specifies how and with whom the substance of this work will be fleshed out. In this way, I want to arrive at a multi-year, effective strategy for tackling labour market discrimination. My goal, as pledged during the debate of 22 May of this year about discrimination practiced by temporary employment agencies, is to send your chamber this implementation plan in November.

#### *Tackling labour market discrimination: three pillars*

In the strategy for tackling labour market discrimination, I will be targeting three main areas:

1. Monitoring and enforcement
2. Investigation and instruments
3. Knowledge and awareness

New measures will be introduced in addition to seeking continuity with the Cabinet's existing initiatives, so that the policies directed at emancipation, citizenship and integration, and those against discrimination mutually reinforce each other. This action plan builds on previous action plans, the Action Plan against Labour Market Discrimination (2014) and the Action Plan against Discrimination of Pregnant Mothers (2017).<sup>3</sup> A large number of measures will be carried over from the labour market discrimination and pregnant mothers discrimination action plans, as recorded in the progress report National Action Programme against Discrimination.<sup>4</sup> You can also find the overview of the continuing measures and the completed measures – as these were submitted to your chamber with the progress report of 26 April of this year by the Minister of the Interior and Kingdom Relations (BZK) – annexed to this letter. The subjects here are, inter alia, information provision via the Municipal Health Service regarding discrimination against pregnant mothers, and the efforts of the Labour

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<sup>3</sup> Parliamentary Papers II, 2016-17, 29 544, no. 775.

<sup>4</sup> Parliamentary Papers II, 2017-2018, 30 950, no. 156.

Discrimination Team of Inspectorate SZW, who monitor discrimination in the workplace. In this way, efforts against discrimination in the workplace are continuing with the main focal point prevention of inappropriate behaviour and making it increasingly possible for employees to report situations of abuse. Relevant aids to discouraging discrimination in the workplace, such as the Guide to Discrimination in the Workplace<sup>5</sup> and the self-inspection tool Work Pressure and Inappropriate Behaviour,<sup>6</sup> reinforce the efforts of the Labour Discrimination Team.

In order to discourage discrimination in job application procedures and with regard to decisions surrounding pay packages, a broad-ranging programme is being set up within the pillar knowledge and awareness with a mix of activities, which will be set out below. These activities coordinate well with the practices of employers, employees, HR officers and works council members, so that these people will be capable of implementing permanent improvements. I am working on giving further substance to this programme together with the Foundation for Labour (Stichting van de Arbeid), as representatives of employers and employees and as administrator of the project Diversity in Operation. This project supports businesses and organisations in actualising their approach to diversity and inclusion in the workplace. An important tool included in this approach is the Diversity Charter. Businesses and organisations who sign the Charter commit themselves to self-imposed objectives for promoting inclusion in their company or institution.

## 1. Monitoring and enforcement

The Inspectorate SZW Labour Discrimination Team will continue to work at full capacity to eliminate discrimination in the workplace. In 2016, 220 inspections were carried out. With the temporary addition of three inspectors in 2017, the team executed approximately 350 inspections and review inspections in that year. Experience shows that most companies implement the Inspectorate SZW's requested improvements when presented with a demand for compliance. In 2017, Inspectorate SZW only made up a fine report for one single case. This shows that many employers are favourably disposed towards an inclusive and discrimination-free workplace, but don't always know how to effect this.

In the Letter to the Lower House 'Dealing with labour market discrimination in the temporary placement sector',<sup>7</sup> you were informed about the instruments Inspectorate SZW already had in place for tackling discrimination in the workplace in the temporary placement sector (see framework). In addition, regularly scheduled discussions will be conducted with the temporary placement sector regarding the progress, opportunities and obstacles across the entire breadth of labour market discrimination.<sup>8</sup>

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<sup>5</sup> <https://www.arboportaal.nl/documenten/publicatie/2016/06/07/wegwijzer-ongewenst-gedrag-discriminatie-op-het-werk>.

<sup>6</sup> <https://werkdrakenongewenstgedrag.zelfinspectie.nl/zelfinspectie/pesten-discriminatie-en-seksuele-intimidatie>.

<sup>7</sup> Parliamentary Papers II, 2017-2018, 29 544, no. 822.

<sup>8</sup> During our discussions we will also be looking at expanding the SNA certification with an active anti-discrimination stipulation in line with the motion by MPs Gijs van Dijk and Özütok, Parliamentary Papers II, 2017-2018, 29 544, no. 830.

**Temporary Placement Sector**

*Discrimination is a persistent problem in the temporary placement sector. Therefore, Inspectorate SZW has taken a strong approach. Inspectorate SZW has devised a number of instruments to monitor the temporary placement sector:*

- 1. First of all, Inspectorate SZW is able to respond to reports it receives regarding discriminatory assignments or discriminatory practices by individual agencies. This also applies to reports that are received at the sector's own reporting centre and shared with Inspectorate SZW.*
- 2. Secondly, Inspectorate SZW is able to find out whether intermediaries are receiving instructions about what they are allowed to do and not allowed to do (including rules of conduct, information and instructions). In addition, Inspectorate SZW checks to see whether there is a relevant policy in place and what the evidence for this is.*
- 3. Thirdly, Inspectorate SZW can incorporate the findings from the self-regulating of NBBU and ABU (as described previously) into the risk analysis and when determining the inspection approach. Agreements will be concluded between Inspectorate SZW and the NBBU and ABU as to how these findings will be shared.*

In addition, from today at each inspection the Labour Discrimination Team will be inquiring about the method the inspected organisations uses when they conduct their recruitment and selection procedures. This is in the nature of an orientation because powers of enforcement are currently lacking in the area of recruitment and selection. Hence a preliminary assessment will first be made of how businesses are addressing this process, what they are usually recording in this regard, and what is being done in terms of implementation. Such inquiry will provide valuable information for further surveying of the role Inspectorate SZW will potentially be able to fulfil in this area in the future.

Currently, the announced survey<sup>9</sup> will be carried out in order to strengthen the possibilities of an enforcement role for Inspectorate SZW with regard to discrimination during recruitment and selection. This survey is focused on manifestations of discrimination during the recruitment and selection process, identification of the starting points in order to be able to influence them, and the question of what mix of interventions will be effective in order to bring about the intended social effect. In addition, we will look at the feasibility and effectiveness of a broad range of potential instruments, such as scanning job vacancy texts, regular company visits, analysis and influencing automated forms of recruitment and selection, but also different types of anonymous checks, such as mystery calls and mystery guests.<sup>10</sup> Given the nature of the problem of discrimination, which is not always a conscious and intentional act, attention will also be given to behavioural interventions based on scientific insights, as well as to communication as an instrument in promoting compliance and therefore also preventing discrimination. Different types of monitoring geared to detection fit well with these points. Additionally, we will be looking to see whether and how an obligation to report discriminatory requests received by temporary placement agencies might contribute to more targeted investigations by the Inspectorate SZW, plus other methods in which determine the risk of discrimination.<sup>11</sup>

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<sup>9</sup> Parliamentary Papers II, 2017-2018, 29 544, no. 822.

<sup>10</sup> In line with the motion by MPs Özütok/Gijs van Dijk, Parliamentary Papers II, 2017-2018, 29 544, no. 823.

<sup>11</sup> Motion by MPs Van Weyenberg/Peters, Parliamentary Papers II, 2017-2018, 29 544, no. 824.

These ambitions require solid research and acute insight into the current state of scientific knowledge with regard to recruitment and selection procedures, with a focus on effectively preventing discrimination, and with suitable and practically applicable means of intervention to achieve that end. Moreover, it must yet be seen which amendments to legislation and regulations are needed, and how possible (and effective) interventions arising from the survey stand in relation to already existing legal structures<sup>12</sup> designed to counteract discrimination and enable the reporting abuses. I will be finalising the main points of the survey in November. In the implementation plan, I will be informing you concerning the findings of the survey and the accompanying follow-up steps.

## 2. Investigation and instruments

In recent years, a substantial amount of research has been done into the actual experience of discrimination among various groups. From the wide-ranging investigation 'Experience of discrimination in the Netherlands'<sup>13</sup> prepared by the Social & Cultural Planning Office (SCP), it appears that 15% of those looking for employment had the feeling that they had been confronted with discrimination on the labour market. Another 14% suspected that discrimination played a role in their job application rejections. International investigations have shown that 39% of Dutch respondents with a Turkish background and 49% with a North African background have experienced discrimination when looking for work.<sup>14</sup> Research carried out by the Human Rights Board<sup>15</sup> has demonstrated that 43% of women surveyed had experienced a situation that points to discrimination on the grounds of pregnancy, often in the context of contract renewal in a flexible employment relationship. In 2017, 5.6% of working people had been confronted by discrimination in the workplace (labour discrimination). Discrimination based on skin colour and age occur relatively frequently in the workplace.<sup>16</sup> These and other research investigations demonstrate that labour market discrimination and discrimination in the workplace are persistent problems that demand continual monitoring and suitable measures.

Labour market discrimination may also be intentional. This was evident, for example, from an episode of the television programme Radar of 29 January 2018 in which discriminatory requests regarding temp workers with a migration background were issued to branches of temporary placement agencies and, in nearly half of the cases, complied with. As a result of this programme and questions about it in the Lower House, the temporary placement sector, in conjunction with the Ministry of SZW, developed a solid approach, including making use of mystery calls,<sup>17</sup> which your chamber was informed of in my letter of 1 May 2018.<sup>18</sup> Research

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<sup>12</sup> Particularly arising from the Working Conditions Act (*Arbeidsomstandighedenwet*), the Equal Treatment Act (*Algemene wet gelijke behandeling*), the Equal Treatment (Men and Women) Act (*Wet gelijke behandeling van mannen en vrouwen*), and Book 7, Title 10, Section 4 of the Civil Code of the Netherlands. Individuals who experience discrimination may apply to the civil law court of the Human Rights Board. Application may also be made on the basis of criminal law. It is then up to the Public Prosecution Service in the first instance to decide whether a punishable act has been committed that can be submitted to the criminal court.

<sup>13</sup> 'Experience of discrimination in the Netherlands' ('Ervaren discriminatie in Nederland'), SCP, January 2014.

<sup>14</sup> fra.europa.eu (Second European Union Minorities and Discrimination Survey – Technical Report).

<sup>15</sup> 'Follow-up investigation into discrimination at work experienced by pregnant women and mothers with young children' ('Is het nu beter bevallen? Vervolgonderzoek naar discriminatie op het werk van zwangere vrouwen en moeders met jonge kinderen'), Human Rights Board, 2016.

<sup>16</sup> 'National Survey on Labour Conditions 2017' ('Nationale Enquête Arbeidsomstandigheden 2017'), TNO, 2017.

<sup>17</sup> Motion by Paternotte et al, Parliamentary Papers II, 2017-2018, 30 950, no. 144

<sup>18</sup> Parliamentary Papers II, 2017-2018, 29 544, no. 822.

into discrimination in the recruitment and selection phase,<sup>19</sup> however, shows that discrimination is not always conscious but rather usually based on unconscious prejudices. Although discrimination may not be intentional in these cases, there are serious implications for both the rejected candidates and companies and organisations who miss out on such talent.

There are also a number of investigations planned for the months ahead, such as the biannual Statistics Netherlands monitoring report 'Equal pay for equal work? Jobs and wages in government and the business world' ('Gelijk loon voor gelijk werk? Banen en lonen bij de overheid en bedrijfsleven'), with statistics about the wage gap between men and women. At the end of 2018, the next edition of this research will appear in which the wage differences between men and women for 2016 and developments in relation to previous years will be the central themes. Furthermore, the Social & Cultural Planning Office will be repeating its survey 'Experience of discrimination in the Netherlands'; the report will be published in 2019.

I want to devote my energies to ensuring, as much as possible, recruitment and selection procedures that are free from discrimination, and to the greater power of a diverse and inclusive workplace. In order to achieve this, more insight is needed into the actual mechanisms that work to support discrimination in these processes. What are employers looking for during recruitment and selection, and what makes the influence of (unconscious) prejudices vary? More importantly, what can employers do – what are the demonstrably effective mechanisms – for reducing the influence of prejudices in these processes? In the months ahead, steps will be taken in collaboration with the VIA programme to answer these questions. The objective is to find out what employers and intermediaries can do concretely, as a regular part of their recruitment and selection phase, in order counteract prejudices in recruitment and selection. In conjunction with employers, experiments will be carried out for developing, identifying and investigating HR interventions in order to decrease the influence of (unconscious) prejudices in recruitment and selection. Based on the results, practical instruments, methodologies and guidelines will be developed for employers, personnel officers and works council members which they can use in their recruitment and selection procedures.

## **6. Knowledge and awareness**

For the pillar knowledge and awareness, I will be looking for explicit cooperation and dialogue with the parties involved – employers and employees, social partners, works council members and personnel officers – in order to jointly work towards creating a fair and inclusive labour market. I want to work with them in the long term in the area of recruitment and selection, wage discrimination and discrimination against pregnant mothers. In this way, we can stimulate and strengthen the strategy for dealing with labour market discrimination, and keep each other informed of developments.

Unconscious prejudices and stereotyping often play a role in the recruitment and selection phase, and hence stand in the way of equal opportunities on the job market. There is room for improvement by increasing the awareness of employers and hiring committee members regarding these processes, and disseminating understanding of the added value of diversity

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<sup>19</sup> 'Rejected based on background: A study of discrimination on The Hague labour market' ('Op afkomst afgewezen: Onderzoek naar discriminatie op de Haagse arbeidsmarkt'), SCP, 2015; 'The right person in the right place. The role of stereotyping when entering the labour market' (De juiste persoon op de juiste plaats. De rol van stereotyping bij de toegang tot de arbeidsmarkt'), Human Rights Board, 2013.

and inclusion. It can be difficult to stimulate companies and organisations to get to work on this problem because people are frequently unaware of the fact that discrimination may also be playing a role in their decisions. Based on the experiences of Diversity in Business, it can be concluded that an approach based on a business case which fits a specific company offers a suitable strategic entry-point for putting diversity and inclusion on the agenda and actively stimulating it. The present shortage on the labour market reinforces the business case for diversity and inclusion in the workplace and offers more opportunities than before for convincing businesses to invest in this cultural turn. I will be setting up a multi-year programme as part of the pillar knowledge and awareness geared towards cultural change across the board when it comes to recruitment and selection and the power of diversity in the workplace. This programme has two objectives:

- Putting it on the agenda: increasing awareness of unconscious prejudices in recruitment and selection and the advantages of diversity in HR policy among employers and personnel officers; collecting and sharing positive examples and knowledge in dialogue with employers and social partners.
- Stimulating innovation: employers and personnel officers make use of the best available (scientific) knowledge and practical experience and know how they can effectively apply these two things. Works council members too are involved in this given the important task they have in stimulating good employer practices.

The motivation behind preventing and eliminating discrimination in recruitment and selection is not only the fact that everyone in the Netherlands is equal and ought to be treated as such. There is also a conviction that diversity in the broadest sense of the word is a positive power in the workplace. In order to give this idea greater exposure, the Cabinet will be supporting the Foundation's Diversity Charter until 2020: a network of 126 signatories at the present time and growing, who are putting this idea into practice. This network forms the backbone for the Cabinet's efforts in the area of preventing and eliminating discrimination in recruitment and selection. The best practices that arise from this will be widely shared and, where possible, translated into applicable instruments for employers who want to get to work on this issue or take it further. Of particular note will be the findings of the pilot project 'Diversity in SME', which has provided valuable insights into the way in which diversity can be stimulated and supported among SMEs.

The objective of this programme is to bring about a cultural change and make diversity the standard and norm. I want not only to stimulate employers to recruit without prejudging, I also want to encourage them to recruit more diversely with regard to sex, age, cultural background, sexual orientation, and disability. First of all, I will be organising a series of consultations with employers, personnel officers, social partners and social scientists to see which experiences already exist in the field, and what is lacking. The social scientists will be explicitly asked to address the aspect of intersectionality: discrimination in combination with other issues.<sup>20</sup> In addition, specific obstacles hindering older women from participating in the

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<sup>20</sup> In accordance with the motion from MPs Özütok and Van den Hul during the plenary debate 'Labour participation of young women' of 19 April 2018.

labour process will be examined when these are related to discrimination.<sup>21</sup> I will be organising these meetings for the summer and fall, in collaboration with the VIA programme. The intended result is a programme with a mix of activities, including a communications strategy to put the issue on the agenda; development and distribution of (scientific) knowledge, tools and instruments for practical application; and consultations that offer space for dialogue and the sharing of knowledge.

***Good example: training course 'Selection without limitations'***

*The Human Rights Board and Ieder(in) are putting their heads together in order to support employers in recruiting employees with a disability. The training course 'Selection without limitations' offers organisations an answer to the problems companies often have in hiring someone with a disability. Unconscious prejudices and lack of clarity about legislation are the biggest obstacles. In the training course 'Selection without limitations', participants investigate their own unconscious ways of thinking. They also receive a clear explanation regarding the relevant legislation and have a chance to practice with practical ways of making their HR policy more inclusive.*

***Internship discrimination***

*Research shows that young people with a migration background have to make a greater effort to find a work placement (even when corrected by type of programme and level), and that they are rejected more often than native Dutch candidates. Internship discrimination may be playing a role in this. A variety of initiatives and instruments have been developed to counteract internship discrimination, including the reporting centre of the foundation Vocational Education and Business Working Together (SBB) and a campaign conducted by the Board. In order to provide greater support for educational institutions in tackling internship discrimination, the programme LOB and Equal Chances was started on 1 July 2017, commissioned by the Ministries of SZW and OCW. In addition, at the end of the summer, the Minister of Education will be sending a letter to the Lower House regarding internship discrimination. This letter will provide further explanation of the Cabinet's plans for dealing with internship discrimination.*

*The programme will start up this fall with a meeting of those in the vanguard of employers who are investing in diversity at work (multinationals, public organisations, temporary placement sector, SMEs [including signatories to the Diversity Charter]). The Minister of Social Affairs and Employment and I will be taking part in this meeting. Together we want to arrive at an ambition and agenda that will extend these employers' basic commitments to diversity.*

**Wage discrimination**

In a direct line with the work mentioned above, and in concert with it, I will be working further to eliminate wage discrimination. Despite a decline, in the Netherlands there is still a difference in the wages paid to men and women, often referred to as the wage gap. The wage gap is kept in place by a complex interplay of factors and decisions which are related to the position of women in the labour market. Examples here are the level of education, the specific sector, the profession, and the question of whether a supervisory or managerial job position is involved. Another influence on the wage gap is the fact that women often take on more unpaid caregiver tasks than men. In the Netherlands, the average wage difference between men and women is 10% in government jobs and 20% in the business world. When

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<sup>21</sup> I here accord recognition to the Geluk-Poortvliet motion, Parliamentary Papers II, 2017-2018, 30 420, no. 279.



this is corrected with wage-gap factors such as job level and educational level, the difference decreases with an average of 5% for government and 7% for business.<sup>22</sup> Wage discrimination is one contributing reason for the wage gap. This is the case when women receive less pay than men for work of equal value (or the converse), or when part-timers and full-timers are not paid an equal hourly wage for work of equal value simply because of their sex or type of contract.

Wage discrimination is illegal. Wage differences between colleagues are permitted when they arise from neutral pay criteria that are directly relevant to the value of their work, for example their work experience. Research has shown that wage differences are all too often based on non-neutral pay criteria, for example being placed too high or too low in the pay scale with the first salary at the commencement of work.<sup>23</sup> These decisions made by employers, which are not at all entirely conscious, result in nearly all cases in disadvantaging women, with long-term and wide-ranging repercussions for their future careers.

Works councils have a dedicated role in guarding against discrimination in the organisation in general, and supervising the equal treatment of men and women in particular, as well as increasing the participation in the organisation of minorities and those with handicaps. Works councils also have a right of approval with regard to stipulating, altering or revoking a wage or job position remuneration system. I want to make this more widely known by communicating specifically on this topic with the Committee for the Promotion of Participation of the SER and works council networks, and by organising meetings and developing guidelines, or having them developed.

Sectors that want to get to work on this problem will be supported with instruments and practical knowledge concerning wage criteria in order to eliminate wage discrimination. An example here is the equal pay for men and women checklist, 'You earned the wage!', published by the Foundation and soon to be updated.

Finally, I am striving to achieve greater transparency with regard to the pay men and women receive from companies and organisations. In consultation with employees and employers, I am looking for a strategy which will strengthen the position of women who want to raise the issue of pay difference, and put the topic on the agenda more widely. A variety of approaches can be devised in this regard, such as a (voluntary) section in businesses' annual report which highlights the wages of men and women within the organisation and any existing wage differences. More transparency can also be made part of new or existing collective labour agreements, or a monitor can be set up for the sector which lays the basis for agreements within the sector. Moreover, we can incorporate the merits of international successes in countries such as Iceland, the UK and Germany. The Cabinet will also be able to decide on its standpoint with regard to the legislative initiative 'Equal pay for women and men' (*'Gelijke beloning van vrouwen en mannen'*) proposed by Ploumen (PvdA), Özütok (GroenLinks), Jasper van Dijk (SP), and Van Brenk (50Plus).

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<sup>22</sup> 'Equal pay for equal work? Jobs and wages in government and business, 2014' (*'Gelijk loon voor gelijk werk? Banen en lonen bij de overheid en bedrijfsleven, 2014'*), CBS, 2016.

<sup>23</sup> 'Sure of equal pay? Equal pay for men and women in insurance firms' (*'Gelijke beloning verzekerd? Gelijke beloning van mannen en vrouwen bij verzekeringsorganisaties'*), Human Rights Board, 2017.

### Discrimination against pregnant mothers

An important focal point in the coming years remains the elimination of discrimination against pregnant mothers because this prevents the equal participation of women and men in the labour market. I will be continuing the collaboration with the network of social partners which was created around the Action Plan for Discrimination Against Pregnant Mothers, including the social partners, the Human Rights Board, the Royal Dutch Organisation of Midwives (KNOV), the Society of Pediatricians of the Netherlands (VJN), and the Municipal Health Service (GGD). These partners are also themselves actively engaged with this theme. The network came together on 24 May of this year at a meeting organised by the Human Rights Board in order to further explore the possibilities for countering discrimination against pregnant mothers.

An important part of the campaign against such discrimination is ensuring continuous communication of rights and possibilities for reporting abuses in places where pregnant mothers congregate, such as consultation offices, because the make-up of this group keeps changing. The previous action plan for discrimination against pregnant mothers already initiated such work; I will be pushing it further and expanding it in conjunction with the network. The Labour Discrimination Team of Inspectorate SZW will keep asking at each of their company visits whether and how the issue of discrimination against pregnant mothers is actively, or could be actively, dealt with in their company, and whether there is a policy or provisions safeguarding against such discrimination, or whether they are deemed necessary.

Discrimination against pregnant mothers is often not recognised as such, and it is reported far too infrequently. Therefore, in 2019 I will be initiating a broad-ranging communications strategy devoted to discrimination during pregnancy and the rights of pregnant women. At [www.hoewerktnederland.nl](http://www.hoewerktnederland.nl) I will be communicating the importance of proper agreements between employers and employees on the subject of maternity, the rights and obligations associated with this, and the possibilities for reporting abuses. Within the framework of appropriate information provision, the Foundation will also be updating its brochure *Pregnancy and Work*, and giving special attention to this subject. An important focal point is strengthening the position of pregnant women in flexible and temporary jobs, because this group is vulnerable to discrimination at the time of contract renewal. The bottom-line here is that it is not allowed to consider pregnancy, or illness due to pregnancy, a ground for terminating the employment. I will be calling on the support of social partners and the temporary placement sector in accordance with the recommendations of the Board.<sup>24</sup>

### Regional strategy, monitoring and evaluation

Within the framework of the ESF programme, labour market regions will also receive guidance from my Ministry on issues in the area of equal opportunity and non-discrimination. Over the past years, good examples have been shared and training courses organised with experts on this subject in the labour market regions. We will be building on this foundation in the years ahead. A new website will be made available and activities will be organised devoted to knowledge-sharing and consciousness-raising, for example for municipalities' client managers.

When actualising the implementation plan, I will be taking a close look at the ways in which activities and measures can be monitored and how interim evaluations can be made. Objectives will be formulated as much as possible in quantifiable terms so that we can gain insight over the ensuing years into which aspects are successful and conversely, where adjustments need to be made.

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<sup>24</sup> 'Analysis of the reporting centre for maternity discrimination on the labour market' (*Analyse meldpunt zwangerschapsdiscriminatie op de arbeidsmarkt*), Human Rights Board, 2017.

*Conclusion*

Labour market discrimination exists in conjunction with broader social developments. There is a trend in society today where people choose more and more to live and pursue recreation activities with those whom they feel are like-minded. But in the workplace, we will encounter, and need to make use of, everyone's talents and unique skills, regardless of sex, age, cultural background, sexual orientation or disability. Therefore, it is important that our labour market is inclusive and discrimination-free. This goal requires long-range planning and can only be made reality if all the parties involved dedicate themselves to its achievement. I am explicitly choosing a strategy in which working together and dialogue form the basis for my efforts in the coming years. The implementation plan will be a reflection of this. Working together in the broadest meaning of the word is where it all begins.

State Secretary for Social Affairs and Employment,

T. van Ark