



WHAT IS GENDER EQUALITY?

Gender equality refers to that stage at which the rights, responsibilities and opportunities will not be determined by the fact of being born male or female. Gender equality implies equal access to opportunities irrespective of one's gender but focuses on the individual's capabilities. Unlike the sex of men or women that is biologically determined, the gender roles of women and men are socially constructed.



GENDER EQUALITY IS A HUMAN RIGHT BELONGING TO EVERY INDIVIDUAL

Gender equality emanates out of the advancement of human rights in the world. Just like all human rights, gender equality must be protected and promoted.

WHAT IS GENDER MAINSTREAMING?

Gender mainstreaming is the process of integrating a gender perspective into all activities. The ultimate goal of gender mainstreaming is to achieve gender equality. Your role in gender mainstreaming:

- Be sensitive to the needs of both genders.



X'INHI L-UGWALJANZA BEJN IS-SESSI?

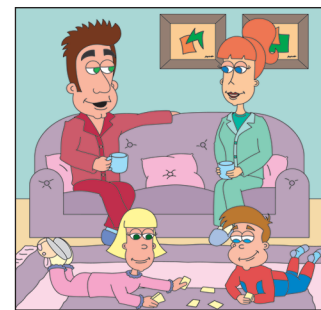
L-ugwaljanza bejn is-sessi tirreferi ghal dak l-istadju li fih id-drittijiet, ir-responsabbiltajiet u l-opportunitajiet m'humix determinati mill-fatt jekk wiehed jitwelidx raġel jew mara. L-ugwaljanza bejn is-sessi timplika li kulhadd ikollu aċċess indaqs għall-opportunitajiet irrispettivament mis-sess tal-persuna filwaqt li tiffoka fuq il-hiliet ta' l-individwu. Filwaqt li s-sess ta' raġel jew ta' mara huwa determinat bijoloġikament, hija s-soċjetà li ssawwar ir-rwol tagħhom bhala raġel u mara.

L-UGWALJANZA BEJN IS-SESSI TAGHMEL PARTI MID-DRITTIJET TAL-BNIEDEM LI JGAWDI KULL INDIVIDWU

L-ugwaljanza bejn is-sess titnissel mit-tishih tad-drittijiet tal-bniedem fid-dinja. L-istess bħad-drittijiet kollha tal-bniedem, l-ugwaljanza bejn is-sessi għandha tithares u tithegġeġ.

X'INHI L-INTEGRAZZJONI TAL-PRINĊIPJU TA' L-UGWALJANZA BEJN IS-SESSI?

L-integrazzjoni tal-prinċipju ta' l-ugwaljanza bejn is-sessi hija l-proċess li bih tiddaħhal il-perspettiva tas-sessi fl-attivitajiet kollha mnedija.



- Value the capabilities of an individual irrespective of their gender.
- Find out whether there is an equality policy in your work place.
- Participate in initiatives that promote gender equality.



FAIR TREATMENT IN EMPLOYMENT

The Rights of the Worker

Many jobs are traditionally thought of as "male's" or "female's" work. However, men and women have equal rights to employment and promotion opportunities.

Have you ever been discriminated against because of your gender? The answer is yes, if at the place of work, you have been refused an interview, job or promotion and you think this was mainly because:

- You are married or planning to get married
- You are pregnant
- You failed to fulfill a job requirement that put members of your sex at an obvious disadvantage.

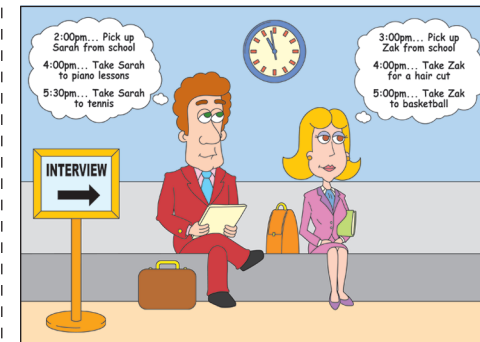
Gender discrimination in employment **is prohibited and constitutes an offence.** Discrimination can be both direct and indirect.

Direct discrimination consists of less favourable treatment based on a person's sex, for example treating men and women less favourably on the basis of parenthood or family responsibility.

Indirect discrimination implies any treatment based on a provision, criterion or practice that particularly disadvantages the members of one sex. An example is that of training initiatives offered in the afternoon or in the evening. This amounts to indirect

L-ghan ahhari ta' l-integrazzjoni tal-prinċipju ta' l-ugwaljanza bejn is-sessi huwa li tinkiseb l-ugwaljanza bejn is-sessi. Sehmeq fl-integrazzjoni tal-prinċipju ta' l-ugwaljanza bejn is-sessi jinvolvi:

- Li tkun sensitiv għall-htigijiet taż-żewġ sessi.
- Li tivalorizza l-hiliet ta' l-individwu irrispettivament mis-sess tiegħu.
- Li tara jekk hemmx policy favur l-ugwaljanza fuq il-lant tax-xogħol tiegħek.
- Li tiehu sehem f'inizjattivi li jhegġu l-ugwaljanza bejn is-sessi.



TRATTAMENT ĠUST FEJN JIDHOL IX-XOGHOL

Id-Drittijiet tal-Haddiem

Hafna xoghlijiet jitqiesu tradizzjonalment bhala xogħol ta' "l-irġiel" jew "tan-nisa". Madanakollu, l-irġiel u n-nisa għandhom drittijiet indaqs fejn jidhlu opportunitajiet ta' xogħol u promozzjoni.

Qatt sofret minn diskriminazzjoni minhabba s-sess tiegħek? It-tweġiba hija iva jekk fuq il-post tax-xogħol tiegħek ma sarilewx intervista jew ma ngħatalewx xogħol jew promozzjoni, u dan tahseb li sehħ primarjament minhabba li:

- Inti miżżewweġ/a jew qed tippjana li tizzewweġ
- Inti tqila
- Ma rnekkilewx tissodisfa rekwiżit relatat max-xogħol u li fih innifsu jqiegħed lil membri ta' l-istess sess tiegħek fi żvantaġġ ovvjw.

Id-diskriminazzjoni sesswali fejn jidhlo ix-xogħol **hija pprojbita u tikkonstitwixxi reat.** Id-diskriminazzjoni tista' tkun kemm diretta kif ukoll indiretta.

Id-diskriminazzjoni diretta ssehh meta l-persuna tingħata trattament anqas favorevoli minhabba s-sess

discrimination since carers, who are very often female, would not be able to attend.

In such cases, indirect discrimination can occur without there actually being an intention to discriminate, however, this still amounts to discrimination.

DISCRIMINATORY ADVERTISING

When advertising opportunities for employment or during recruitment, the vacancy should be available to both men and women and one may not subject any applicants or class of applicants for employment to unfair treatment. An advertisement stating that a female receptionist is wanted is illegal. This does not apply in those cases where employers prove that the work in connection with the situation advertised can only be performed by a person of a specific sex – this is however an exception that is also applied very restrictively. For example a vacancy for a male actor is announced because the character to be played is male.

In addition one may not publish or display any advertisement or advertise a vacancy for employment that discriminates between job seekers or to request from job seekers any information concerning their private life or family plans.



WORK OF EQUAL VALUE

Employees in the same class of employment are entitled to the same rate of remuneration for work of equal value. For example a female architect and a male architect doing exactly the same job and having the same job description, must be paid equally.

If the claimant can show that their work is of equal value to that of another employee, and that an element of pay is less favourable, then it is up to the

tagħha. Dan jiġri ngħidu ahna meta l-irġiel u n-nisa jiġu ttrattati anqas favorevoli minhabba responsabbiltajiet marbuta mal-fatt li huma ġenituri jew li għandhom familja.

Id-diskriminazzjoni indiretta ssehh meta jingħata kwalunkwe trattament, imsejjes fuq xi dispożizzjoni, kriterju jew prattika li jqiegħed membri ta' sess minnhom fi żvantaġġ partikulari. Dan narawh ngħidu ahna meta jingħataw opportunitajiet ta' taħriġ wara nofs in-nhar jew filgħaxija. Dan iwassal għal diskriminazzjoni indiretta minhabba li kulmin ikun qed jieh u hseb haddiehor, u li fil-biċċa l-kbira tagħhom ikunu nisa, ma jkunx jista' jattendihom.

F'kazijiet bħal dawn, id-diskriminazzjoni indiretta tista' ssir mingħajr ma jkun hemm fil-fatt l-intenzjoni li din issehh, imma madanakollu, din xorta twassal għal diskriminazzjoni.

REKLAMAR DISKRIMINATORJU

Kemm ir-reklami ta' opportunitajiet ta' xogħol, kif ukoll tul il-proċess ta' reklutaġġ, l-impjeg offrut għandu jkun disponibbli kemm għall-irġiel u anke għan-nisa u wiehed m'għandux jitttratta b'mod inguġst lil ebda applikant jew klassi ta' applikanti għal dak l-impjieg. Reklam li jishaq il-htieġa ta' receptionist mara huwa illegali.

Dan ma jgħoddx f'dawk il-każijiet fejn min ihaddem jagħti prova li l-impjieg marbut mas-sitwazzjoni rreklamata jista' jitwettaq biss minn persuna ta' sess speċifiku - dan, madanakollu, jitqies eċċezzjoni u li hi wkoll applikata bl-aktar mod ristrett. Ngħidu ahna, meta jkun irreklamata impjieg vakanti għal attur raġel u dan għaliex dik il-parti trid tinhadem minn raġel. Barra minn hekk, wiehed ma jistax jippubblika jew juri reklam jew jirreklama impjieg vakanti li jiddiskrimina bejn dawk li qed ifittxu x-xogħol jew li jitolb minn dawk li qed ifittxu x-xogħol kwalunkwe informazzjoni marbuta mal-hajja privata jew mal-panijiet familjari tagħhom.

XOGHOL TA' L-ISTESS VALUR

Haddiema fl-istess livell ta' impjieg għandhom dritt għall-istess rata ta' hlas meta qed jagħmlu xogħol ta' l-istess valur. Ngħidu ahna perit mara u perit raġel li qed jagħmlu eżatt l-istess xogħol u li d-deskrizzjoni ta' xogħolhom hi l-istess, għandhom jithalls ndaqs. Jekk l-individwu jista' juri li x-xogħol li qed jagħmel għandu l-istess valur ta' xogħol li qed jagħmel haddiehor, imma li l-hlas mogħti hu anqas favorevoli,

employer to prove that the variation is genuinely due to a material difference that is not the difference of sex.



SEXUAL HARASSMENT

Sexual Harassment is any unwelcome behaviour of a sexual nature. Any of the following may amount to sexual harassment:

- Indecent or suggestive remarks at the place of work
- The display of pornography at the place of work
- The circulation of any written words, pictures or other material, where the act, words or conduct is unwelcome to the persons to whom they are directed (for example by email)
- Inappropriate touching
- Questions or comments about ones sex life
- Demands for sexual favours
- Any unwelcome behaviour of a sexual nature that creates an intimidating, hostile or humiliating working environment.

Prolonged harassment can lead to serious health problems, including depression. Don't put up with this type of behaviour.

Any person found guilty of sexual harassment shall be liable on conviction to a fine not exceeding €2,329.37 (Lm1,000) or to imprisonment for a period not exceeding 6 months, or to both such fine and imprisonment.

ADVICE AND ASSISTANCE

Suggestions for Possible Action to be taken by the harassed Employee:

- Order the harasser to stop or
- Seek advice from the line manager or a person of trust or
- Refer the matter to the trade union or

allura hija f'idejn min ihaddem li juri li l-varjazzjoni li teżisti hija purament minhabba differenza materjali u li m'hijiex id-differenza sesswali.

FASTIDJU SESSWALI

Il-Fastidju Sesswali huwa kwalunkwe imġieba mhux mixtieqa ta' natura sesswali. Kwalunkwe imġieba minn dawn li ġejjin tista' twassal għal fastidju sesswali:

- Li tghaddi rimarki indiċenti jew suġġestivi fuq il-lant tax-xogħol
- Li turi pornografija fuq il-lant tax-xogħol
- Li tiċċirkola (ngħidu ahna permezz ta' email) kwalunkwe klijem mitkub, stampi jew materjal iehor, meta l-att, il-klijem jew l-imġieba m'humix mixtieqa mill-persuni li qed jirċevuhom
- Li tmiss b'mod li ma jixraqx
- Li ssaqsi jew tikkummenta dwar il-hajja sesswali ta' dak li jkun
- Li titlob favuri sesswali
- Li tohloq intimidazzjoni, ostilità jew umiljazzjoni fuq il-lant tax-xogħol minhabba kwalunkwe imġieba mhux mixtieqa ta' natura sesswali.

Fastidju fit-tul jista' jwassal għal problemi serji ta' saħha, fosthom id-dipressjoni. Taċċetta din it-tip ta' mġieba.

Kwalunkwe persuna misjuba hatja ta' fastidju sesswali, hekk kif tinstab hatja tista' tehel multa li ma taqbiżx l-€2,329.37 (Lm1,000) jew prigunerija għal perjodu li ma jaqbiżx is-6 xhur, jew inkella tehel kemm il-multa u l-prigunerija.

PARIR U GHAJNUNA

Suġġerimenti dwar x'tip ta' azzjoni tista' tittiehed minn impjegat li sofra fastidju:

- Ordna lil min qed jagħtik fastidju sabiex jieqaf, jew inkella
- Fittex parir mingħand il-maniger jew mingħand persuna li tafda, jew inkella
- Irreferi l-kwistjoni lit-trade union, jew inkella
- Ghaddi l-ilment lill-Kummissjoni Nazzjonali għall-Promozzjoni ta' l-Ugwaljanza jew inkella
- Irreferi l-każ għand it-Tribunal Industrijali.

Suġġerimenti dwar x'tip ta' azzjoni tista' tittiehed minn min ihaddem:

- Fassal policy dwar il-fastidju sesswali fuq il-lant tax-xogħol.
- Ipprovi opportunitajiet ta' taħriġ lill-impjegati f'kull livell.
- Thallix li jsir fastidju sesswali fuq il-post tax-xogħol.