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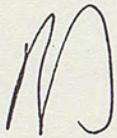
RBS/371/86

cc. PS/Mr Bloomfield
Mr Brennan
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Mr Chesterton
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CONSULTATION PAPER ON EQUALITY OF OPPORTUNITY IN EMPLOYMENT

In preparation for this evening's background briefing for the Irish, I enclose a short note which summarises the main points in the Consultation Paper.



R B SPENCE

Central Secretariat

12 September 1986

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CONSULTATIVE PAPER ON EQUALITY OF OPPORTUNITY IN EMPLOYMENT

The paper, which will be published on Tuesday 16 September, deals with the major religious dimension and in addition the employment position of women and the disabled. It indicates that there is a continuing wide differential between the employment experience of Protestants and Catholics; that women are disadvantaged in terms of job status and level; and that the disabled (though their position is less clear) still have difficulties in competing with the able-bodied. It concludes that further action must be taken if existing differentials are not to get worse and advises employers on the key practices required.

These include active commitment, systematic recruitment procedures, selection on the basis of merit (with job related criteria used to assess merit), regular monitoring and effective remedial action where necessary. The paper firmly rejects "quotas" in relation to sex or religion because they conflict with the merit principle.

It proposes future action in these areas:-

- (a) The promotion of more effective practice by
- revising and updating the Department of Economic Development's Guide to Manpower Policy and Practice; (a revised version is to be published very shortly for consultation);
 - placing a statutory duty on the public sector to practise equality of opportunity in employment;
 - changing the Fair Employment Agency's Declaration of Principle and Intent to one of Practice; (an equal opportunity certificate will be available to those who sign the new Declaration);

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- linking tender acceptance to possession of the equal opportunity certificate - which requires continued satisfactory practice;
- introducing the downstream sanction of grant denial for those not in possession of an equal opportunity certificate and undertaking appropriate practice;
- providing financial assistance and guidance for better practice in the private sector.

(b) Two options for institutional change

- either concentrating on religion only and establishing a new Fair Employment Commission;
- or covering the three dimensions of religion, sex and disability and establishing a new Equal Employment Opportunities Commission.

Any new Commission dealing with employment equality would have

- a Directorate responsible for investigative, educational, promotional and development work;
- a quite separate body of professional and non-representative Commissioners to exercise the quasi-judicial decision-making role;

and the Directorate and Commissioners would be complemented by an Independent Appeals Tribunal.

If an all embracing Commission was to be established it could operate on the basis of existing legislation for religion, sex and disability or on the basis of a single law for all three. However tender acceptance and grant denial would only be applied to the major religious dimension.

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Pending establishment of any new Commission, which will require legislation, Government would propose to establish a temporary advisory unit. In addition to issuing a revised Guide to good practice, Government proposes to sustain immediate momentum through a series of interim educational measures.

When the views of all interested parties are received, Government will make a careful assessment of the comments received, determine finally on policy, and take appropriate action.

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