



PERMANENT MISSION OF GREECE  
GENEVA

Ref. No. 6171.2/52/1690

### NOTE VERBALE

The Permanent Mission of Greece to the United Nations Office at Geneva and other International Organizations in Switzerland presents its compliments to the Office of the High Commissioner for Human Rights and with reference to the latter's Note Verbale regarding Resolution A/HRC/RES/30/15 entitled "Right to work", dated 7 July 2016, has the honour to attach herewith the responses of the Ministry of Labour, Social Security and Social Solidarity.

The Permanent Mission of Greece to the United Nations Office at Geneva and other International Organizations in Switzerland avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.



Geneva, 15 September 2016

To: The Office of the High Commissioner for Human Rights

[registry@ohchr.org](mailto:registry@ohchr.org)  
[ccourtis@ohchr.org](mailto:ccourtis@ohchr.org)  
[stripodi@ohchr.org](mailto:stripodi@ohchr.org)

Att.: 12 pages

HELLENIC REPUBLIC  
MINISTRY OF LABOUR, SOCIAL SECURITY AND SOCIAL SOLIDARITY  
GENERAL DIRECTORATE OF ADMINISTRATIVE SUPPORT AND  
ELECTRONIC GOVERNANCE  
DIRECTORATE OF INTERNATIONAL RELATIONS  
OFFICE FOR RELATIONS WITH PUBLIC ORGANISATIONS

Mailing address: 29 Stadiou Street, 10110 Athens

Information: Ms. Evangelia Zerva

Tel. 213-1516386 – Fax 210-5295422 – email: [interorg@ypakp.gr](mailto:interorg@ypakp.gr)  
[ezerva@ypakp.gr](mailto:ezerva@ypakp.gr)

Reference number: 39363/974

Athens, September 2, 2016

To:

The Ministry of Foreign Affairs

D4 – Directorate of Human Rights

3 Akadimias Street

Tel. 210-3682256 – Fax 210-3682188, -2257

RE: Request of the UN Commissioner of Human Rights for the provision of information regarding the right to work and the exercise thereof by women.

Reference: Your document number 33485/July 15, 2016.

Referring to your document referenced above and in the context of application of the Human Rights Council Resolution 31/15 on the Right to Work, we inform you the following in respect of area of activity of the Ministry of Labour, Social Security and Social Solidarity:

A/ Current situation in Greece as regards women and their position in the labour market

Pursuant to the most recent data of the Hellenic Statistical Authority's Labour Force Survey for the 1<sup>st</sup> Quarter of 2016 the number of employed amounted to 3,606,344 persons while the number of unemployed amounted to 1,195,084. The unemployment rate was 24.9% compared with 24.4% in the previous quarter, and 26.6% in the corresponding quarter of 2015. The unemployment rate for females (29.5%) is considerably higher than the unemployment rate for males (21.2%). The unemployment rate among young people in the age group of 15-24 years is 50.9% and for young females the unemployment rate is 55.1%.

Age	1 <sup>st</sup> Quarter					
	2015			2016		
	Males	Females	Total	Males	Females	Total
Total	23.5	30.6	26.6	21.2	29.5	24.9
15-24	47.5	57.0	51.9	47.4	55.1	50.9
25-29	36.7	43.0	39.7	31.6	41.2	35.9
30-44	21.9	30.1	25.7	18.4	29.3	23.4
45-64	18.4	23.2	20.4	18.2	23.3	20.4
65+	12.3	3.6	9.3	14.8	8.5	12.3

Table 1. Unemployment rate (%) by gender and age groups, Source: Press Release, Labour Force Survey of the Hellenic Statistical Authority: 1st Quarter 2016.

Also, in accordance with the data provided by the Manpower Employment Organisation the total number of registered unemployed seeking job in the month of July 2016 amounted to 846,000 persons, among which 310,430 males and 535,570 females.

#### B/ Legislation

##### Ratified International Labour Conventions

The International Labour Convention No. 111 “*Concerning Discrimination in respect of Employment and Occupation*” (1958), ratified by our country by Law no. 1424/1984 (Government Gazette issue number 29/Fascicule A/March 14, 1984), prohibits discrimination in employment and occupation.

Also, the International Labour Convention No. 100 “*Concerning Equal Remuneration*” (1951), ratified by our country by no. 46/1975 (Government Gazette issue number 105/Fascicule A/June 3, 1975), provides for the security of equal pay for work of equal value between men and women workers.

Finally, the International Labour Convention No. 156 “*Concerning Workers with family responsibilities*” (1981), ratified by our country by no. 1576/1985 (Government Gazette issue number 94/Fascicule A/May 22, 1985), provides for the elimination for discrimination between workers of both sexes with family responsibilities.

According to the regular reporting schedule for the submission of yearly reports on the application of International Labour Convention, our country is expected to submit Reports on the application of all the above three Conventions.

### Remuneration

The Greek legislation leaves no room for discrimination in the remuneration of men and women. In Greece the principle of equal remuneration for work of equal value is safeguarded by paragraph 2, article 4 of the Constitution which provides that “Greek men and women have equal rights and equal obligations” as well as by paragraph 1, article 22 of the Constitution, which states that “Work constitutes a right and shall enjoy the protection of the State, which shall care for the creation of conditions of employment for all citizens and shall pursue the moral and material advancement of the rural and urban working population. All workers, irrespective of sex or other distinctions, shall be entitled to equal pay for work of equal value”.

It must be stressed that there is no differentiation in remuneration based on the gender of workers, resulting from the texts of Collective Agreements or Arbitral Awards submitted to the Ministry of Labour (when such discrimination occurs, sanctions are imposed).

More specifically, sub-paragraph IA.11 of Law no. 4093/2012 provides that national general labour collective agreements (NGLCAs) set the minimum non-wage working terms, applicable to workers throughout the country. Basic salaries and wages, all kinds of increments on them and, in general, any other wage terms, apply only to workers employed by employers of the contracting employers’ organisation and may not be less than the statutory minimum wage and salary.

### Terms of employment

Under the provisions of Law no. 3896/2010 “Implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation” – Harmonisation of the applicable legislation with Directive 2006/54/EC of the European Parliament and of the Council of July 5, 2006 and other pertinent provisions, the domestic legislation was adapted to the provisions of Directive 2006/54/EC and was attempted the creation of a uniform legal framework for the implementation both in the public and in the private sector of the principle of equal treatment of men and women in matters of employment and occupation.

Further to the harmonisation with the pre-mentioned community directive, it is sought the cooperative interaction of all the State’s relevant institutional bodies as well as the cooperation thereof with the social partners, the non-governmental

organisations and the businesses, in order to fight in the field the deficit of equality based on the gender prevailing in the labour market, hindering participation of women in employment and increasing respectively the rates of female unemployment. The Law aims to encourage changes (proactive legislation) by introducing a grid of provisions ensuring the principle's efficient implementation through the appointment of a competent body for the uniform examination of complaints concerning violation of such principle, but also through a system of extended legal protection and of dissuasive sanctions.

The provisions of the above law have a very large scope of application covering persons employed or applying for employment in the public and the private sectors under any employment relationship or form of occupation, including the enterprise or salaried agency contract, irrespective of the nature of services provided, persons engaged in liberal professions, as well as persons receiving or applying for vocational training.

The law's scope of application comprises access to employment and the engagement terms, banning any form of direct or indirect discrimination based on gender or family status, having regard to the terms of access to professional life including the selection criteria and the terms of engagement, irrespective of the activity area and in all levels of professional hierarchy.

In the same context, are also defined the notions of direct or indirect discrimination based on gender, harassment and sexual harassment, wages and professional social security systems.

In addition, there is an express prohibition of any direct or indirect discrimination based on gender, in conjunction particularly with family status, of harassment, sexual harassment, as well as any less favourable treatment regarding employment and work terms and conditions, promotions as well as design and implementation of staff assessment systems.

It is further provided that discrimination based on gender includes: any less favourable treatment of a person relating to change of sex, any instruction implying discrimination against a person based on gender, as well as any less favourable treatment of females based on pregnancy or motherhood.

Having regard to the mechanisms and sanctions established for the fight of all discrimination based on gender in employment and occupation, apply the provisions of Article 25 of Law no. 3896/2010. Under the foregoing provision the Independent

Authority of the Greek Ombudsman has been appointed as the body empowered to monitor the implementation of the principle of equal opportunities and equal treatment of men and women in access to employment and vocational training and in progression and work conditions and a special cooperation scheme with the Hellenic Labour Inspectorate has been defined.

Also, it is strictly prohibited to terminate or to otherwise discontinue the work contract and the employment relationship as well as to reserve any unfavourable treatment: (a) based on gender or family status, (b) when the same constitutes a vindictive behaviour from the employer's part due to the non-pliancy of the employee to a sexual or other harassment against him, (c) when the same constitutes the employer's reaction to a complaint made by the employee relating to the law's implementation in the business or vocational training premises before the court or another authority.

Furthermore, the law safeguards the right of the female employee who is on parental leave or on special motherhood protection leave to return after the expiry of such leaves to her post or to an equivalent post under no less favourable work terms and conditions and to benefit from any improvement of the work conditions to which she would be entitled to during her absence. Also, the right to return to the same post of employment is extended also to the employees who use any leave consented for the birth, upbringing or adoption of a child.

Moreover, it is indicated that the employer may not refuse the engagement of a woman due to pregnancy or motherhood. In jobs where the provision of a medical certificate is required for the engagement, a pregnant woman shall be engaged without such medical certificate if the medical examination required put at risk her own or the foetus's health. In such case, the medical certificate is provided after the expiry of the parental leave.

The law provisions provide also for legal protection and ensure that any person considering to have suffered damage due to the non-compliance with the law provisions, even if the relationship in the context of which discrimination is alleged to have been made, is entitled of legal protection as well as to apply to the relevant administrative authorities (Hellenic Labour Inspectorate) including the mediation procedures of the Greek Ombudsman.

Additionally, the rule of reversal of the burden of proof applies to the cases of discrimination based on gender (Presidential Decree no. 105/2003, Article 17 of

rescinded Law no. 3488/2006). More specifically, when a person alleges that she is submitted to a treatment implying discrimination based on gender and prevails before the court or any other relevant authority facts or information wherefrom it is theorised that there has been direct or indirect discrimination based on gender or sexual or other harassment, the Defendant shall have the burden to establish at court or at any other relevant authority that there has not been an infringement of the principle of equal treatment between men and women. The reversal of the burden of proof applies also to the cases where there is question of unequal treatment due to motherhood, parental leave, special motherhood protection and upbringing parental leave.

Finally, in case of infringement of the provisions of the above law then are imposed civil sanctions for the victim's full compensation which shall cover both material and moral and both direct and indirect damage, as well as penal sanctions in accordance with the provisions of Article 23 of Law no. 3896/2010 as amended from time to time.

## C/ PROGRAMMES

### Establishment of Programmes during the Programming Period 2014-2020

The Ministry of Labour, Social Security and Social Solidarity is implementing a series of programmes and actions aiming to: (a) support employment by creating new jobs for social groups affected the most by unemployment, including women, (b) integrate young people who are outside the labour market and education, and (c) link training to the labour market needs.

For the Programming Period 2014-2020 the Ministry has scheduled/is implementing actions aiming to enhance the efficiency thereof so that to meet the needs of the unemployed. Such Programmes:

- (a) Address the dynamic sectors of Greek economy by assisting enterprises to provide guaranteed employment on condition that a percentage of the unemployed shall continue to work also after the programme's end;
- (b) Provide targeted training and counselling to the unemployed or to the new businessman;
- (c) Lead to the certification of knowledge and provide the employee with the requisite skills so that to be able to integrate in the labour market;
- (d) Also, integrated local interventions are designed in regions with high unemployment rates. The interventions shall be based on one hand on the

financial activity fields that have locally a bigger weight and potential and on the other hand on each region's available manpower.

#### Actions with special targeting

Taking into account that women's unemployment rate is steadily higher than men's, the Ministry of Labour has designed targeted programs aimed at both women and other vulnerable population groups with the purpose of integrating or re-integrating the labour market.

More specifically, a Programme for the creation of 10,000 new jobs of a 12-month term shall be implemented focusing on long-term and very long-term unemployed, women and unemployed older than 50.

Within the Programming Period 2014-2020 is also implemented the programme "Harmonisation of family and occupational life" aiming to the employment's increase and to equal participation of beneficiaries in work through the provision of children care and hosting jobs so that to facilitate especially women disproportionally affected by unemployment and enable the same to balance their demanding roles between family and occupational life.

#### Actions with wider targeting

At the same time, the Ministry of Labour, Social Security and Social Solidarity is implementing programmes with a wider targeting focusing on vulnerable population groups including women.

#### Public interest programmes

In 2015, Public Calls in the framework of the Action "Promotion to employment through public interest programmes" have been issued for a total of more than 50,000 full-time jobs.

In 2016, the public interest/re-integration in labour market programmes have been re-designed, by connecting the employment post to the upgrading of the skills of the unemployed in order to render possible his/her viable integration in the labour market.

There is a pilot implementation of such programmes in 17 municipalities of the country having a high and long-term unemployment problem (with 6,900 benefiter) and in 34 municipalities on a second phase (with 12,000 benefiter), aiming to be extended within 2016 in the remaining 274 municipalities of the country



with 23,000 additional beneficiaries. Another 5,000 jobless shall be engaged in posts relating to initial reception, asylum and management of migration.

#### Programmes for young people

In the context of Operational Programme “Development of Human Resources, Education and Lifelong Learning 2014-2020” the following actions have been implemented:

-Entry cheque for the acquisition of work experience for young people aged 18-24 at private enterprises for 12,000 beneficiaries through theoretical and field training which may potentially lead to their taking posts in private sector enterprises. The action’s total budget amounts to 43.2 million Euro.

-Entry cheque for 30,000 unemployed young people of 25 to 29 years old in enterprises for the acquisition of work experience. The action’s total budget amounts to 108 million Euro.

In parallel, there are programmes for creation of jobs, training and work experience acquisition for young people:

-Training and certification programme for 15,000 unemployed young people of 18-24 years old in private sector enterprises (a budget of 39.75 million Euro).

-Work experience acquisition programme for young people of 18-24 years old (10,000 beneficiaries) and of 25-29 years old (3,000 beneficiaries) respectively in businesses and generally employers of the private sector as well as in Social Cooperative Enterprises.

The programmes shall focus on long-term unemployed, women with small children and graduate of occupational specialties with a high unemployment rate.

Moreover the following programmes are to be implemented in the forthcoming period:

-A programme of promotion for 5,000 young men and women of 18-24 years old and for 5,000 young people of 25-29 years old from unemployment to self-employment, by the financing of their social security contributions for a period of up to 12 months as from the start of their activity (a budget of 25.4 million Euro).

-A programme for the promotion of young entrepreneurship for 1,000 young men and women of 18-29 years old through the creation of start-up businesses (a budget of 18 million Euro).

-Integrated intervention for 8,000 young men and women of up to 24 years old for the provision of counselling and training services aiming to their promotion alternatively to training programmes with guaranteed employment or to training programmes for promotion to self-employment or entrepreneurship (a budget of 45 million Euro).

*Programmes for unemployed young men and women of older age and long-term unemployed*

The unemployed of older age and especially the long-term unemployed form an age group facing great problems as regards their re-integration in the labour market resulting in their difficulty to acquire a right to pension. Following the programmes' re-design, there are now specific programmes for such age group while with the changes made to the points awarded of the public interest occupation programme more unemployed people of such age group have indeed been integrated therein.

More particularly:

-The "Programme of financial aid to enterprises for the employment of 15,000 unemployed aged of more than 30 years old being in an unfavourable position. The programme aims to create 15,000 new full-time jobs through the engagement of unemployed people aged over 50 who are long-term unemployed. The programme is aimed at private businesses, cooperatives and Social Cooperative Enterprises.

Also, in the next period are to be implemented:

-A programme of training, certification and guaranteed employment (of duration of 6 months) in 10 edge fields and 60 specialties. The training programme shall benefit a total of 23,000 people of the age group of 29-64 years old. 11,500 unemployed shall have the opportunity to be engaged for 6 months by companies of the aforementioned economy fields.

-A programme of financial aid to businesses for the employment of 10,000 jobless of 30-49 years old in the private sector including small and medium businesses. The total duration of the financial aid has been determined to 12 months.

Operational Programme of Education and Lifelong Learning

In the context of the Operational Programme of Education and Lifelong Learning, the basic developmental choice is to highlight the issues of the equality of sexes in a manner rendering the addressing of such issues an integral part of the educational policy's implementation.

Taking into consideration the context of Article 16 of Regulation 1083/2006, having regard to the equality between men and women and to non-discrimination, the Operational Programme ensures the equality of genders and the incorporation of the gender dimension in the entirety of its interventions (horizontal application of the principle of the equality of genders).

For the promotion of the equality of genders and the achievement of the goals of the Operational Programme in this field relevant actions are financed, including without limitation:

- Training of teachers – Certification of pedagogical training
- Awareness Programmes
- Cheque of connection to the labour market of unemployed of unemployed University and Technical Educational Institute graduates
- Actions for the support of public interest occupation
- Entrepreneurship boxes for the encouragement of young entrepreneurship
- Entrepreneurship of University graduates
- Interventions of elevation and support of innovative business ideas – Entrepreneurship Cells
- Second Chance Schools
- Adults education for the acquisition of basic skills in new technologies
- Lifelong Learning Centre
- Graduates Knowledge Updating Programme
- Distance Education

#### Implementation of the actions of Article 10 of Regulation 1081/2006

The Operational Programme ‘Education – Lifelong Learning’ comprises an important number of interventions meeting the requirements of Article 10 of Regulation 1081/2006. Some of these requirements are embodied (mainstreaming) both in the strategy and in the goals and priorities of the Operational Programme ‘Education – Lifelong Learning’. The presentation of such interventions refers, inter alia, to:

Integration of the gender dimension in each special action relating to the equality of genders

The Operational Programme ‘Education – Lifelong Learning’ ensures the promotion of the equality of genders and the integration of the gender dimension in the entirety of its interventions and has included the equality of genders as one of the components of the strategy of each Priority Axe. In application of the above, in the approved criteria for the inclusion of actions is comprised as a distinctive criterion the “Promotion of equal opportunities and non-discrimination” whereby it is examined whether the beneficiary applies, during the action’s implementation and operation procedures, as for example when selecting the benefitters, a regulatory framework which is not contrary to the principles of equality between genders, promoting in such manner the fight against stereotypes regarding the position of the woman in Greek economy and society.

#### D/ Good practices

The improvement of the implementation of the provisions of national legislation on equal opportunities and equal treatment of men and women in employment and occupation (Law no. 3896/2010) constitutes a priority for the Ministry of Labour, Social Security and Social Solidarity.

In this context, it has been considered as necessary to inform and sensitise the Labour Relations Inspectors in matters of genders’ equality in order to improve the services provided to citizens and to support the task thereof through special educational actions designed and implemented to that effect by the Education Institute of the National Centre of Public and Local Administration with the cooperation of the Ministry of Labour, the Greek Ombudsman and the General Secretariat for Gender Equality.

More specifically, a special educational programme has been designed and implemented aiming to train executives with specialised knowledge in matters of gender, employment and control mechanisms.

We remain at your disposal for any further information.

The Deputy Head of Directorate,

Maria Kougkoudzian

#### Internal Distribution:

1/ Minister’s Office

2/ General Secretary’s Office

3/ Office of the Head of the General Directorate of Administrative Support and Electronic Governance

4/ Office of the Head of the General Directorate of Labour and Integration in Occupation

5/ D12/K.F.

True and lawful translation of the  
Greek document attached hereto.

Athens, September 5, 2016

The translator

Alexander Petroutsopoulos