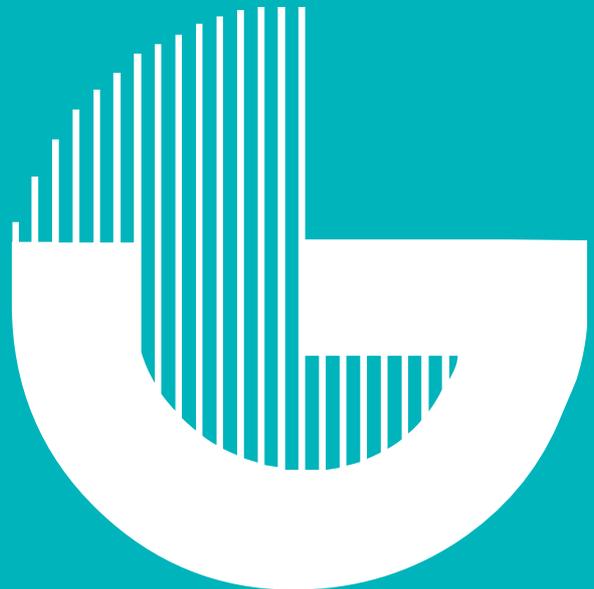


# GENDER BALANCE POWER MAP

**National study:  
France**

Co-inspiration between  
social and conventional enterprises  
to promote equal access  
to decision making positions





## GENDER BALANCE POWER MAP

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Co-inspiration between social and conventional enterprises  
to promote equal access to decision making positions in France

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## EXECUTIVE SUMMARY

Inequalities between women and men are deeply rooted in French society. As women gained access to rights later, their participation in economic decision-making also came later. Today, women tend to stay in higher education longer than men and come out of the educational system more qualified. However, there still remain structural inequalities that are compromising their progress and career.

The traditional split in household tasks, in particular, causes stops and starts in women's careers, while maternity impacts female employment in multiple ways (change in contract to switch to part-time or terminate the work contract entirely). This gives rise to wage inequalities, as well as inequalities in representation in the economic decision-making process. In order to address these structural challenges, France's successive governments have initiated not only gender equality mechanisms but also lasting structures. The Ministry of Social Affairs, Health and Women's Rights, assisted by the State Secretariat in charge of Women's Rights are primarily in charge of proposing new equality mechanisms. The Parity Observatory, meanwhile, is in charge of measuring and developing indicators to capture the phenomenon. Where the law is concerned, gender equality was enshrined in the Constitution of the 5th Republic. A number of laws further assert gender equality in the workplace: the 1983 Roudy Act, supplemented by the 2001 Genisson Act, recognises equality in the workplace as an aim. The 2011 Copé Act was intended to facilitate better representation for women in economic decision-making, by allowing quotas to be instituted by large corporations. Gender equality is addressed at all levels of business activity. Another area in which gender equality is promoted is the social entrepreneurship sector. The latter is strongly supported by the State and is a truly important sector for male-female equality, in that one out of every seven women in France works in the social sector.

Further to the national study, FACE carried out interviews at both companies, one in the business economy and one in a social company. In both these sectors, the presence of women is balanced overall and one of the key characteristics of both companies is the large number of women in high-responsibility positions. In both companies, they accounted for two-thirds of the headcount. Despite parity in total numbers, women tend to hold administrative positions or resource functions, while men more frequently hold technical or logistic positions. As concerns training, assessment, remuneration and promotion, the processes are not common across the organisations and few HR issues are addressed from the perspective of gender equality. It appears, however, that it is often easy for women with children to achieve a satisfactory work-life balance. Some stereotypes linger on and emerged in the interviews. On the topic of gender equality, few differences in practise were noted between the panel's companies. A social economy enterprise is not "automatically" more virtuous. However, the two structures did have different corporate cultures. The employees from the social economy company showed real commitment to take up the issue of male-female equality, and this in itself is a real instrument driver for action.





## GENDER BALANCE POWER MAP

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# CHAPTER 1: POLICY FRAMEWORK

## 1. CULTURAL, HISTORICAL AND SOCIAL BACKGROUND OF GENDER EQUALITY IN FRANCE

In France's recent history, the topic of gender equality came into consideration from the 19th century. While Olympe de Gouge's "Declaration of Women's Rights and Citizenship" (1791) remains more a symbol than anything else, by the mid-19th century, rights were indeed granted to women and legislation regarding women was ratified for the first time (for instance, in 1850, the law allowing divorce by mutual consent). Gender equality made further strides from 1944 when women were granted voting and eligibility rights. It was not until 1965, however, that they were allowed to exercise a profession without their husband's approval. Decision-making in the economic arena started to become accessible to women, as the top institutes of higher learning, *les grandes écoles*, became open to both female and male students. In 1972, seven young women entered Ecole Polytechnique (one of whom, Anne Chopinet, would go on to become valedictorian of her graduating class), and in 1973, HEC Paris allowed women to take part in the competitive entry exam.

Today, while many strides have been made on the legislative front to promote gender equality<sup>1</sup>, multiple inequalities remain when it comes to the representation of women in economic decision-making. In 2014, France was ranked 16th at the World Economic Forum on gender equality<sup>2</sup> (the country came in 70th in 2006), surging ahead. France improved significantly from the political standpoint (putting forth the first gender-balanced government in 2014), but still lags behind in the economic arena (where it reached only 57th position), which is the focus of our study.

### Education level and employment rate

Looking at French enterprises overall, the split between men and women at the leadership level is anything but even: only 18% of enterprise leaders are women<sup>3</sup>. Upon closer examination sector by sector, however, even greater inequalities emerge: in the Construction sector, 7.4% of leaders are women; in Industry, 12.7% are women; in Sales, 19.9% are women; and last but not least, in Services, primarily merchant, 20.9% of leaders are women<sup>4</sup>.

Private enterprises listed on the stock market are starting to structure their boards of directors with more women: CAC 40 enterprises reported 30.3% of their boards of directors to be female, as of 1 November 2014 (compared to 23.4% in 2012<sup>5</sup>). In numerical terms, 89% of listed enterprises had at least two women on their boards. As to the actual functions held by those women, however, they paint a slightly different picture: in most cases, these are women in non-executive functions (27% of all non-executive positions are held by women), rather than executive positions (6% of all executive positions are held by women)<sup>6</sup>.

<sup>1</sup> See Point 2 in this Chapter.

<sup>2</sup> World Economic Forum, 2014, The Global Gender Gap Report 2014.

<sup>3</sup> INSEE

<sup>4</sup> Ministry of Women's Rights, 2014, "Theme 4 – Gender Equality...A Work in Progress", Chiffres-Clés –Edition 2014 Vers l'égalité réelle entre les femmes et les hommes, [Key Figures – 2014 Edition. Toward Real Equality between Women and Men], p4.

<sup>5</sup> Source: French High Council on Equality between Women and Men

<sup>6</sup> Ministry of Women's Rights, 2014, "Theme 4 – Gender Equality...A Work in Progress", Chiffres-Clés –Edition 2014 Vers l'égalité réelle entre les femmes et les hommes, [Key Figures – 2014 Edition. Toward Real Equality. p6.





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As regards management positions in enterprises, female presence is lacking: in 2010, women accounted for 37.1% of managers in France<sup>7</sup> (as compared to 23.7% in the European Union)<sup>8</sup>.

Concerning the political sphere, women are still underrepresented. In 2012, 26% of MPs were women whereas 49% of government's members were women<sup>9</sup>.

When it comes to education level, women and men are not on an equal footing. For the age group from 25 to 64, in France, 30.1% of men achieved the first and the second stage of tertiary education whereas 34% of women achieved that stage.

Striking is the difference for the age group 30-34 between women and men: 48.6% of women of this group age achieved the first and the second stage of tertiary education whereas 38.5% of men achieved these stages<sup>10</sup>.

Women and men do not relate to training in the same way, and this is specifically the result of gender. Most prominent in this respect is the longer educational track taken by women.

A two-year-old girl entering the school system in 2011 can expect to spend 18.7 years in initial education, as compared to 18.2 years for a boy can expect, in mainland and overseas France (except Mayotte). In 2000, a two-year-old girl could expect to spend 19.1 years in initial education, as compared to 18.6 for a boy, in mainland France. In 1990, a two-year-old girl could expect to spend 18.1 years in initial education, as compared to 17.9 for a boy in mainland France. In overall trend, the gap between girls and boys has been growing consistently<sup>11</sup>. This increasing gap between girls and boys may be explained by two main reasons. On the one hand, girls tend to repeat grade less than boys. They tend to achieve their school careers with fewer difficulties: for instance, 52% of the girls enter the senior year of highschool without repeating grades during secondary education (against 40% for boys)<sup>12</sup>. Thanks to their more successful school carrier, they often choose general or technical education during highschool, which leads more often to tertiary education. On the other hand, stereotypes play a huge role in orientation. For Jean-Louis Auduc<sup>13</sup>, from a very young age, boys and girls are placed under strong social expectations. For him, children incorporate gender-based stereotypes. That leads to modify behaviors of the boys: they tend to be more undisciplined than girls and to show more distance with school. The study of the Inspection générale de l'éducation nationale also shows that gender-mixed classes helped girls to put a certain distance between stereotypes and their school career, which leads to more ambition and longer studies.

As regards Baccalaureate achievement, girls are more successful than boys. The gap there too is widening, though overall, more and more individuals in the same age group tend to succeed in the examination<sup>14</sup>.

<sup>7</sup> De Beaufort, Viviane; Khayat, Marie, ESSEC Research Center, 2012, « Women dans les conseils d'administration en France - Quelques considérations sur leur intégration et leur visibilité » [Women on boards of directors in France – Considerations on their Integration and Visibility ] Working Paper 2012, p5

<sup>8</sup> Source: Newsgeography.com

<sup>9</sup> INSEE

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

<sup>12</sup> Inspection générale de l'éducation nationale, 2013, *L'égalité entre filles et garçons dans les écoles et les établissements* [Equality between girls and boys in schools and educational establishments], Rapport n°2013-041, 101p.

<sup>13</sup> Auduc, Jean-Louis, 2009, *Sauvons les garçons!* [Save the boys !], Paris : Paris Descartes & Cie, 103p.

<sup>14</sup> INSEE





As to the degrees earned by different age groups, the level of general training is on the rise, in both the male and female populations. In those belonging to the 35-44 age group, which entered the educational system between 1971 and 1980<sup>15</sup>, over 60% of women earned the Baccaulaureate (as compared to 52.4% of men). The number of women earning a degree of higher education was also higher in proportion: 22.4% of women in the aforementioned age group were Baccaulaureate holders (as compared to 19.1% of men). In this age group, women were less likely to exit the educational system early: 14.2% had no degree, as compared to 16.3% of men<sup>16</sup>.

In those belonging to the 25-34 age group, which entered the educational system between 1981 and 1990<sup>17</sup>, over 71.3% of women earned the Baccaulaureate (as compared to 61.5% of men). On this indicator, the gender-related gap between the two age groups grew. The number of women earning a degree of higher education was also higher in proportion: 27.9% completed higher education degrees, as compared to 23.8% of men. There too, the gap between the sexes was greater than in the preceding age group. Early drop-outs from the school system were lower in proportion for both sexes: 10% of women in the age group did not earn a degree, as compared to 11.9% of men<sup>18</sup>.

In 2013, employment rates for women and men in France (age group: 20-64) are 65.6% and 73.7% respectively according to Eurostat<sup>19</sup>. These rates go in the direction of the national figures that are collected by the Insee:

In the age group 15 to 24, employment rates have decreased overall in both sexes, falling from 33% in 1990 to 25.9% in 2012 for women, and from 41.2% in 1990 to 30.8% for men. This can in large part be ascribed to this generation's delayed arrival on the labour market, due to longer educational pathways, as well as by more frequent instability where employment is concerned.

In individuals aged 25 to 49, the male employment rate dropped over the period: from 91.5% in 1990 to 86% in 2012. This change is due in part to the increase in unemployment due to a non-conducive economic environment. The employment rate for women has increased: from 68.6% in 1990 to 75.9% in 2012. This can be ascribed in part to the fact that women work more in unstable jobs.

Regarding the age group 50 to 64, employment rates have also increased for both sexes: from 35.5% in 1990 to 53.5% in 2012 for women; and from 54.4% in 1990 to 60.4% for men. This rise was due in particular to longer mandatory retirement contribution periods and the newly-increased minimum age requirement for retirement<sup>20</sup>.

### Employment impact of motherhood/fatherhood

When it comes to the impact of motherhood and fatherhood on employment, women tend to be more impacted by motherhood than men by fatherhood. The employment rate of women aged from 20 to 49 with children falls 6.3 percentage points, whereas the rate for men increased by 11.8<sup>21</sup>. Having children impacts less women compared to the European average (10.7 percentage points). This difference may be explained by structural factors – structural conditions for reconciliation of work and care for example, availability of childcare services parental leave arrangements and availability of

<sup>15</sup> It should be noted that these children enter the school system at age 3.

<sup>16</sup> INSEE

<sup>17</sup> See Note 8.

<sup>18</sup> INSEE

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<sup>21</sup> Ibid.





flexible working arrangements). Since 2000's, France has also encouraged companies to develop initiatives in order to improve employees' work-life balance. For instance, a lot of companies have opened day-nurseries.

The change in unemployment rate was two-fold between 1990 and 2013: for men, the unemployment rate only increased, raising from 6.9% in 1990 to 10% in 2013; while for women, the rate decreased, inching down to 8.7% for both sexes in 2013<sup>22</sup>. This is due to two main factors: first of all, the crisis affected men more particularly, who are largely employed in the industrial sector. Secondly, women, though also impacted by the crisis, were able to benefit from job creation in the services sector, which continues to be largely feminised<sup>23</sup>

Across all jobs in full-time equivalent, net annual wage gaps between men and women continue to be large. They in fact increased between 1995 and 2013; in 1995, men earned on average €4,260 more than women per year, whereas in 2013, the annual gap amounted to €5,209<sup>24</sup>. In other words, in 1995, women earned 21.9% less than men in average; in 2000, they earned 21.2% less and in 2013, they earned 15.2% less in average<sup>25</sup>. Despite a slight fall, the gap tends to remain significant. These gaps are due to the fact that more women work part time, interrupt their careers more frequently, work less over-time than do men and, lastly, tend to work in positions that entail fewer responsibilities, require lower qualifications and are paid lower wages. However, the Ministry of Women's Rights deemed that almost 9% of the wage gaps between men and women in 2010 remain unexplained<sup>26</sup>.

Despite many strides, many gender-based inequalities remain: women tend to remain in school longer and more frequently earn higher-education degrees proportionally, with respect to men. Their careers, in contrast, are shaped by inequalities compared to men: they earn lower wages than men and their employment rate remains lower. These inequalities are due to structural factors: high-responsibility positions remain the domain of men, while personal and family life generally continues to be prevalent with respect to work, for women. In order to fight these structural inequalities, the French government recently made the gender equality imperative an integral part of its initiatives and structures, while also crafting a number of legislative tools.

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<sup>22a</sup> INSEE

<sup>23</sup> Observatory on Inequalities, 2014, « Femmes et hommes, égaux devant le chômage » [Women and Men, Equal before Unemployment], February 12th.

<sup>24</sup> INSEE

<sup>25</sup> Ibid.

<sup>26</sup> Ministry of Women's Rights, 2014, « Thème 3 – Inégalités professionnelles » Chiffres-Clés2014 – Vers l'égalité réelle entre les femmes et les hommes, [Theme 3 – Professional Inequalities, Key Figures 2014 – Toward Real Equality between Women and Men] p. 4.





## 2. GENDER EQUALITY INFRASTRUCTURE

The principle of equality between men and women is a principle of constitutional value, enshrined by Article 3 of the Preamble to the 27 October 1946 Constitution, which proclaims: “The law guarantees women equal rights to those of men in all areas”<sup>27</sup>.

The French Government is highly committed to ensuring gender equality in the workplace and, more specifically, improving women’s access to decision-making positions.

This can be seen in the creation of a State Secretary in charge of Women’s Rights, under the Ministry of Social Affairs, Health and Women’s Rights, from which Minister Marisol TOURAINE works in close connection with the State Secretary in charge of Women’s Rights, Pascale BOISTARD.

Similarly, a Higher Council on Gender Equality in the Workplace has been brought into the governmental decision-making process on this topic. Furthermore, a decree from the President of France enabled the creation, on 3 January 2013 of a High Council on Gender Equality between Women and Men, instituted under the Prime Minister, in other words, the successor to the Observatory on Gender Equality. The High Council also took over the responsibilities of the National Commission against Violence toward Women and the Commission on the Image of Women in the Media.

Since 2004, France has also been able to call upon an “independent constitutional authority”, now known as the Rights’ Advocate [Défenseur des Droits or DDD]<sup>28</sup> who, under Article 71-1 of the Constitution “ensures that rights and freedoms are upheld and that equality is promoted”. Where gender equality is concerned, the Rights Advocate (DDD) is responsible for ensuring “due enforcement of the law by overseeing the implementation of legislation and the impact thereof” and for “analysing practices to guarantee equality and facilitating change”.<sup>29</sup>

Other institutions working to ensure gender equality in the workplace include such associations as the Laboratory for Equality, the CSR Observatory (ORSE), which carries out studies and produces reports on the topic, or AFNOR, which awards a Gender Equality in the Workplace Label to those structures that have instituted a management system fostering gender equality between men and women.

Lastly, employee-employer organisations, through collective negotiations, both at the interprofessional level and through branch-wide and enterprise-wide agreements, have an instrumental part to play in promoting gender equality in the workplace.

At the local level, institutions are just as committed to addressing these concerns. With respect to the regions, in 2012, the Ministry of Women’s Rights signed an agreement with nine Regional Councils (Aquitaine, Bretagne, Centre, Île-de-France, la Réunion, Midi-Pyrénées, Nord-Pas-de-Calais, Poitou-Charentes, Rhône-Alpes, etc.) entitled, “Excellence Territories for Gender Equality in the Workplace” (« Territoires d’excellence pour l’égalité professionnelle »), with the aim of involving the regions themselves in the fight against inequalities in the workplace, due to sex and gender.

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<sup>27</sup> See Annex 1

<sup>28</sup> Since the Ordinary Law ratified on 29 March 2011, the Rights’ Advocate (DDD) has been responsible for the duties of the National Ombudsman, Children’s Rights Advocate, High Anti-Discrimination Authority (HALDE) and the National Security Ethics Commission (CNDS).

<sup>29</sup> Rights’ Advocate, Thematic Reference Sheet “Gender Equality”.





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The regional level also extends the State's action, through the Regional Delegations on Women's Rights and Equality (DRDFE). These are directorates coordinated at the national level by the Department of Women's Rights and Equality (SDFE), in charge of giving impetus to national policies at their level.

In addition, many cities across France are instituting local-level policies on equality between men and women. Examples include the City of Paris (which created an "Observatory on Gender Equality" in 2002), Toulouse (which created an "action plan for gender equality in local life, 2011-2014"), Nantes (municipal delegation on women's rights), or Rennes (where a policy entitled "Equality – Women's Rights" has been in place since 1993). In France, some 120 local governments signed the "European Charter for the Rights of Women and Men in Local Life".

The national government has made an all-encompassing commitment to gender equality in the workplace. Further to this, the Interministerial Committee on Women's Rights convened on 30 November 2012 and set out an action plan for 2013-2017<sup>30</sup> in which women's rights are made central to public policy. The action plan paved the way for the 4 August 2014 Law for Actual Gender Equality, but also opened up the road for a full-fledged campaign to foster parity in jobs. The Ministry of Women's Rights also committed, in June 2013, to promoting women's entrepreneurship, in order to reach the target set and ensure that 40% of the overall entrepreneur population is female by 2017.

Also reflecting the priority given to this topic by the French Government is the budget earmarked for gender equality in the workplace. The 2015 Finance Law provides that the funds granted for "Programme 137, in favour of women's and men's rights" shall amount to €25.17 million<sup>31</sup>.

Since a 23 August 2012 Circular<sup>32</sup>, equal rights for women and equality between men and women are to be taken into account in all preparatory assessment work conducted on bills prepared by the Government. During this process, "analysis shall focus on the direct and indirect effects and consider compensatory measures or specific provisions, should the project entail a negative impact on women's rights or reducing inequalities between women and men"<sup>33</sup>.

As we saw previously gender equality and promotion of women in high job positions have been taken into account in the French legal background. The phase of agenda-setting is though the result of different actions from different levels.

First, the European level played a huge role for the national agenda-setting. Gender mainstreaming was qualified as an "acquis communautaire" in the 1990's. The question of gender equality has to be taken into account at all levels in the European Union. In France this concept of gender mainstreaming is difficult to handle and to transpose.

The non-governmental sector had difficulties to consider this concept whereas the government nominated Geneviève Fraise as Déléguée interministérielle aux Droits des femmes ("interdepartmental women's right representative") in 1997 and decided to put parity on its agenda. If we go deeper in this example, the non-governmental sector did not play the central role in the vote of

<sup>30</sup> Progress chart on implementation of action plan issued at the 7-8 July 2014 National Social Conference 2014

<sup>31</sup> Ministry of Budget, 2014, Excerpt from the Budgetary Blue Book produced by the Solidarity, Integration and Equal Opportunity Task Force

<sup>32</sup> 23 August 2012 Circular regarding due consideration during the legislative and regulatory process for the impact of texts under preparation on gender equality

<sup>33</sup> MEMO – « Mieux comprendre l'égalité entre les femmes et les hommes dans les études d'impact des projets de loi » ["Better Understanding Gender Equality in the Workplace to Assess the Impact of Legislative Texts under Preparation"]





the law on equal access of women and men to elective offices in 2000. At this time, it is really difficult for NGOs to take a clear position on parity; therefore the non-governmental sector is divided on the subject. This division may also be explained by the fact that women's rights organizations were called activist and opposed often to the institutional sphere. Laure Bereni<sup>34</sup> explains that quickly the non-governmental sector attracted women and other entities that wanted to promote parity. Actions are still limited: some organizations such as "Elles Aussi", "Parité" organized above all events to raise awareness among the citizens but they did not promote at all quotas. When Lionel Jospin announced in 1997 that parity would be included in the constitutional revision, the NGO "La CLEF" and other NGOs agree that the constitutional solution is the most satisfactory. The non-governmental sector supported consequently the political sphere but did not participate into agenda-setting.

In general, in France, it is difficult for the non-governmental sector to stay united and to manage to interfere in the decision-making. This could be explained by the fact that women's rights NGOs do not form a homogeneous movement. This leads to the sector not unified on the identification of the stakes and the solutions, concerning women's rights and gender equality.

### 3. GENDER EQUALITY LEGISLATION

The principle of gender equality in the workplace was incorporated into the Constitution after having been recognised under French labour law, specifically, the 13 July 1983<sup>35</sup> ROUDY Act, and with the impetus of international and European law.

At the international level, gender equality was enshrined in the law further to the principle of non-discrimination on the grounds of gender, as asserted in international texts ratified by France, such as ILO Convention No. 111 of 25 June 1958, the UN convention on the Elimination of all Forms of Discrimination against Women (18 December 1979) or the European Social Charter.

The principle was also enshrined in European law with Article 119 of the 1952 Treaty of Rome (which since became Article 157 of the TFUE), and was later reasserted in multiple texts, in particular European Directive 76/207/EEC of the Council (9 February 1976), regarding the implementation of equal treatment for men and women as regards access to employment, vocational training, promotion and working conditions. All provisions relating to this can now be found in the European Directive 2006/54/EC of 5 July 2006 on the implementation of the principle of equal opportunity and equal treatment for men and women regarding employment and labour.

Gender equality in the workplace has been established by various source texts.

Under national law, it was first equal pay for men and women that was recognised, with Law 72-1143 of 22 December 1972<sup>36</sup>, adopted in order to incorporate international provisions ratified by France in the Labour Code (formerly Article L-140-2).

Gender equality in the workplace was enshrined in national legislation by the so-called ROUDY Act (No. 83-635 dated 13 July 1983), the two-fold aim of which was to assert both equal rights for women

<sup>34</sup> Bereni, Laure, 2009, « Quand la mise à l'agenda ravive les mobilisations féministes » L'espace de la cause des femmes et la parité politique (1997-2000), *Revue française de science politique*, 2009/2 Vol. 59, p. 301-323. DOI : 10.3917/rfsp.592.0301

<sup>35</sup> Law 83-635 dated 13 July 1983 modifying the Labour Code and Criminal Code regarding gender equality in the workplace

<sup>36</sup> Complete text of Law 72-1143 dated 22 December 1972





and men, by introducing the principle of non-discrimination on the grounds of gender in workplace relations, and that of equal opportunity regardless of gender, thus establishing gender equality in the workplace within a broader scope of action.

Despite the law's major impact, it was not until after 2000 that the topic came back to the fore as a concern of importance for the legislative authorities.

Law 2001-397 of 9 May 2001, known as the GENISSON Act<sup>37</sup> on gender equality in the workplace makes it mandatory for companies and branches to negotiate agreements on this topic. The collective negotiation requirement was established by the 2001 Law and was reiterated by Law 2006-340 dated 23 March 2006<sup>38</sup> on wage equality.

Since 2006, all of the provisions under law regarding gender equality in the workplace have been brought together under Heading IV of Book I, Part I of the Labour Code, entitled "gender equality in the workplace", in Articles L 1141-1<sup>39</sup> to L 1146-3<sup>40</sup>.

Other laws passed since that time have modified legal provisions on gender equality in the workplace, as exemplified by Law 2010-1330 dated 9 May 2010<sup>41</sup> and reforming the retirement system, and Law 2012-1189 dated 26 October 2012<sup>42</sup> regarding the creation of future-building jobs.

Lastly, Law 2014-873 dated 4 August 2014<sup>43</sup> for Real Equality between Women and Men changed the negotiation requirements set out in Articles L 2242-5 and subseq. of the Labour Code. It introduces the obligation for companies with 300 employees and more to produce a report on the comparative status of overall employment and training conditions for women and men in the company (the Comparative Situation Report).

Now, companies employing more than 50 employees are required to re-negotiate agreements each year on equality in working conditions and pay for women and men in the enterprise, as well as the measures by which these will be achieved. The negotiation process may conclude in a collective agreement. Should no agreement be reached by the end of negotiations, Article L 1143-1 of the Labour Code provides that the employer may draw up a plan on gender equality in the workplace as negotiated at the Enterprise level. Non-compliance with these provisions is likely to lead to a sanction of up to 1 % of payroll for companies with more than 50 employees. Companies employing fewer than 50 people are not required to negotiate a collective agreement or action plan on gender equality in the workplace. Nonetheless, Article L 1142-5 specifies that "it is the responsibility of the employer to take into account national objectives on gender equality in the workplace and the measures by which they can be achieved".

Submitted to the National Assembly at second reading on July 7th, 2015 the draft law on social dialogue and employment introduces new obligations related to professional equality. As a matter of fact the text provides for the abolition of the Comparative Situation Report. Available for staff representatives, the "unique data" introduced by the Law on securing employment will be enriched

<sup>37</sup> Law 2001-397 dated 9 May 2001 regarding gender equality in the workplace:

<sup>38</sup> Law 2006-340 dated 23 March 2006 regarding equal pay for women and men

<sup>39</sup> Labour Code, Article L1141-1

<sup>40</sup> Labour Code, Article L1142-1

<sup>41</sup> Law 2010-1330 dated 9 November 2010 establishing the retirement system reform

<sup>42</sup> Law 2012-1189 dated 26 October 2012 establishing the creation of future-building jobs

<sup>43</sup> Law 2014-873 dated 4 August 2014 for real equality between women and men





with a section containing all the information currently included in the report. Its content will fully remain. In addition, the bill intends to give a tripartite dimension to the mandatory annual negotiation. One of the negotiation blocks will be fully dedicated to professional equality and quality of working conditions. The negotiation may be extended to three years if the company has a “collective agreement”.

In the public sector, the principle of gender equality in the workplace was introduced by Article 6b of the 13 July 1983 Act establishing the rights and responsibilities of civil servants and, thereafter, by the GENISSON Act of 9 May 2001, which also includes provisions regarding Civil Service.

In addition, Law 2014-856 of 31 July 2014<sup>44</sup> regarding the social and solidarity-based economy provides that “the High Council on the Social Economy shall be responsible for drawing up, every three years, a report on gender equality in the social economy and issue proposals to facilitate access to high-responsibility positions for women, whether as enterprise leaders or government leaders”.

More broadly, Article L 1144-1 of the Labour Code provides for reduced burden of proof on employees who deem they have been victim of failure to comply with provisions on gender equality in the workplace. The provisions found in both Article 1315 of the Civil Code<sup>45</sup> and in French law place the burden of proof on the plaintiff or requesting party. Yet when a dispute arises on gender equality in the workplace, “an applicant seeking a job, internship or right to take part in training, or an employee, puts forth factual information giving reason to believe that discrimination, either direct or indirect, has taken place, on the grounds of gender, family situation or pregnancy. In light of this information, it is the defending party’s responsibility to prove that its decision was warranted by objective factors and free of any discrimination. The judge then forms an opinion and delivers a ruling, where necessary, having ordered any and all investigations he or she deems necessary”.

Likewise, Article L 1144-2 of the Labour Code states that, when such disputes arise, trade unions may initiate any and all legal action following from the enforcement of legal provisions on equal compensation for men and women may be initiated, provided that the interested party is given due notice in writing and has not countered the action.

Generally speaking, failure to comply with provisions on gender equality in the workplace shall, further to Article L 1146-1 of the Labour Code, be “punishable by imprisonment and a €3,750 fine.” In addition, the 4 August 2014 Law for Real Equality between Women and Men provides that, from 1 December 2014, any person having been convicted in a final ruling of having violated the provisions on gender equality in the workplace shall be prohibited from tendering for public contracts.

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<sup>44</sup> Law 2014-856 dated 31 July 2014 regarding the social economy

<sup>45</sup> Civil Code, Article 1315





### 4. WOMEN IN DECISION-MAKING POSITIONS REGULATION

The Constitutional Council originally opposed instituting quotas, deeming them to be contradictory to the principle of equality enshrined in Article 6 of the Declaration on Human and Citizen's Rights.

In Decision No. 2006-533 DC which it handed down on 16 March 2006<sup>46</sup>, the Constitutional Council removed *motu proprio* the provisions of the 23 February 2006 Law regarding gender equality in the workplace and instituting quotas to ensure balanced representation between men and women on boards of directors or supervisory boards of public or private companies. The Wisemen deemed that the principle of equal access to electoral office or elected functions for men and women, written into the Constitution with the 8 July 1999 revision, applied only to political offices and functions and that, "consequently, the Constitution does not allow the membership of leadership or advisory bodies to legal entities of public or private nature to be subject to constraints on the grounds of gender".

The 23 July 2008 Constitutional Law<sup>47</sup> modernising the institutions of the 5th Republic ushered in a truly new era in this respect, by modifying Article 1 of the 4 October 1958 Constitution, which now reads: "the law fosters equal access for women and men to electoral office and elective functions, as well as to professional and social responsibilities"<sup>48</sup>.

Yet up until 2011, no law contained provisions on the topic of access to high-responsibility positions for women. Rules in this area resulted primarily from the consistent jurisprudence of the Court of Appeals' Social Chamber, long dedicated to the fight against discrimination in career development to which women were victim.

On 19 April 2010, the French Association of Private Companies (AFEP), representing the nation's largest companies, and the French corporate employer's association Mouvement des entreprises de France (MEDEF) released a supplement to their "Corporate Governance Code for Listed companies"<sup>49</sup>, on the topic of female presence and on the principle of balanced representation between men and women on boards. Notwithstanding, the text was but a recommendation issued with the understanding "comply or explain" and did not entail any punitive action.

Stirred by government action, the first law expressly dealing with the topic was the 2011-103 Law known as the COPE – ZIMMERMANN Act, dated 27 January 2011<sup>50</sup> on balanced representation for men and women on boards of administration and supervisory boards, and on gender equality in the workplace, which makes it mandatory to form the board of director or supervisory board of all companies "aiming for balanced representation between women and men".

The issue of access to high-responsibility positions for men and women was also reasserted recently in Civil Service. The SAUVADET Act dated 12 March 2012<sup>51</sup> instituted quotas to ensure balanced gender representation at the upper and executive management level, in all three areas of Civil Service.

<sup>46</sup> Constitutional Council, 16/03/2006, Decision No. 2006-533 DC Law 2006-340 of 23 March 2006 regarding equal pay for men and women

<sup>47</sup> Constitutional Law 2008-724 of 23 July 2008 modernising the institutions of the 5th Republic

<sup>48</sup> See Annex 4

<sup>49</sup> MEDEF, Corporate Governance Code for Listed Companies, last revised on April 2010.

<sup>50</sup> See Annex 5

<sup>51</sup> See Annex 6





The topic of female presence in leadership positions is regulated directly by the Law on Large Companies<sup>52</sup> dated 27 January 2011 in France. Smaller companies are not subject to any legal requirements in this respect. The law provides only a recommendation, and failure to comply does not entail any punitive action.

Companies are required by law to meet a minimum representation quota for both sexes, in order to ensure balanced representation of women and men on boards of directors and supervisory boards. The aim of this law is to ensure that each sex accounts for at least 40% of the boards of directors or supervisory boards in large companies.

In addition, companies will be required to abide by a specific gap between the number of board Members of each sex, which may not exceed two, when the board of directors or supervisory board is composed of more than eight members.

The text provides for gradual implementation of the quotas instituted:

- Upon the law's publication, companies shall appoint at least one woman at the next ordinary general meeting convened to approve the appointment of a director, member of the supervisory board, or, where the enterprise is public, when a position becomes vacant, in the event that there are no women on the board of directors or supervisory board as at the law's publication date;
- As a mid-term target, a 20% quota shall be met by the end of the first ordinary general meeting following 1 January of the third year, following the year of the law's publication for listed companies and upon the second renewal of the board, following the publication of the law as regards public companies;
- By 1 January 2017, a 40% quota must be met by all private companies or those renewing their board for the second time since the publication of the law as regards public companies;

As regards the SAUVADET Act, amended by the "Law on real equality" between women and men of August 4th, 2014, the proportion formed by first-time appointments to leadership and decision-making positions in government shall amount to at least 20% in 2013, and to 30% in 2016, and lastly, to 40% in 2017. This law was followed by Decree 2012-601 of 30 April 2012<sup>53</sup> regarding balanced appointment procedures for higher management in civil service.

The legislation on quotas applies to:

- joint stock companies (SA) or limited stock partnerships (SCAs) the shares of which may be traded on a regulated market
- joint stock companies or limited stock partnerships employing on average more than 500 permanent employees and achieving net earnings or total balance sheet amounting to at least €50 million for three consecutive fiscal years, from 1 January 2017 and, more specifically, from the first ordinary annual general meeting after which the above conditions have been met. This provision will not come into effect for the companies affected until 1 January 2020.
- public sector companies and public establishments of industrial and commercial nature (EPIC) governed by the 26 July 1983 Law on the democratisation of the public sector;
- since the "Law on real equality" between women and men of August 4th, 2014, to non-listed companies with over 250 permanent employees and with a turnover of 50 million euros. They will have to achieve 40% of each sex in their governing bodies from 2020.

<sup>52</sup> This law targets companies that employ more than 500 permanent employees and with a turnover exceeding 50 million euros during three years.

<sup>53</sup> Decree No. 2012-601 dated 30 April 2012 regarding balanced appointment procedures to upper management positions in civil service





Excluded from the scope are small non-listed joint stock companies that do not meet the aforementioned thresholds, and other simplified joint stock companies or all other forms of companies not governed by a board of directors or supervisory board.

Companies that fall within the legislation's scope of application may not seek exemption.

Balanced representation of men and women has become mandatory on boards of directors and supervisory boards of joint stock companies.

No specific provisions have been adopted regarding possible legal action in the event of failure to comply with the provisions of the Law adopted on 27 January 2011. Nonetheless, interested parties and social partners may refer to the Industrial Tribunal, further to the provisions found in Article L 1144-1 of the Labour Code regarding unlawfulness with the legislation on gender equality in the workplace.

Companies that fail to abide by the provisions found in the so-called "COPE-ZIMMERMANN Act" of 27 January 2011 shall be subject to punishment. Specifically, any appointments to office not compliant with the aforementioned quotas may be pronounced null and void, and the directors' fees paid may be suspended where the board is found to have been formed in violation of the law.

Similarly, failure to comply with the provisions found in the SAVAUDET Act dated 12 March 2012, pertaining to civil service, shall entail a €30,000 fine for each appointment to office not made from 2013 and up to €90,000 from 2018.

In order to meet the 2017 deadline, the French government is continuing its action in favour of access for women to leadership positions by working with companies. In 2013, the former Minister of Women's Rights, Mrs Najat Vallaud-Belkacem, wrote to France's large companies to ask that they appoint women having expressed interest in holding high-responsibility positions. In 2014, the Ministry of Women's Rights set up an online platform to help women connect with networks in a position to help them and with company's currently hiring ([administratrices.femmes.gouv.fr](http://administratrices.femmes.gouv.fr)). Likewise, the Ministry has already signed 27 agreements with companies, so that they commit to having more women in management positions. Lastly, for the past two years, the Ministry has established an honour roll of sorts, commending those companies listed on the French stock market SBF 120 with women on all of their management bodies.

The Government also supports the requirement established for civil service by the SAUVADET Act. Specifically, it has chosen to encourage volunteer participation and example-setting. One example of its own action is the three-candidate rule, under which at least one candidate of each sex must be included, for each appointment to a position on the Council of Ministers. In addition, similar to the SBF 120's honour roll, it established a list of the most exemplary government agencies in 2014 in appointing women to leadership positions as a means of commending them.

First of all, Article L 225-102-1 of the Code of Commerce<sup>54</sup> requires that listed companies and those with a total balance sheet or turnover exceeds 50 million euros for three consecutive fiscal years and with headcount amounting to 500 employees include in their management report extra-financial information on the social and environmental consequences of their operations. Required indicators include detailed information about the measures taken to foster equality between women and men and on the anti-discrimination policy.

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<sup>54</sup> Code of Commerce, Article L225-102 1





Secondly, companies must be able to establish a Sustainable Development Report<sup>55</sup>, in compliance with the guidelines set out by the Global Reporting Initiative. Some of the indicators suggested to demonstrate diversity and equal opportunity include governance board membership and employee statistics regarding gender, age group, belonging to minority groups and other distinctions reflecting diversity.

Many French associations are now deeply involved in the fight against gender inequalities and work more specifically to foster equal access for women and men to management positions. They are now greater in number than ever before and have no qualms about putting pressure on the public authorities so that legislation in this area is duly enforced. They work with women and advise them about their rights.

Similarly, some large French companies have also taken measures to make their leadership structures more gender-balanced. Examples include GDF-Suez, which since 2008 has had a women's network, 'Women in Net-working' and has set up a mentoring programme, or the national rail company SNCF, which opened up its network "SNCF au Féminin" in January 2012, so that women managers and executives across the Group can meet and interact, of course, but also take part in think tank efforts and put together proposals to bring the Group forward.

## 5. SOCIAL ENTREPRENEURSHIP AND SOCIAL ENTERPRISES

Since 2014, social entrepreneurship has been governed by Law 2014-856 of 31 July 2014 on the social economy. The law offers a definition of the social economy in Article 1: "The social economy is an entrepreneurial and economic development mode suited to all areas of human activity involving legal entities operating under private law and fulfilling all of the following conditions:

- 1) A purpose other than solely profit-seeking;
- 2) Democratic governance, defined and arranged in the Articles of Association, providing for information and participation, the expression of which is not related only to their contribution in capital or the amount of their financial contribution, for enterprise partners, employees and stakeholders;
- 3) Management in line with the following principles: most profits are used to maintain and develop operations. The remaining profits are shared subject to specific conditions.

Article 2 also states that the sector must serve a social outcome, i.e., "provide [...] support to individuals living in vulnerable situations" or "contributing to the fight against exclusion or inequalities, whether health-related, social, economic, cultural, or relating to education or citizenship", or contribute to "sustainable development".

Social companies must meet the above conditions to be considered as such under the law.

Law 2014-856 dated 31 July 2014 is the primary legislation on social entrepreneurship. It addresses a number of targets: recognising social entrepreneurship as a distinct form of entrepreneurship, mobilising stakeholders such as governments, local authorities to support development, and returning power to employees. The law was also intended as a means of facilitating financing for the sector.

In many regions, and sometimes even at the local level, there exist Regional or Departmental Development Plans, which are not regulatory or legislative texts as such, but rather local initiatives aimed at developing the social economy across a given territory. These are most often ten-year plans.

<sup>55</sup> Global Reporting Initiative, Guidelines on Sustainable Development Reporting for 2006-2010, 46p.





Co-inspiration between social and conventional enterprises  
to promote equal access to decision making positions in France

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As to the definition of social entrepreneurship, it was structured by the National Council of Regional Social Economy Chambers (Conseil National des Chambres régionales de l'Entreprise sociale et solidaire - CNCRES) in partnership with INSEE and DIIESSES<sup>56</sup> in 2007.

As to data collection, the CNCRES, the founding purpose of which is to “raise awareness about and give recognition to the social economy”, is also responsible for the National Observatory for the Social Economy, defined as: “a place where social economy metrics and observation come together”. As the Observatory is, in turn, connected with the Regional Observatories, a single homogenous methodology can be applied across the nation. The National Observatory gathers data, summarises them and produces general and specific studies about the social economy. It also participates in designing indicators. Each year, it publishes a national panorama report or key figures on the French social economy. It has conducted more targeted studies on employment for young people in the social economy, for instance.

The National Council of Social Economy Regional Chambers has published a document, “The Social Economy in France – Key Figures 2013”<sup>57</sup> summing up the said economic sector’s main features.

Social entrepreneurship encompasses different forms of organisation: more than 78% of the companies operate as associations. More than 13% of them are cooperatives, while more than 5% are mutual funds. Lastly, more than 3% of the companies are foundations.

The sector drives employment: it accounts for more than 10% of French jobs, or 2.33 million employees. 600,000 hires are planned between now and 2020.

The sector is in large part female: approximately 67% of enterprise headcount is made up of women, up from 65.5% in 2008<sup>58</sup>. This means that, in France, one out of every seven women in a salaried position works in the social economy.

The main sectors in social entrepreneurship are: social service, sports and recreation, banking, and perhaps less expectedly, arts and entertainment, and education.

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<sup>56</sup> The Interministerial Delegation on Innovation and Social Experimentation, and the Social Economy, known as the National Directorate on Social Cohesion since 2010

<sup>57</sup> CNCRES, 2013, 2p.

<sup>58</sup> Source: CNCRES, 2008, Panorama Report on the Social Economy, p4.





## CHAPTER 2: OPPORTUNITIES AND BARRIERS FOR WOMEN IN ECONOMIC DECISION-MAKING: QUALITATIVE RESEARCH IN ENTERPRISES<sup>59</sup>

### 1. CONVENTIONAL ENTERPRISE

#### A. THE ENTERPRISE AND THE REPRESENTATION OF WOMEN IN ITS HIERARCHY

The first company addressed in our study operates in the conventional economy. It specialises in printing and document management, and operates in the Greater Paris Region (Ile-de-France).

The entity's organisation chart is structured around five main departments: three departments contain the enterprise's support functions, i.e., the secretarial, administrative and logistical functions. The fourth department is dedicated to sales and works in direct contact with the enterprise's clients, while the fifth is in charge of production. The latter operates under the responsibility of a production director and a production manager. All of the aforementioned departments operate under the responsibility of the enterprise's chairwoman and an executive director. The structure currently employs 42 people.

Table 1: Management structure and the representation of women

POSITIONS	% of women
Top management	66,7%
Job position/s dominated by men	Technical positions (printing), delivery services
Job position/s dominated by women	Assistants; secretaries; accountants

Concerning the gender structure, it has indeed achieved parity, even exceeding it, as 52% of the employees are women.

A closer look at the breakdown by gender across the hierarchy shows 67% of the leadership positions to be held by women. Middle management, too, shows parity, with the Production Department led by a man and a woman.

Focusing on the departments themselves, however, one can see the functions are unevenly divided between sexes. Some departments are predominantly female: the Secretarial Department is in fact entirely composed of women, as is Customer Service, which operates under the Sales Department. 60% of the latter population, however, is made up of men. The Logistics Department is made up entirely of men. The Administrative Department is 80% composed of women. In the Production Department, there is parity.

<sup>59</sup> The following study compares the women's access to decision making positions in "conventional" and "social enterprises". The expression "conventional enterprise" is based on the established terminology used in the academic literature when referring to business companies not having the characteristics of social entrepreneurship (see Borzaga and Defourny, 2001 or more recent Fathi, Perotin and Gago, 2012). Whereas "conventional entrepreneurs" measure performance in profit and return, "social entrepreneurs" additionally evaluate their social impact (Borzaga and Defourny, 2001).





In their accounts, some employees addressed the topic of gender breakdown in the establishment.

Overall, the breakdown from the perspective of gender is seen as even, regardless of the position held by the interviewee in the structure. The regularly-recurring expression is, “parity is natural” to the company. Several employees stated, along the same lines:

*“I think the gender balance has been well established; it’s not really a problem at the company. There are men and women at every level.”* (Lucie, employee, F)

*“We ran an audit and gender equality didn’t stand out in any way. I don’t have the feeling that it’s a real issue.”* (Carmen, manager, F)

One employee thinks that the company is a rarity in this respect:

*“When it comes to gender equality, I think that [the company] is an exception rather than the rule, judging from what my friends tell me”* (Carole, employee, F)

Most employees also emphasised, overall:

*“Gender is a non-issue for the company”.* (Lucie, employee, F)

A number of gender-based stereotypes are nonetheless slow to fade across the company: one employee, for instance, feels that there are women’s jobs, such as “administrative assistant or sales assistant” and men’s jobs, such as “courier”. She further explains that, when the director of production first arrived, many comments rooted in stereotype could be heard:

*“The men were out of sorts. When she first got here, she had to prove that she had the skills. The men made comments, like: ‘She’s too good-looking to be director of production’”.* (Carmen, manager, F).

## B. WOMEN IN EDUCATION, EVALUATION AND REMUNERATION PROCESSES

At the company in this case study, those interviewed did not report any structured policy intended to promote gender equality, regardless of their level of responsibility in the structure. A male employee in a high-responsibility position stated:

*“There aren’t rules or a plan to promote gender equality across the company”.* (Michel, manager, M)

A female employee in a high-responsibility position saw the situation the same way:

*“There aren’t any written rules, or set plan; there’s no regulatory document.”* (Irma, employee, F)

Only one female employee, in a position entailing responsibilities, referred to “some initiatives on gender equality”, but called attention to an incident connected with the topic. She explained that there were tensions between two groups of employees – young men and women. Women had the feeling that they were not respected by men. This group of young men made inappropriate comments and acted improperly:

*“A huge issue emerged between the men and the women, and between the younger employees and the long-standing members of the company. The conflict crystallized around two people, who were fired because they came to blows over it. [...] The most important thing was that no one side was blamed and that the issue was addressed fair and square – not by prohibiting, but through explanation. There was an educational effort to be made. [...] People thought, “Women are respected, but to the same extent as men”. The women here don’t feel over-protected. Everyone is on the same ground.”* (Carmen, manager, F)





Aside from one-off incidents of this kind, gender equality is by no means a guiding principle in the company's management policies. Incidentally, the same person concludes that: *"We don't have any problems in that area anymore."* (Carmen, Manager, F)

As can be expected, given the way they see the gender breakdown by position, the employees do not look at training, assessment and compensation from the perspective of gender.

It should first be emphasised that few of them addressed the topic of training. Only one male employee stated that there is training, especially for the Production Department. Another female employee stated that training is provided to certain people when they decide to make a "horizontal move" within the company.

It would appear, however, that some employees are gaining new skills "on the ground", with time. One employee explained that she learned to work with new machines "when the other employees taught me. That's how it's often done across the company". Training thus results more from individual and informal initiatives than from regulated processes. As a result, individuals are able to develop and broaden their skills sets. "Training wishes" is a systematic question of the annual evaluation.

As regards remuneration, the company does not appear to have instituted any specific rule. Several employees emphasised the point:

*"There is no rule as to remuneration, but it's not a problem."* (Irma, employee, F)  
*"The pay scale doesn't make any distinction between men and women."* (Isabelle, employee, F)

One person disclosed that, *"for instance, seniority doesn't play any major part"* in remuneration level (Carmen, manager, F). In her opinion, *"it doesn't make a difference whether it's a man or a woman"*. Despite a lack of transparency regarding remuneration, the employees do not feel there are any inequalities.

Performance assessment is another area in which the company does not have any clearly identified processes: a woman in a high-responsibility position told us that individual performance reviews are held, but that performance is always considered across the Company.

*"I would like to set targets for each position and institute a self-assessment process."*  
(Carmen, manager, F)

Employees at lower levels on the responsibility chain did not mention the performance review system in their interviews.

As to work-life balance, employees at the company by and large feel that they have no trouble managing both aspects concurrently. Many of them explained that, while the company does not offer any special arrangements to facilitate family life, most of the employees have no trouble reconciling their work with their personal lives. One female employee explained that *"it is much easier to reconcile both"* at this company than in those for which she previously worked (Carole, employee, F). The primary facilitating measure appears to relate to paid leave. Several employees reported that:

*"People with children have priority when it comes to paid leave during school holidays, but nowhere is this actually written in black and white."* (Judith, employee, F)

While one employee disclosed that she had to call upon a babysitter when her daughters were younger, most of those with children asserted that they had never had any trouble with either school drop-off or pick-up.





### C. WOMEN IN THE PROMOTION PROCESS

Employee interviews further showed the promotion and hiring process at the company to be relatively vague. In-house, when a position becomes vacant, there is no selection committee to determine who will fill it. Several employees stated, during their interviews, that career development depended in very large part on the pool of applicants and individual desire to develop.

*"If I come up with a career development idea, for instance, if I decide I want to work in Invoicing, then I think I could go talk about it with my manager and ask whether the option is open. But people have to take the initiative on their own."* (Farah, employee, F)

#### Opportunities

In this company, while there appears to be few opportunities for promotion, it is seen differently from person to person. Men in high-responsibility positions tend to feel that there are no opportunities:

*"There is not really any promotion process. When a position opens up, anyone can apply. Management maintains that anyone who wants to do so can move in a new direction, whether a man or a woman"*. (Michel, manager, M)

Women in high-responsibility positions make finer distinctions in their descriptions, explaining for instance that:

*"There is no selection process. Promotions are made naturally when people show that they want to develop."*(Irma, employee, F)

*"Anyone who wants to can move up the ladder. Our Executive Assistant used to be an operator. This goes for both men and women. The company is looking for people who want to work and who have the skills needed."* (Carmen, manager, F)

There is no real policy in place to promote women to high-responsibility positions, or to ensure that there are more women in primarily male positions. This is due in large part to the lack of gender equality policy at the company.

Employees see this in the same manner. One female employee deems there is no obstacle to personal development, whether for men or for women:

*"If a person is interested in moving up, that person has to show it. It can take some time, but management will not leave the person hanging, will listen and will support that development"*. (Zahira, employee, F)

She explains, however, that her own career development took place "naturally":

*"I started to get interested in sales, and became sales assistant"*. (Zahira, employee, F)

The interviewees thoroughly emphasised management's goodwill in this respect:

*"The Chairwoman is very open-minded, very approachable. The door to her office is always open."* (Carole, employee, F)

Another female employee was more guarded as to opportunities for promotion: she feels there was never any vertical development.

*"Careers change and there is horizontal movement. One person changed fields entirely."* (Judith, employee, F)





However, it has happened that a short-term hire turned into a long-term contract:

*"One person hired on a temporary contract, then as intern, ended up staying on with the company."* (Judith, employee, F)

Another employee feels that the internal hiring process is not developed enough: out of the four people who have served as director of production, three were hired externally and all of them were men.

The Company offered relatively few opportunities, but where they did exist, they did not entail any specific gender equality targets. It appears that hiring, when positions become vacant, is often aimed at the external community. In-house development appears to be limited to only a handful of employees, and occurred only after very lengthy talks with management.

### Barriers

There are several barriers when it comes to promotion.

First of all, it appears that employees' skills are not sufficiently showcased, such that their aptitude overall ends up being underestimated. This occurs very frequently with female employees interested in holding a management position. One female employee explains:

*"I didn't have the chance to hold a high-responsibility position, probably due to a lack of skill or ambition. However, even if I did have what it takes, I don't think I would be promoted. It's just not me; I don't have a lot of self-confidence. It's not one of my priorities to become a director."* (Farah, employee, F)

Another female employee says much the same:

*"I'm not sure I have the skills [required to hold a management position]".* (Judith, employee, F)

Another person feels she is "not capable" of holding such a position.

Another obstacle for some employees lies in the fact that they have trouble conceiving of taking on a higher-ranking position, given the importance of family to them and the traditional stance they take on household task-sharing. One female employee stated, specifically:

*"I think that women can give 100% of themselves once their children are older. It's not fair, in my opinion, because it means that women are not as available to work as men up to age 50. . . [..] It's a challenge for women."* (Isabelle, employee, F)

Other obstacles can result from the lack of an actual recruitment and promotion process: the fact that job offers are not always published can be a barrier to information in and of itself. It is assumed, across the company, that when a position becomes vacant, "everyone is aware of it." In addition, obstacles may arise from the economic situation, for reasons of varying relevance: some employees see "today's economy" as having slowed down the promotion process that may once have existed in the company. Others come to realise the extent of the standstill specifically because they have gone through their entire career in the company, but were never offered a position in management.

### Conclusion

In this company, the development of the personal management processes appears to be very limited. There is a deep-set culture of the "unspoken" and implicit, in particular as regards private life arrangements. There is no company policy in this area, and it is only when problems arise that the topic is addressed. The lack of transparency regarding salaries makes it impossible to establish whether inequalities in remuneration specifically due to gender exist.





## 2. SOCIAL ENTERPRISE

### A. THE ENTERPRISE AND THE REPRESENTATION OF WOMEN IN ITS HIERARCHY

The second company in our study operates in the social entrepreneurship sector. As this is a sector aimed primarily at creating viable business activities in response to specific needs, this structure, based in the Greater Paris Region (Ile-de-France), has built its business on creating and developing inclusion projects. Its stated purpose is to raise and address questions around employment, the environment, local development and good citizenship.

The entity's organisation chart is structured around three main departments: one department dedicated to support functions and two others relating to inclusion projects, which are divided into two main geographic sectors<sup>60</sup>. These two departments are governed by a board of directors and a person appointed as regional delegate. The structure currently employs 44 people; 161 people are in inclusion programs (There are not considered as employees).

Table 2: Management structure and the representation of women

POSITIONS	% of women
Lower management	16%
Middle management	50%
Top management	66.7%
Job position/s dominated by men	Technical positions Construction and local development workstreams
Job position/s dominated by women	"Support functions" department, general services Inclusion projects and personal services workstreams

As far as the organisation's gender structure, there is no gender balance: 40% of employees are women.

A closer look at the breakdown by gender across the hierarchy shows over 66% of management positions to be held by women. In middle management, the number of women and men respectively is equal. In lower management, the proportion accounted for by women plummets to 16%.

Focusing on the departments themselves, the split by function is highly gender-based. In the "support functions" department, general services are carried out by women, in the majority of cases, while technical services are performed solely by men. Inclusion projects and personal services workstreams are supervised almost exclusively by women (managers and support staff), while in construction and local development workstreams, men far outnumber women. In one of the workshops, the team consisted of only one woman amidst twelve men. However, in the last workshops opened in april 2015 (painting construction and "bicycle") are supervised by women.

As pertains to the highest-responsibility positions, the regional delegate is a woman, and the on the geographical sector workstreams are overseen by a woman.

<sup>60</sup> In order to ensure both clarity and confidentiality, the geographic zones referred to in this report are referred to as "Geographic Zone 1" and "Geographic Zone 2".





Lastly, as regards the board of directors, it is composed of eight people: five men and three women. The chairman and vice-chairman of the board are both men.

During the interviews, some employees addressed the topic of gender breakdown in the structure.

Depending on their position in the hierarchy, they construed the breakdown differently. Those in high-responsibility positions tended to look at the gender breakdown by type of position in a very general manner. They focused more on analysing the membership of their own teams or of the board of directors. In many cases, they reported that there was gender balance in their teams: one male employee even felt that there *“are often more women than men”*. A female employee, meanwhile, felt that *“women are very well-represented at the top management level.”* They also found it important to point out that the support functions have been held by more and more women, with several emphasising that those in charge of personnel or administrative affairs are women.

Those in lower-responsibility positions rarely discussed the membership of the board of directors, with the exception of one employee who sees the women on the board as *“very unobtrusive”* and *“very restrained”*. Employees at this level have more a tendency to analyse gender breakdown by position as a function of the mainstreaming projects themselves, most noting that *“in the workstreams, there are more men than women.”*

## B. WOMEN IN EDUCATION, EVALUATION AND REMUNERATION PROCESSES

At the social entrepreneurship organization in our study, the people interviewed appear to feel that there is no uniform policy when it comes to promoting gender equality, regardless of their level of responsibility in the structure. However, one manager said that *“the structure applies an equal opportunities principle and gives priority to expertise in their recruitment”* (Zoé, manager, F). Some of the people regretted that this was missing. It appears, however, that initiatives have been started in certain projects. One project supervisor wants to achieve a balance between women and men in the workstreams. One male employee nonetheless felt that:

*“In the workstreams, there is a very clear gender divide in the professions: all of the social workers are women.”* (Samia, employee, F)

*“Very little is done in the construction sector workstreams [to bring in more women]. Sometimes, there are no changing rooms [for them] and the safety footwear is not available in small sizes.”* (Ibrahim, manager, M)

Other employees said that there are changing rooms everywhere, this needs to be taken into account in our analysis. However, as logically follows from their perception of gender breakdown by position, the employees do not really analyse the training, assessment and compensation systems from the perspective of gender.

As regards training, based on the interviews, the company applies a relatively neutral policy when it comes to gender equality. Training is mandatory. People in high-responsibility positions mention the training system in place: one female employee feels that *“training for the workstream managers is very well-organised”* in that they are offered at least one training programme per month and are invited to attend (Mathilde, manager, F). A male manager specified that the training system depends in large part on the funds allocated to this aspect in the budget.





As to assessment, the process appears to be well-established, although it too tends to be mentioned more frequently by those in high-responsibility positions. The first employee, a woman, explained that *"employees are called in for performance review meetings each year"* and that there is also *"a self-assessment process."* As she sees it, the systems *"are well-received by the employees"*. (Mathilde, manager, F).

The second employee to bring up the topic, a man, was more sceptical: individual assessment is not as clear-cut in his view. *"The process needs to be revamped"*. He nonetheless specified, with regard to the assessment process, that:

*"The personal annual reviews are used to develop a training plan. For some employees, this is done on a case-by-case basis."* (Ibrahim, Manager, M).

In this case, it is important to distinguish between the employees, which have training depending of their wishes and projects, and people in the inclusion programme that have mandatory trainings.

He also listed the assessment criteria: the targets set for each workstream are indicators in and of themselves.

*"From management's perspective, there is also a long-term plan, over a year or two, based on the structure's needs and skills sought"*. (Ibrahim, Manager, M)

As regards remuneration at this particular company, it is governed by a collective agreement negotiated by the unions and management, applicable to all employees. It is reported to offer benefits to those with greater seniority.

*"An increase in pay (every three years) is offered based on seniority and performance."* (Ibrahim, Manager, M)

The interviews showed a lack of transparency as regards the said agreements and equal pay regardless of gender: those interviewed assumed there were no inequalities, but could not substantiate their assertions.

*"Salary is regulated by collective agreement. I think it's more or less balanced."* (Zoé, Manager, F)

Two of the interviews, however, revealed sizeable discrepancies. One female employee explained to us that there are gender-related wage inequalities, due to a recent change in collective agreement between two hiring periods. An initial wave of people, primarily men, is said to have been hired based on one collective agreement, which well guaranty their standards of salaries. But then a second wave of recruitment, composed primarily of women, was reportedly hired based on a new collective agreement establishing less favourable incomes. The change of convention is thus said to have caused indirect discrimination; so that a main part of women working in the company hired under the new convention received less advantageous salaries than the majority of menworkers that benefited for the former convention.

*"The outcome is such that there are now more men than women from the former team and more women recently hired than men, the result of which is that a gender divide can be seen on salary, in particular on support staff positions."* (Samia, employee, F)

This analysis corresponds with a change of the remuneration process and the creation of salary grid. In addition to this come individual cases in which salaries are not on par with the positions held: a female employee, for instance, noted that she was underpaid compared to people in the same position, at other companies.





This recent change in the collective agreement causes interrogations among employees. This appears all the more likely that it is common for new employees to negotiate their own salary at their incoming interview, thus blurring the lines even further. Women and men have different way of negotiating, especially for decision-making positions.

As regards the interconnection between personal and professional life at this particular company, the vast majority of employees interviewed explained that there would be no problem balancing out the two. Several of the employees explained that *"schedules are flexible"*. Generally speaking, managers *"agree to adjust working hours, whether the request comes from a man or from a woman"*. It appears that such flexibility is not a result of *"internal working rules"*, but often results from *"a tacit agreement"*.

One of the interviews, however, revealed that this flexibility does not necessarily apply to those hired to the workshops:

*"In [one of the local inclusion projects], a woman would drop her child off at school and always come to work late. When her child was sick, she wouldn't come to work at all."* (Jacqueline, employee, F)

It is important to notice that the social enterprise allows 12 days for children-sick leave per year. However, being late is less tolerated for people in the inclusion programmes in order to *"prepare them to the professional world reality"* (Zoé, manager, F).

The interviews thus show that flexibility is offered first and foremost to those in management positions, broadly speaking.

### C. WOMEN IN THE PROMOTION PROCESS

The company in this case study does not appear to have a formal promotion and hiring process. Employees and managers have different perspectives.

Managers say that every new position is sent to all employees. But over the course of the interviews, one person reported a situation in which inter-personal relations may have given one applicant the edge over another. The female employee speaking affirmed that:

*"A position was tailor-made for someone, [...] so there comes a point when it just doesn't make sense to apply and come up against a wall. I didn't have all the skills, but even if I had wanted to apply, there wouldn't have been any point in it."* (Huan, employee, F)

This type of situation nonetheless appears relatively sporadic and is not connected with gender. The interviewee recognises that she may have been passed over for some jobs, but *"it's not because I'm a woman – Management allows women to move up the ladder."* (Huan, employee, F)

About this situation, one manager said the position has been created for organisational reasons and the person (a female employee) who got the job took part of the task force.

External recruitment is used when a given department identifies a need for skills that cannot be addressed in-house. In this case, an ad is published. Recruitments are made with two or three people, several people take part of the CVs analysis.





### Opportunities

This social enterprise does offer opportunities for promotion, but they are seen differently by the employees.

Women in high-responsibility positions see opportunities for women:

*"Promotion is possible; all of the ads are published internally. For instance, one woman was made director. This is something the association allows. One day, if I want to take aim at a different position, I will be encouraged."* (Mathilde, manager, F)

*"The job offers made are more and more frequently feminized".* (Amélie, manager, F)

The perspectives of men in high-responsibility positions have a different perspective, one of them explaining that:

*"There are few opportunities, but when one does emerge, we try to encourage employees to seize the opportunity."* (Ibrahim, manager, M)

There is no real policy in place to promote women to high-responsibility positions. This is due in part to the fact that women are in the majority in such positions, that the company does not have an overall gender equality policy, as well as to the fact that the structure is quite small and has a low turnover rate. One manager feels that,

*"We try to build careers and promote everyone's development."* (Zoé, manager, F).

Employees in lower-responsibility positions analyse promotion opportunities in a more pin-pointed manner: one female employee feels that there are opportunities, but no actual promotion as such.

*"It is easy to change professions, but hard to climb the ladder."* (Meriem, Manager, F)

The most frequent opportunities are those available to employees involved in civil service projects: they are often hired permanently, once the projects come to an end. As to those involved in mainstreaming workstreams, one female employee feels that there are no promotion opportunities for them.

*"It is possible for someone to move from support staff to supervisor, but it hasn't happened in a long time. No supervisor has ever been promoted to a high-responsibility position."* (Jacqueline, employee, F)

At the level of the workstreams, there are certain projects where female recruitment is promoted. This applies, for instance, to those workstreams that traditionally involve few women. Open-house days are organised for this purpose.

*"In order to attract more applicants to the workstreams, we have organised open-house days in the project teams, particularly for women, in order to fight preconceptions and promote jobs in the workstream."* (Zoé, manager, F).

This company offers relatively few opportunities, but when they do exist, no specific gender equality objective is connected with them. As each level of the company is relatively closed off from the others and as professions are very different from one to another, it is not easy to climb the professional ladder. However, women have been recently promoted to decision-making positions.





### Barriers

There exist a number of barriers when it comes to promotion. Several of the employees stated that it is sometimes complicated for women to reach top management level positions, generally speaking, adding however that the social economy could sometimes be the exception to the rule. One female employee for instance stated that:

*"I think, generally speaking, that it is hard for a woman to reach a management position. For instance, my brother does not hire women. In the social entrepreneurship sector, the men are more intelligent. I have never felt stigmatized as a woman. "* (Mathilde, manager, F)

Women in management positions referred to the difficulty they have in having their words accepted. Relations with partners outside the company are not always easy, as attested to by the following manager:

*"When there are meetings with partners or companies operating in a sector other than the social enterprise sector, they tend to speak to or interact with the man present at the meeting, even though I am the person in charge of the meeting. "* (Mathilde, manager, F)

Another female employee explained that she was sometimes the target of sexist comments, whether inside or outside the company. Generally speaking, the women stated that it was difficult for them to gain credibility when dealing with certain counterparts, as a result of gender.

Other possible obstacles result from the salary negotiation process, men and women have different ways to proceed, men asking more than women. The lack of recruitment and promotion process is also a possible obstacle: the fact that job offers are not always published can, in and of itself, be a barrier to information. In addition, there may be obstacles due simply to individuals: one employee applied for three management positions, but her application was rejected three times, *"due to a skills and personality issue"*, she feels. The employee stated that she had trouble getting along with the rest of the team. She concluded with, *"if my career cannot develop here, I will go somewhere else "* (Huan, employee, F)

### Conclusion

Individually speaking, the employees at this company are aware that progress needs to be made overall and across the company in order for gender equality in the workplace to become a reality. However, at their level of the company, there is no all-encompassing plan to foster this. The reasons for this are manifold: first of all, those at the management level do not see this as a priority issue, insofar as they work in an environment where women are in the majority. In addition, those at the management level are involved in social issues and have a positive and clearly-asserted stance on gender equality. This commitment drives concrete action internally, in favour of equality, as was emphasised in one interview:

*"I would really like to see the structure be clearer about that. The association's project is not geared in that direction. I would like to see a formal commitment, but that's also because I'm a staunch supporter of this. Gender equality action depends a lot on the people behind it. "* (Amélie, Manager, F)

This instrument is not being used for the time being. It would, however, make it possible to analyse certain issues such as free movement of information or the effects of a change in collective agreements. These points were raised by certain employees. Action, in contrast, is undertaken to foster greater parity in the inclusion workstreams, but are not extended to all projects.





### 3. COMPARISON OF THE SITUATION IN CONVENTIONAL AND SOCIAL ENTREPRISES

#### A. COMPARISON OF THE REPRESENTATION OF WOMEN IN THE TWO TYPES OF ORGANISATIONS

The business economy and social economy company are about the same in size: the first employs 42 people, and the second 44. The first has achieved and exceeded the parity target: 52% of the staff is composed of women. This is due in particular to the strong effort to increase the number of women in recent years. This rate is surprising nonetheless, in that the printing sector traditionally employs far more men. In the second company, women account for 40% of the employees.

Despite the difference in terms of female presence, the male-female breakdown at the two companies remains similar. There is a high proportion of women in high-responsibility positions (approximately 66-67% in both structures). There are also found in large numbers in the support functions: in the first company, the Secretariat and Customer Services Department consist solely of women. In both companies, some sectors are very much shaped by gender: the technical departments at the social enterprise are largely populated with men, as are the inclusion workstreams connected with construction and local development. Emphasis also needs to be placed on the fact that certain positions, traditionally held by males, are now opening up to women, especially in the first company, where the director of production is a woman.

Generally speaking, the presence of women and the gender breakdown by position are not frequently analysed as gender inequalities. Most of the interviews showed that employees appeared to be satisfied with the proportion of women in the two structures. In the social enterprise, a distinction is made when employees describe the make-up of the inclusion workstreams; the uneven gender breakdown is sometimes blatant in some activities. Those with high-responsibility positions focus more on analysing the membership of the board of directors, where women are in the minority.

In both companies, it can be concluded that the presence of women is important overall, but within both structures, the breakdown between women and men is very uneven. Women are found in traditionally-female sectors and overall, neither the company nor the employees undertake action to fight these stereotypes.

#### B. COMPARISON OF THE SITUATION OF WOMEN IN EDUCATION, EVALUATION AND REMUNERATION PROCESSES IN THE TWO TYPES OF ORGANIZATIONS

Where training is concerned, neither of the two companies has formally established a solid training process. The few initiatives that do exist toward this end do not take into account gender equality. In the conventional enterprise, it appears that training is offered primarily for the Production Department, whereas for the social economy enterprise, training appears to be more frequent and available to everyone. In the conventional company, the most salient point is that the skills transfer largely takes place in an informal manner, between employees. There is a relative disconnect between those in high-responsibility positions and employees with lower-responsibility jobs. The former have a better grasp of the training process while the latter made only infrequent references to it in the interviews.





Where remuneration is concerned, formal processes appear to be lacking there too. In the conventional company, there are evidently no set rules; seniority thus does not play a particularly major part in employees' actual level of pay. In the social economy company, salary is governed by a collective agreement. However, a recent change in agreement is said to have indirectly caused pay inequalities between men and women. Job interviews are also opportunities for individual pay negotiations, which can cause growing disparities between pay. Job interviews are also opportunities for individual pay negotiations, which can cause growing disparities. Overall, where pay inequalities do exist, employees tend not to pick up on them. Only one employee (female), having identified a pay discrepancy, requested a raise, which she says was granted to her without any difficulty, following negotiation.

Where assessment is concerned, individual interviews are held in both structures. The performance assessment process appears to be taken further in the social company, however, where there is also a self-assessment process. It appears that objectives are set both for the workstreams and the employees themselves. As developed as it may be, however, it does not take into consideration gender equality.

Overall, whether in training, assessment and compensation, there is no fully rounded-out process. Gender equality is not specifically taken into account.

### C. COMPARISON OF OPPORTUNITIES AND BARRIERS FOR THE PROMOTION OF WOMEN IN THE TWO TYPES OF ORGANIZATIONS

At both structures, the interviews showed opportunities for career development to be limited in number. Employees at both structures agree that there is little opportunity for vertical promotion, though horizontal development remains a possibility.

In the conventional company, those interviewed had all moved up in the entity since they first arrived. Some started out as interns or temporary workers, and were soon granted permanent contracts. However, it should be specified that most of the employees are senior and sometimes very senior staff, having been at the structure since they first started working. The interviews showed that they no longer see career development as a possibility for the time being, due to the current economic situation. That being said, thanks to the widespread practice of voluntary skills transfer between employees, horizontal development appears to be much more within reach.

As regards the social enterprise, employees there see the vertical development opportunities as non-existent. However, as is the case in the first company, they believe that they can switch to a different position in the same category.

Furthermore, it should be noted that, in both sectors, the interviews reflected a lack of transparency regarding vacant positions at the company, promotion opportunities and intentions to move up in the company. This was more clearly reflected at the conventional company. There, employees frequently stated they had no desire to aim for a position at the management level because, in their own view, they did not have the skills to do so. They did not appear to feel "capable" of holding a management position, or "have the skills needed to be a manager". This may reflect a lack of recognition for employees' skills in the organisation, which can, in turn, hinder promotion. That being said, the lack of recognition does not appear to be limited only to women, but indeed apply to the staff as a whole.





Very few positions were open for the internal job market, whether in the commercial sector company or the social enterprise. For example, in the conventional company, the staff described communication about the production management position as non-existent. None of the employees applied for the position and no information appears to have been circulated. The person hired to take over the position came from outside the company.

In contrast, at the social enterprise, the manager position of area 1 is now held by a woman, who came in through internal promotion. In contrast, at the social enterprise, the area 1 Manager position is now held by a woman, who came in through internal promotion. It does not; however, appear that internal promotion is a common practice, the Manager of area 1 being rather an exception.

That being said, those interviewed at both companies were quick to specify that their managers remained open to requests for career development, regardless of sex. It appears that, although information about in-house job offers circulates only to a limited extent, employees wishing to develop in their jobs, whether men or women, are not hindered because of their sex.

### D. COMPARISON OF GOOD PRACTICES AND BAD PRACTICES IN CONVENTIONAL ENTERPRISE AND SOCIAL ENTERPRISE

Whether at the conventional company or the social economy company, the interviews uncovered a number of good practices, along with some bad practices.

In the two companies, it can be said that they adopt a rather neutral or even passive stance towards gender equality. Individually, the persons interviewed state that gender equality is really important for them and that it is crucial to consider it as an objective to reach. Some employees of the social company identified themselves as feminist.

But when it comes to the management of both companies, there is no general approach adopted to promote gender equality. There is no transparency on wages for instance. There is no peculiar policy to promote women to positions with high responsibility. The fact that women outnumber men in the social company including the management positions is not a result of any good practice or policy. This lack of initiatives can be analysed as a bad practice for both companies. It is also interesting to note that, whether in the commercial company or the social sector company, women in management positions brought up the fact that they felt they always, in all areas, had to “prove themselves more” than did the men.

Having said that, it cannot be concluded that there is no good practice developed in any of the organizations. In both companies, the employees interviewed unanimously felt that they could easily balance work with personal and family life. Those in management positions nonetheless voiced some reservations, describing it as “complicated”; nonetheless, all those interviewed agreed that, with some planning, “it is possible”. In both cases, management’s decision-making policy does not prevent anyone from achieving a satisfactory work-life balance.

In the social company, gender diversity is promoted. Some workshops aim to encourage women to apply for jobs in sectors that remain predominantly male. The company holds project site tours for women only, in order to change their perspective on certain jobs that no longer entail carrying heavy loads.

These good practices may be undermined by the fact that there are no written rules framing this kind of measures.





## CHAPTER 3: CONCLUSIONS

Gender equality in the workplace remains in the fore of economic, political and social debate. The recognition given to the principle of gender equality in the workplace in the Preamble of the 1946 Constitution and reiterated in the 1958 Constitution did not give way to direct enforcement of the principle, however.

Today, while women do work, wage inequalities at the expense of women persist, even though women tend to earn higher degrees compared to men. A closer look at the figures shows the proportion of women in executive functions to be comparatively very low. Only 18.1% of company executives in France are women. The gap is even greater in certain areas of activity such as industry, the commercial sector or the merchant services sector. Similarly, female managers are still in the minority, just as managing bodies of large companies have very few female members.

In order to remedy these inequalities and comply with international and European law, the legal requirements have been stepped up since the 1983 ROUDY Act, the first legislation in France establishing the principle of gender equality in the workplace.

The first decade of the millennium stood out for the publication of a series of laws facilitating the implementation of gender equality in the workplace. We will note here the 23 March 2006 Law regarding equal pay, which ushered in the provisions in effect in this area, under the Labour Code (Article L 1141-1 to L 1146-3) as well as 4 August 2014, the first law establishing Actual Equality between women and men.

Failure to comply with provisions on gender equality in the workplace is punishable by one year in prison and a €3,750 fine. Furthermore, the burden of proof under labour law for those who deem they have been victim of discrimination on the grounds of gender has been lightened. They may turn directly to labour dispute court or seek representation by a union representative.

In addition, the 31 July 2014 Law regarding the social economy (ESS), which now forms the primary legislation governing social entrepreneurship, contains provisions on gender equality in the workplace. The social economy now accounts for more than 10% of new hires in France. The topic of gender equality in the workplace appears to be fully taken into consideration, with women accounting for nearly 67% of employees in the social economy.

As regards more specifically the topic of access to high-responsibility positions for women, the French Constitution does not expressly state that it should specifically foster. It can, however, be deduced from Article 1 of the 1958 Constitution, modified by the Constitutional revision of 4 October 2008, which provides that: “the law fosters equal access for women and men to electoral office and elective functions, as well as to professional and social responsibilities”.

In 2011, a law specifically on this topic was ratified: the 27 January 2011 Law known as the Copé-Zimmerman Act, regarding balanced representation for women and men on boards of directors and supervisory boards and on gender equality in the workplace, makes it mandatory to form boards of directors or supervisory boards “aiming for balanced representation between women and men”. The Law provides for gradual implementation of these provisions. Joint stock companies or limited stock partnerships the shares of which may be traded on a regulated market, those employing on average more than 500 permanent employees and achieving net earnings or total balance sheet amounting to at least €50 million for three consecutive fiscal years, from 1 January 2017 and public sector





companies and public establishments of industrial and commercial nature (EPIC) must ensure 40% representation for each sex within 6 years following the law's ratification on 28 January 2011.

The law does not institute any requirements for other companies, but it can be concluded from the law's provisions that all companies, regardless of their size and headcount, must aim for balance representation for each sex on their boards. In addition, special provisions have made it possible to institute quotas specific to civil service. The Sauvadet Act dated 12 March 2012, supplemented by the 30 April 2012 enforcement decree, requires that each sex be ensured 40% representation in first-time appointments to management-level positions, from Year 2018.

The French government, associations and social partners strongly support the implementation of law's enforcement and are taking positive action to support both companies and women to enable further progress on this topic.

Based on the two organizations thanks to which FACE was able to conduct this study, it appears that gender equality in the workplace overall and, more specifically, that of the issue of equal access for women and men to management-level positions is not one addressed directly.

Before delving any further into the matter, it should be specified that both organizations are headed by women. Similarly, in both sectors, two-thirds of the management-level positions are held by women. Lastly, women are represented in a balanced manner overall, and are even in the majority at the conventional enterprise.

It emerges from our study that social enterprise is not necessarily more conducive to good practices than is the conventional enterprise when it comes to gender equality. Female representation across business sectors is similar: the administrative positions and resources are generally held by women, while workshop positions are primarily male. Overall, women and men are nonetheless found at all levels of each company's hierarchy.

Where training is concerned, neither of the two companies has actually instituted a regular and identified training process. Employees are assessed on the basis of individual interviews, training sessions are provided for and available to everyone at the social economy company. Where remuneration is concerned, no rules have yet been instituted, whether at the conventional company or the social economy company. That being said, considering the dearth of information and lack of transparency at the management level on these issues, the employees do not appear to see inequalities where training, assessment or remuneration is concerned.

As regards opportunities for promotion, the employees at the two organizations agree that they are few in number, substantiating this as the result of the economic crisis and a lack of newly-opened internal positions. However, whether at the conventional company or the social company, those interviewed appear to be confident that management is open to any suggestions and that there are no obstacles due to gender at their company.

Lastly, the interviews helped bring out a number of good practices instituted by each of the structures to foster gender equality in the workplace. At both companies, management makes it a point to ensure that each employee can balance work and personal life.

However, despite good practices, certain stereotypes indeed die hard, despite eagerness to address them in the social economy organisation. Management and most of the employees interviewed are





## GENDER BALANCE POWER MAP

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Co-inspiration between social and conventional enterprises  
to promote equal access to decision making positions in France

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committed to social issues, deeming it positive to take action on gender equality at their company. This commitment cannot be seen in any concrete initiatives, but is a driver fostering access for women to high-responsibility positions. This positive outlook on gender equality (*"I am a big feminist"*, excerpt from an interview with a member of the management team at the social enterprise) is one of the factors that distinguishes it from the traditional economy (*"there are a good number of women in the company, but I have never paid attention to that"*, excerpt from an interview with a member of the management team at the conventional enterprise).

There is, in other words, a difference in culture between the two sectors, in the way they approach these topics, but little difference in actual practices (recruitment, training, promotion, etc.), between the two companies interviewed.





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## GENDER BALANCE POWER MAP

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Co-inspiration between social and conventional enterprises  
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## ANNEXES

### Annex 1 : List of interviewees from Social Enterprise in France

Nick name	Position in the enterprise	Gender
Mathilde	Manager	F
Ibrahim	Manager	M
Amélie	Manager	F
Zoé	Manager	F
Meriem	Employee	F
Samia	Employee	F
Lina	Employee	F
Jacqueline	Employee	F
Huan	Employee	F

### Annex 2 : List of interviewees from Business Enterprise in France

Nick name	Position in the enterprise	Gender
Michel	Manager	M
Isabelle	Employee	F
Farah	Employee	F
Judith	Employee	F
Lucie	Employee	F
Carole	Employee	F
Zahira	Employee	F
Irma	Employee	F
Carmen	Manager	F

### Annex 3 : Article 1 of the Constitution of October 4, 1958

France shall be an indivisible, secular, democratic and social Republic. It shall ensure the equality of all citizens before the law, without distinction of origin, race or religion. It shall respect all beliefs. It shall be organised on a decentralised basis.

Statutes shall promote equal access by women and men to elective offices and posts as well as to position of professional and social responsibility.





### Annex 4 : Preamble to the 27th of October 1946 Constitution

1. In the morrow of the victory achieved by the free peoples over the regimes that had sought to enslave and degrade humanity, the people of France proclaim anew that each human being, without distinction of race, religion or creed, possesses sacred and inalienable rights. They solemnly reaffirm the rights and freedoms of man and the citizen enshrined in the Declaration of Rights of 1789 and the fundamental principles acknowledged in the laws of the Republic.
2. They further proclaim, as being especially necessary to our times, the political, economic and social principles enumerated below:
3. The law guarantees women equal rights to those of men in all spheres.
4. Any man persecuted in virtue of his actions in favour of liberty may claim the right of asylum upon the territories of the Republic.
5. Each person has the duty to work and the right to employment. No person may suffer prejudice in his work or employment by virtue of his origins, opinions or beliefs.
6. All men may defend their rights and interests through union action and may belong to the union of their choice.
7. The right to strike shall be exercised within the framework of the laws governing it.
8. All workers shall, through the intermediary of their representatives, participate in the collective determination of their conditions of work and in the management of the work place.
9. All property and all enterprises that have or that may acquire the character of a public service or de facto monopoly shall become the property of society.
10. The Nation shall provide the individual and the family with the conditions necessary to their development.
11. It shall guarantee to all, notably to children, mothers and elderly workers, protection of their health, material security, rest and leisure. All people who, by virtue of their age, physical or mental condition, or economic situation, are incapable of working, shall have to the right to receive suitable means of existence from society.
12. The Nation proclaims the solidarity and equality of all French people in bearing the burden resulting from national calamities.
13. The Nation guarantees equal access for children and adults to instruction, vocational training and culture. The provision of free, public and secular education at all levels is a duty of the State.
14. The French Republic, faithful to its traditions, shall conform to the rules of international public law. It shall undertake no war aimed at conquest, nor shall it ever employ force against the freedom of any people.
15. Subject to reciprocity, France shall consent to the limitations upon its sovereignty necessary to the organization and preservation of peace.
16. France shall form with its overseas peoples a Union founded upon equal rights and duties, without distinction of race or religion.





17. The French Union shall be composed of nations and peoples who agree to pool or coordinate their resources and their efforts in order to develop their respective civilizations, increase their well-being, and ensure their security.

18. Faithful to its traditional mission, France desires to guide the peoples under its responsibility towards the freedom to administer themselves and to manage their own affairs democratically; eschewing all systems of colonization founded upon arbitrary rule, it guarantees to all equal access to public office and the individual or collective exercise of the rights and freedoms proclaimed or confirmed herein.

### **Annex 5 : LAW No. 2011-103 dated 27 January 2011 regarding balanced representation for women and men on boards of directors and supervisory boards and equality in the workplace**

The National Assembly and Senate have ratified,  
And the President of the French Republic hereby promulgates the law worded as follows:

#### **Article 1**

I. Subsequent to Paragraph 1 of Article L. 225-17 of the Code of Commerce, a paragraph shall be inserted as follows: "The board of directors shall be formed with the aim of achieving balanced representation of women and men". "

II. Subsequent to Article L. 225-18 of the aforementioned Code, an Article L. 225-18-1 is inserted as follows:

« Art. L. 225-18-1.- The proportion of Directors of each sex shall be no lower than 40% in companies the shares of which are may be traded on a regulated market, and from the first ordinary annual general meeting convened to decide on appointments, at companies which, for the third consecutive year, employ on average at least 500 permanent employees and record net turnover or total balance sheet amounting to at least €50 million. At these same companies, where the board of directors is composed of at least eight members, the gap between the number of directors of each sex shall be no greater than two.

"Any appointment not compliant with the first paragraph and not resulting in the correction of existing unlawfulness in the board's membership shall be considered null and void. This shall not, however, render null and void deliberations in which the director appointed in violation of the law previously participated. "

III. Following Paragraph 1 of Article L. 225-20 of the aforementioned Code, a paragraph is inserted as follows:

"The permanent representative is taken into consideration in order to assess compliance in membership on the board of directors, as described in Paragraph 1 of Article L. 225-18-1. Any appointment made in violation of this paragraph and not resulting in the correction of existing unlawfulness in the board's membership shall be considered null and void. This shall not, however, render null and void deliberations in which the director appointed in violation of the law previously participated". "

IV. Article L. 225-24 of the same Code is modified as follows:

1° After Paragraph 3, a paragraph is inserted as follows:

"Where its membership is no longer in compliance with Paragraph 1 of Article L. 225-18-1, the board





of directors must make temporary appointments in order to remedy this, within six months of the date on which the vacancy occurs. ";

2° In the first sentence of Paragraph 4, the reference "and third" is replaced with the reference "third and fourth". "And third" is replaced with the reference "third and fourth".

V. Paragraph 2 of Article L. 225-27 of the aforementioned Code is supplemented with the words: "nor for enforcing Paragraph 1 of Article L. 225-18-1".

VI. Paragraph 6 of Article L. 225-28 of the aforementioned Code is modified as follows:

1° The second sentence is supplemented with the words: "and be composed alternatively of one candidate of each sex";

2° A sentence is added as follows:

"On each of the list, the gap between the numbers of candidates of each sex may not exceed one."

VII. In the first sentence of Paragraph 6 of Article L. 225-37 of the aforementioned Code, after the word: "membership" the following is inserted: "of the board of directors and enforcement of the principle of balanced representation for women and men on the said board".

VIII. Article L. 225-45 of the same Code is supplemented with a paragraph as follows:

"Where the board of directors is not formed in compliance with Paragraph 1 of Article L. 225-18-1, payment of the remuneration provided for in Paragraph 1 of this Article is suspended. Payment shall be reinstated when the membership of the board of directors is once again compliant, including the arrears since the time of suspension. "

### Article 2

I. In Paragraph 7 of Article L. 225-68 of the aforementioned Code, after the word: "membership" the following is inserted: "of the board of directors and enforcement of the principle of balanced representation for women and men on the said Board".

II. Article L. 225-69 of the aforementioned Code is supplemented by a Paragraph worded as follows  
"The supervisory board shall be formed with the aim of ensuring balanced representation for women and men. "

III. Following the same Article L. 225-69, Article L. 225-69-1 is inserted as follows:

"Art. L. 225-69-1.- The proportion of members of the supervisory board of each sex shall be no lower than 40% in companies the shares of which are may be traded on a regulated market, and from the first ordinary annual general meeting convened to decide on appointments, at companies which, for the third consecutive year, employ on average at least 500 permanent employees and record net turnover or total balance sheet amounting to at least €50 million. At these same companies, where the supervisory board is composed of at least eight members, the gap between the number of directors of each sex shall be no greater than two.

"Any appointment not compliant with the first paragraph and not resulting in the correction of existing unlawfulness in the vboard's membership shall be considered null and void. This shall not, however, render null and void deliberations in which the member of the supervisory board appointed in violation of the law previously participated. "

IV. Following Paragraph 1 of Article L. 225-76 of the aforementioned Code, a paragraph is inserted as follows:

"The permanent representative is taken into consideration in order to assess compliance in





membership on the supervisory board, as described in Paragraph 1 of Article L. 225-69-1. Any appointment made in violation of this paragraph and not resulting in the correction of existing unlawfulness in the board's membership shall be considered null and void. This shall not, however, render null and void deliberations in which the director appointed in violation of the law previously participated". "

Article L. 225-78 of the same Code is modified as follows:

1° After Paragraph 3, a paragraph is inserted as follows:

"Where its membership is no longer in compliance with Paragraph 1 of Article L. 225-69-1, the supervisory board must make temporary appointments in order to remedy this, within six months of the date on which the vacancy occurs. ";

2° In the first sentence of Paragraph 4, the reference: "and third" is replaced with the reference: "third and fourth".

VI. V. Paragraph 2 of Article L. 225-79 of the aforementioned Code is supplemented with the words: "nor for enforcing Paragraph 1 of Article L. 225-69-1".

VII. Article L. 225-83 of the aforementioned Code is supplemented by a Paragraph worded as follows

"Where the supervisory board is not formed in compliance with Paragraph 1 of Article L. 225-69-1, payment of the remuneration provided for in Paragraph 1 of this Article is suspended. Payment shall be reinstated when the membership of the supervisory board is once again compliant, including the arrears since the time of suspension. "

### **Article 3**

Following the first sentence of Paragraph 3 of Article L. 225-102-1 of the aforementioned Code, a sentence is inserted as follows:

"Reference is made, where applicable, to the enforcement of Paragraph 2, as the case may be, of Article L.225-45 or Article L. 225-83." "

### **Article 4**

Following Paragraph 1 of Article L. 226-4 of the aforementioned Code, a paragraph is inserted as follows:

"The board of directors shall be formed with the aim of achieving balanced representation of women and men". "

II. Following the same Article L. 226-4, Article L. 226-4-1 is inserted as follows:

"Art. L. 226-4-1.- The proportion of members of the supervisory board of each sex shall be no lower than 40% in companies the shares of which are may be traded on a regulated market, and from the first ordinary annual general meeting convened to decide on appointments, at companies which, for the third consecutive year, employ on average at least 500 permanent employees and record net turnover or total balance sheet amounting to at least €50 million. At these same companies, where the supervisory board is composed of at least eight members, the gap between the number of directors of each sex shall be no greater than two.

"Any appointment not compliant with the first paragraph and not resulting in the correction of existing unlawfulness in the board's membership shall be considered null and void. This shall not, however, render null and void deliberations in which the member of the supervisory board appointed in violation of the law previously participated. "





### Article 5

Points II to VI and VIII of Article 1, Points III to VII of Article 2 and Point II of Article 4 shall come into effect as of 1 January of the 6th year following the year of publication of the law herein. The lawful formation of the boards of directors and supervisory board of the relevant companies shall be determined following the first ordinary general meeting following that date.

The third consecutive fiscal year as provided for in Paragraph 1 of Articles L. 225-18-1, L. 225-69-1 and L. 226-4-1 of the Commercial Code shall apply from 1 January of the sixth year following the year of publication of the law herein.

II. At the companies referred to in Chapters V and VI of Section II, Book II of the Commercial Code, the shares of which may be traded on a regulated market, the proportion of directors or members of the supervisory board from each sex may be no lower than 20% following the first ordinary general meeting subsequent to 1 January of the third year following the year of publication of the law herein.

Where one of the two sexes is not represented on the board of directors or supervisory board upon publication of the law herein, at least one representative of the relevant gender shall be appointed at the ordinary general meeting immediately following and convened to decide upon the appointment of directors or members of the supervisory board.

The permanent representative is taken into consideration in order to assess compliance in membership on the board of directors, as described in Paragraph 1 of Section II herein.

Any appointment made in violation of the first and second paragraphs of Section II and not resulting in the correction of existing unlawfulness in the board of directors' or supervisory board's membership shall be considered null and void. This shall not, however, render null and void deliberations in which the Director or member of the supervisory board appointed in violation of the law previously participated.

### Article 6

Law No. 83-675 dated 26 July 1983 on the democratisation of the public sector is modified as follows:

1° Subsequent to Article 6, an Article 6-1 is inserted as follows:

"Art. 6-1.- The proportion of members of the board of directors or supervisory board of each sex and appointed by decree, further to Paragraphs 1 and 2 of Article 5 and the final paragraph of Article 6 may be no lower than 40%. When no more than eight members are appointed by decree, the gap between the number of members of each sex may be no greater than two.

"Any appointment not compliant with the first paragraph and not resulting in the correction of existing unlawfulness in the board's membership shall be considered null and void. This shall not, however, render null and void deliberations in which the director or member of the supervisory board appointed in violation of the law previously participated. ";

2° Following Paragraph 1 of Article 17, a Paragraph 1b is inserted as follows:

"1b. Be composed alternatively of one candidate from each sex, provided that, on each list, the gap between the number of applicants from each sex may not be greater than one";

II. Paragraph I applies to the board of directors or supervisory board of public establishments and companies as described in Articles 5 and 6 of Law No. 83-675 of 26 July 1983 regarding the democratisation of the public sector from the second renewal of their term following the publication of the law herein.

III. At public establishments and companies as described in Articles 5 and 6 of the aforementioned Law No. 83-675 of 26 July 1983, the proportion of members of the board of directors or supervisory board of each sex, appointed by decree further to Paragraphs 1 and 2 of Article 5 and the final





paragraph of Article 6 may be no lower than 20%, from the first renewal of their term following the publication of the law herein.

When one of the two sexes is not represented on the board of directors or supervisory board upon publication of the law herein, at least one representative of the relevant gender must be appointed immediately upon the following vacancy, if it occurs before the first renewal as described in Paragraph 1 of the Article III herein.

Any appointment made in violation of the first and second paragraphs of Section III and not resulting in the correction of existing unlawfulness in the board of directors' or supervisory board's membership shall be considered null and void. This shall not, however, render null and void deliberations in which the director or member of the supervisory board appointed in violation of the law previously participated.

### Article 7

Until 31 December 2015, the Government shall address a report to the Parliamentary Assemblies describing the state of women's presence on boards of directors or equivalent bodies at national public administrative establishments and industrial and commercial public establishments operated by the State and not described under Article 1 of the aforementioned Law No. 83-675 dated 26 July 1983. This report shall describe the efforts completed or planned by the State in order to achieve the target proportion, specifically that each sex account for at least 40% of the governing bodies.

### Article 8

I. Subsequent to Article L. 225-37 of the Commercial Code, an Article L. 225-37-1 is inserted as follows:

"Art. L. 225-37-1. The board of directors shall deliberate annually on the Company's policy as regards equality in working conditions and wages. At those companies required to draw up a report on the comparative state of general working and training conditions for women and men in their organisations, as provided for under Article L. 2323-57 of the Labour Code and in those that implement a plan for gender equality in the workplace as described in Article L. 1143-1 of the aforementioned Code, it shall deliberate on this basis".

II. Subsequent to Article L. 225-82 of the aforementioned Code, an Article L. 225-82-1 is inserted as follows:

"Art. L. 225-82-1. The supervisory board shall deliberate annually on the Company's policy as regards equality in working conditions and wages. At those companies required to draw up a report on the comparative state of general working and training conditions for women and men in their organisations, as provided for under Article L. 2323-57 of the Labour Code and in those that implement a plan for gender equality in the workplace as described in Article L. 1143-1 of the aforementioned Code, it shall deliberate on this basis"

III. Subsequent to Article L. 226-9 of the aforementioned Code, an Article L. 226-9-1 is inserted as follows:

"Art. L. 226-9-1. The supervisory board shall deliberate annually on the Company's policy as regards equality in working conditions and wages. At those companies required to draw up a report on the comparative state of general working and training conditions for women and men in their organisations, as provided for under Article L. 2323-57 of the Labour Code and in those that implement a plan for gender equality in the workplace as described in Article L. 1143-1 of the aforementioned Code, it shall deliberate on this basis "

The law herein shall be executed as State law. Paris, 27 January 2011.





### **Annex 6 : LAW No. 2012-347 dated 12 March 2012 regarding access to tenured employment and improvement of working conditions for contractual civil servants, anti-discrimination, and instituting provisions regarding civil service**

#### **SECTION III: PROVISIONS REGARDING ANTI-DISCRIMINATION AND INSTITUTING ADDITIONAL PROVISIONS REGARDING CIVIL SERVICE**

##### **Chapter I Provisions regarding gender equality in the workplace and anti-discrimination**

###### **Article 50**

Introduces changes to the following provisions:

- Modifies Law No. 83-634 of 13 July 1983 - Art. 6b (V)

###### **Article 51**

Each year, a report is presented to the Technical Committees as provided for under Articles 15 of the aforementioned Law 84-16 dated 11 January 1984, 33 of the aforementioned Law 84-53 dated 26 January 1984, L. 315-13 of the Code on Social Action and Families and L. 6144-4 of the Code on Public Health, further to national social reporting, describing the state of gender equality in the workplace, including in particular data on recruitment, training, working hours, professional promotion, working conditions, remuneration and work-life balance.

###### **Article 52**

- Modified by LAW No. 2014-873 dated 4 August 2014 - Art. 65

The proportion of qualified persons of each sex appointed, on the grounds of their skills, experience or knowledge, to board of directors, supervisory boards or equivalent bodies at public establishments not listed in Article 1 of Law No. 83-675 dated 26 July 1983 regarding the democratization of the public sector may not be lower than 40 %. This proportion must be reached from the first renewal of the board of directors, supervisory board or equivalent body from the promulgation of the law herein. Where the board of directors, supervisory board or equivalent body is composed of more than eight members, the gap between the number of members from each sex may not exceed two.

Any appointment made in violation of Paragraph 1 of the Article herein shall be considered null and void, except those appointing members of the sex under-represented on the board. This shall not render null and void deliberation of the board of directors, supervisory board or equivalent body.

This Article shall come into effect from the first renewal of the board of directors, supervisory board or equivalent bodies of public establishments from the promulgation of the law herein. However, the proportion of members of these bodies shall be no lower than 20% from the date of first renewal following the publication of the law herein. From the second renewal of the board of directors, supervisory board or equivalent body, the proportion must reach 50% or the gap between the number of women and number of men may not be greater than one.

Where one of the sexes is not represented on the board as at the publication of the law herein, at least one representative of the said sex shall be appointed immediately upon the next vacancy, if it occurs prior to the first renewal as described in Paragraph 3.





Any appointment in violation of the above provisions and not resulting in the correction of existing unlawfulness in the membership of the board of directors, supervisory board or equivalent body shall be considered null and void. This shall not, however, render null and void deliberations in which the member appointed in violation of the law previously participated.

A decree rendered by the Council of State sets out the terms of enforcement for the article herein.

### **Article 53**

With the exception of members representing civil servant trade unions and representatives of local-level civil servants, the respective members of the Joint Council on Civil Service, Higher Council on State Civil Service, Higher Council on Local Civil Service and Higher Council on Hospital Civil Service shall be appointed, in each of the categories they represent, provided a proportion of at least 40% from each sex is maintained.

This Article shall apply upon the next renewal of members of the Joint Council on Civil Service, Higher Council on State Civil Service, Higher Council on Local Civil Service and Higher Council on Hospital Civil Service.

### **Article 54**

From the first renewal of the body subsequent to 31 December 2014, the members representing the administration or local authority on the joint administrative commissions instituted under national civil service, local civil service and hospital civil service shall be appointed maintaining a minimum proportion of 40% from each sex.

### **Article 55**

From 1 January 2015, when appointing members of judging panels and selection committees formed to decide on the recruitment or promotion of civil servants under national civil service, local civil service and hospital civil service, the administrative authority in charge of organising the competitive examination, examination or selection process shall ensure that at each sex accounts for at least 40% of total membership.

In the event of exceptional circumstances, special statutes may be adopted to establish, in light of existing restrictions on recruitment or the needs specific to certain corps or job categories, exemptions to the minimum proportion provided for in Paragraph 1.

Where judging panels or selection committees are composed of three people, at least one person from each sex shall be appointed.





### Article 56

Modified by LAW No. 2014-873 dated 4 August 2014 - Art. 68

I. - Modified the following provisions

Law No. 83-634 dated 13 July 1983

Art. 6 quater

General Local Government Code

Art. L2321-2, Art. L3321-1, Art. L4321-1

III. The Article herein shall come into effect from 1 January 2013.

The minimum proportion of individuals from each sex as provided for in Paragraph 1 of Section I, Article 6 quater of the aforementioned Law No. 83-634 of 13 July 1983 is hereby established at 20% for members appointed in 2013 and 2014, and 30% for those appointed in 2015 and 2016. The State Council Decree provided for under Section III of the same Article establishes, for years 2013 to 2016, the number of appointments to which the final Paragraph of Section I of the present Article applies





## GENDER BALANCE POWER MAP

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Co-inspiration between social and conventional enterprises  
to promote equal access to decision making positions in France

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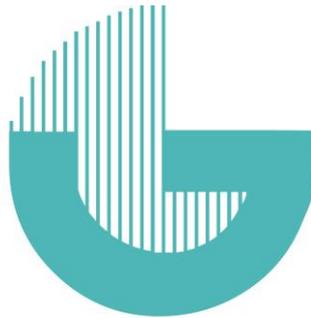


## GENDER BALANCE POWER MAP

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Co-inspiration between social and conventional enterprises  
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## GENDER BALANCE POWER MAP

Co-inspiration between social and conventional enterprises  
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