



EU GENDER EQUALITY LAW

SEMINAR FOR MEMBERS OF THE JUDICIARY

Cracow, 12-13 June 2017

**UP
GRADE**
YOUR LEGAL
EXPERTISE

**Equality
Law**



Speakers

Marguerite Bolger, Barrister, Dublin

Jennifer Eady QC, Senior Circuit Judge, Employment Appeal Tribunal, London

Prof Petra Foubert, Hasselt University

Przemysław Mikłaszewicz, Legal Secretary, Court of Justice of the European Union, Luxembourg

Prof Linda Senden, University of Utrecht

Anna Śledzińska-Simon, Assistant Professor, University of Wrocław

Key topics

- Definition of key concepts (direct/indirect discrimination, harassment and sexual harassment)
- Burden of proof
- Equal pay
- Remedies and sanctions
- Pregnant workers and the reconciliation of work and family life
- Positive action

Languages: English and Polish (simultaneous interpretation)

Event number: 117DV28

Organisers

ERA (Leyre Maiso) on behalf of the European Commission (Contracting Authority) and with the support of the National School of Judiciary and Public Prosecution (KSSiP)



Krajowa Szkoła
Sądownictwa i Prokuratury



Funded under the 'Rights, Equality and Citizenship Programme 2014-2020' of the European Commission

EU Gender Equality Law

Monday, 12 June 2017

- 08:45 Arrival and registration of participants
- 09:00 **Welcome and introduction**
KSSiP
Leyre Maiso, ERA
- 09:15 **The role of the national judge in applying the EU Equality Directives**
Relationship with national legal orders and the preliminary ruling procedure
Przemysław Mikłaszewicz
- 10:00 Discussion
- 10:15 **The EU legal framework on equality**
 - The EU Charter and EU Treaties
 - EU Directives on equal treatment – overview and scope
 - International instruments (CoE, UN, ILO)*Anna Śledzińska*
- 10:45 Discussion
- 11:00 Coffee break
- 11:30 **Definition of key concepts**
 - Direct discrimination
 - Indirect discrimination
 - Harassment and sexual harassment*Jennifer Eady*
- 12:15 Discussion
- 12:30 Lunch
- 13:30 **The burden of proof in sex discrimination cases**
- 14:15 Discussion
- 14:30 **Equal pay for work of equal value: EU legal framework and CJEU case law**
Petra Foubert
- 15:15 Discussion
- 15:30 Coffee break

Objective

The seminar will provide participants with an overview of EU gender equality legislation as interpreted by the Court of Justice of the European Union in its large case law on this topic.

Who should attend?

Judges, prosecutors and other members of the judiciary in the EU and in those candidate countries and EEA/EFTA countries which have decided to participate in the Rights, Equality and Citizenship Programme.

You will learn how to

- distinguish between different sources of law and apply them in relevant situations
- differentiate between the essential concepts of direct and indirect discrimination
- ensure that the burden of proof is correctly applied in court proceedings involving discrimination claims
- tackle pregnancy and pay discrimination on grounds of sex
- impose effective, proportionate and dissuasive sanctions in cases of sex discrimination
- understand the requirements connected to positive action

Your contact persons



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16:00 **Workshop I: case study on equal pay**
Petra Foubert

17:00 **Results of the workshop and discussion**

17:45 End of first seminar day

18:30 Guided city tour of Cracow

19:45 Dinner at the Restaurant Biała Róża
(ul. Straszewskiego 16)

Tuesday, 13 June 2017

09:15 **Remedies and sanctions in sex discrimination cases**

09:45 Discussion

10:00 **Reconciliation of work and family life:**

- Protective measures for pregnant workers
- Maternity leave
- Parental leave

Marguerite Bolger

10:45 Discussion

11:00 Coffee break

11:30 **Workshop II: case study on sex discrimination**
Jennifer Eady

12:30 Lunch

13:30 **Results of the workshop and discussion**

14:15 **Positive action in the case law of the CJEU**
Linda Senden

15:00 Discussion

15:15 End of seminar

What participants said in 2016

“Speakers were brilliant”

“All presentations were very instructive and apt to future discussions”

“I appreciated the up-to-date case law analysis”

“Event was very well organised”



ERA's equality law seminars are organised in the framework of the European Union's 'Rights, Equality and Citizenship Programme 2014-2020' on behalf of the European Commission

EU Anti-Discrimination Law
Since 2003 ERA has been organising a series of seminars devoted to the two EU Anti-Discrimination Directives 2000/43 and 2000/78. For more information visit:
www.era.int/anti-discrimination.

EU Gender Equality Law
Since 2009 ERA has been organising a series of seminars devoted to EU law on equal treatment between women and men. For more information visit:
www.era.int/gender.

For programme updates: www.era.int
Programme may be subject to amendment.