

Brussels, 28 October 2010

Equality: Commission requests Czech Republic to comply with EU gender equality rules

The European Commission has today sent a formal request to the Czech Republic to implement fully EU rules against gender discrimination in employment (Directive [2002/73/EC](#)). The request, in the form of a reasoned opinion under EU infringement procedures, comes after the Czech Republic failed to adequately implement all aspects of the Directive in its national law. The Czech Republic has two months to tell the Commission how it will fully comply with the Directive, failing which the Commission may decide to refer the Czech Republic to the EU's Court of Justice.

Directive 2002/73/EC, which has been recast by Directive 2006/54/EC, is a central element in the broader body of European legislation on equal treatment between women and men. It aims to implement the principle of equal treatment between men and women in the field of employment and occupation. It introduces, in particular, detailed definitions of direct and indirect discrimination, harassment and sexual harassment. It also requires the creation of a body or bodies for the promotion, analysis, monitoring and support of equal treatment of all persons without discrimination on the grounds of sex and requires Member States to encourage dialogue with non-governmental organisations. The deadline for implementing the Directive into national law was 5 October 2005.

The Commission began infringement proceedings against the Czech Republic in March 2007. The Czech Republic then solved most of the issues raised by the Commission by the adoption of a new Anti-Discrimination Act, which entered into force in September 2009. However, the Commission considers that the Czech Republic still has not correctly implemented Article 2(7) of the Directive concerning the right of a woman to return to the same or equivalent post after maternity leave.

In particular, Czech law does not comply fully with the Directive because it does not guarantee to a woman on maternity leave the right:

- to benefit from any improvements in working conditions to which she would be entitled during her absence, or
- to return to work on terms and conditions that are no less favourable to her.

Further information

EU gender equality legislation

<http://ec.europa.eu/social/main.jsp?catId=639&langId=en>

Homepage of Vice-President Viviane Reding, EU Commissioner for Justice, Fundamental Rights and Citizenship:

http://ec.europa.eu/commission_2010-2014/reding/index_en.htm

For more information about EU infringement procedures, see [MEMO/10/530](#)