**Employment (including equal@work)**

***What is the problem and what is the impact of the problem?***

Being in employment has long been constructed as the golden gate to social inclusion. However, if working is anthropological dimension constitutive of us, as human beings, employment is not: it is the capitalistic appropriation of the work force, attributing value only to our post, the function occupied, and not to human beings and their potential for production and creation. Further, under the massive changes imposed to employment over the course of the last half century, employment has become and will further become scarcer. Some changes have been desired by the population as the realisation of the promise of progress, like automation and the development of technologies aimed at alleviating the pain of heavy work; some have been suffered by the population, like the effects of the liberalisation of markets and capital which led to the delocalisation of companies and workshops in other parts of the world to maximise the return of investment of shareholders, while, in the EU in particular, the refusal to harmonise social norms and legislations as well taxes and salaries have led to all-out competitions between EU workers from different countries, to the detriment of workers in countries with higher standards of living. In addition, migrant workers from outside of the EU have been used for different purposes: variable of adjustment of the workforce, buffer compensating for the prolongation of aging tools and machinery, or downward pressure to avoid salary raises of national or long established workers.

In all cases, workers – whatever their origins – are denied individuality, agency, life projects and secured improvement of their material, emotional, intellectual and spiritual life – different aspects irrelevant to the perpetuation of capitalistic predation of the produced value. To ensure its sustainability, ancient and modern forms of capitalism rest on a three pronged core form of oppression and division between workers: according to class, sex and race. Oppression needs to push different against each other, by granting specific privileges to some at the exclusion of others, and use the leverage of fear to loose one’s advantages in case of non-acceptance of working conditions to exercise wage and crow control. As it has been clearly demonstrated, the “poor white male worker” will still value himself more than the “poor black male worker” at the bottom of the social ladder and be ready to defend a system of oppression to defend his “privileged” status. Same goes for the opposition between men and women, black women workers being situated even further down than black male workers – with virtually no one below them. Racism in employment caters for the perpetuation of competition and downward pressure among nationals and migrants, among nationals and ethnic minorities, among ethnic minorities and migrants themselves, in particular, when in comes to migration policies, who will be allowed in or not, who will end up in which sector of the economy, with the cumulative effect of the various policies leading to an ethnostratification of the labour market.

Therefore, it is vital to understand that racism, in general and in employment in particular, does not result only from individual behaviours and personal unconscious biases. It is a vital feature of a structured form of oppression that no education or awareness campaign about racism will ever be able to dismantle. It is embedded in the mechanism of capitalistic predation of produced value.

Are other mechanisms possible? Yes and some are already implemented, such as the concept of “life salary” (see Friot), linked to the individual grade, a personal attribution, until death. This is the case of the remuneration of public servants who do not have an employer, an employment, whose salary is linked to the development and acquisition of competences and skills throughout their life cycle and prolonged by their pension. Civil servants are engaged in a non-capitalistic production of value. Sectors such as the health sector have demonstrated the possibility of non capitalistic organisation of the work force and production of value for large scale investments corresponding to 10 to 15% of the GDP. Such mechanisms could be generalised through the granting of an “economic majority” at 18 for every resident with a first level “life salary” (inalienable) catering for a dignified life and not just mere survival at the limit of poverty (estimates go to 1500€ net per month per person).

Would such mechanisms contribute to wiping out racism? Yes, considerably. It would allow taking away the systemic dimension of oppression. If everyone has an inalienable right to a life salary, there is no need for competition and oppression in that sector (there’s no racial completion for breathing air in a safe and sane environment – it only happens if there is scarcity. And employment scarcity is organised). It would leave racism confined in the realm of institutional racism, which can be corrected through intense scrutiny and relevant redress of processes to bring them to a “new normal” – the one of a society designed according to the standards of universal design and 360° accessibility for All – and individual racism and (un)conscious biases which can be tackled through education, awareness raising and other techniques of self-reprogramming to avoid reproducing patterns of otherisation and hierarchisation along racial lines.

It does not mean of course that there forms of exploitations and competition will not exist anymore in the area of employment, but they will have to find a regulated way of managing violence and conflict in the structures deciding on qualifications, grades, requirements to move from one grade to another, etc.

As such a systemic change is unlikely to happen overnight, it is important a) to lay down work that paves the way towards such a systemic change, by already implementing partial change in specific sectors of employment; 2) to improve current legislative and practice frameworks to reduce the opportunity and outcome gaps faced by ethnic & religious minorities and migrants on the labour market, with the understanding that actions will not bring substantive redress to objective discriminations on the labour market.

The various forms of racism in employment and related discrimination lead to the following blocks of issues, from the most remote to the most immediate:

* The very existence of the labour market in itself, structured around racism among key operating factors generating ins and outs. From a racial perspective: mostly outs and when in, mostly in lower and disadvantaged positions;
* Racism and discrimination within the labour market itself, which can be considered as systemic racism and discrimination. It leads to the ethnostratification of the work force, lack of equal access to the labour market, lack of equality in career progression until pension – with impact on pension levels and inclusion of the elderly…;
* Racism and discrimination at the workplace, within organisations, which are both institutional (it is about ways organisations have been structured and normed according the majority white (male) population of the country) and individual (ways agents are behaving in their everyday working environment);
* The consequences of those 3 levels of racism in employment: social exclusion, underachievement in education, lack of quality education, poor health, lack of access to quality goods and services, to healthy food and environment, to quality housing, impossibility to gather and develop one’s own capital…

***What is ENAR aiming to achieve in response to the problem? What is the change we want to see? Outcomes (1. Change in law, policy and standards 2. Change in practices and accountability 3. Change in mobilisation, all of which to impact change in people’s lives)***

To contribute to solve the blocks of issues in employment listed above, ENAR would like to see the following changes happen:

*1. Changes in law, policy and standards*

1.1 Long term (20+ years)

* Dismantlement of the labour market as such; generalisation of a non-capitalistic economy and implementation of universal life salary for all residents

1.2 Middle term (10-20 years)

* Dismantlement of European racist legislations and policies in the area of employment of migrants (see Migration ToC); Adoption of racism free and non-capitalistic legislations and policies in this area;
* Suppress the criminalisation of irregular workers – strong penalties on users and organisers of irregular work

1.3 Short term (5-10 years)

* Adoption of legislative measures forcing MS to track and dismantle institutional racism and related discrimination, provide support and redress to their victims, empower victims to seek redress; and to implement positive action measures wherever possible;
* Policies and legislative measures respect the equal status for equal work principle – equal treatment regarding work conditions, social rights and access to justice
* Application of proportionate and dissuasive penalties to discriminators by national justice systems;
* Adoption of legislation protecting on multiple grounds against multiple, compound and intersectional discrimination;
* Development, dissemination and implementation (with control mechanisms) of Europeans standards for race equality at the work place (HDMC™ as a model?)
* Implementation of easily accessible, cheap and universalised skill validation programs for migrants (all categories)
* EU adopts guidelines for employers to accommodate religious and cultural diversity

*2. Changes in practices and accountability*

* Progressive diversity management is spread within international companies, SMEs and public employers through the expertise of equal@work;
* Raise awareness of employers about Europeans standards for race equality at the work place (HDMC™ as a model?) (see above);
* End self-exclusion from the labour market and self-subordination by (potential) victims of discrimination through awareness raising campaign, empowerment programs run by NGOs and equality bodies;
* Raise awareness of employers and minority led organisations about the benefits of positive action measures;
* Economists and relevant official reports do give a value to the work carried out on the informal labour market, recognising the economic contributions of individuals trapped in that market, more often than not migrants and ethnic minority individuals;
* There is more awareness on the impact of austerity on marginalised groups
* Any restriction on the wearing of religious symbols at work is limited to very well defined and narrow circumstances and pursues a legitimate goal, in accordance with international human rights standards
* Public sector equality dity for public employers?

*3. Changes in mobilisation*

* Tus play a bigger role in taking into account the existence and persistence of racial inequalities in all employment policies with the view to improve the coherence of their fight for equality in access to and progression in employment;
* a large number of sectorial employers unions is mobilised (SMEs, building industry, catering…) to the benefit of inclusive and non-discriminatory workforces to ensure local growth, resilience from the crisis in a competitive global market, avoid brand damages… this includes also training about diversity management, promotion of European standards, demands to national and European institutions to harmonise requirements to avoid distortion in competition, etc.;
* progressive movements concerned by salary and income issues as well as by redistribution factor race in their analysis and not only class and gender to reinforce our respective cases for a systematic shift by demonstrating it could have a positive impact on systemic racism at least;
* there is intersectional mobilisation around the core “class-race-sex” but also include age, sexual orientation, disability, environmental sustainability, etc.

***What are the main barriers from achieving the desired outcomes?***

**Blockers:**

* Mainstream political parties and decision makers pertaining to them: they have built their political career and vision of society on the idea that there is no other possible option than capitalism, the increased need for liberalisation, the decrease of States’ role, of public services, of redistribution of wealth… They are not in the capacity to, nor are they open to, envisage a paradigm shift perceived as a radical threat to the interests of their class, symbolic status, etc.;
* EU and MS institutions are not aware and/or unwilling to simply consider the potential benefits of other scenarios/paradigms in matters of redistribution and their impacts on levelling up rights for everybody;
* Employers Unions, in particular large corporate unions, are adamantly opposed to any move towards non-capitalistic models of society, notably based on shared ownership of the means of production by workers as it would ruin their ruin their economic model and juicy shareholder oriented profit structure;
* The strength, the self-evidence, apparent coherence and the “cogentness” of the current capitalistic paradigm, which makes it hardly challengeable unless by people having a basic training until alternative paradigms benefit from similar self-evidence in the eye of the broader public. Alternative paradigms are also scattered and have not reached yet systemic coherence;
* Weakened trade unions for whom paradigm shift is not a priority, nor the systematic taking into account of the race perspective in their analyses, actions and mobilisations;

**Drivers:**

* Segments of the antiracist movement;
* Progressive movements for a sustainable and/or non-capitalistic economy;
* Radical political parties (parts of the GUE, parts of the Greens, parts of the Socialists and some elements within the left Christian Democrats;
* Post-Brexit awareness about the need to connect the dots between economic collapse, austerity, increasing GDP, identity based radicalisation leading to violence and terrorism and large scale democratic disenfranchisement;
* New grass-roots democratic and social movements (Indignados, Occupy, Attac…)

**Allies:**

* Segments of the Trade Unions (e.g. TUC Black workers union, specific and more radical confederations – to be mapped);
* Unions representative of the cooperative economy;
* Minority-led NGOs and segments of the migrant-led NGO community;
* Progressive public and private employers;
* Progressive segments of the European and national social NGO communities;
* Progressive foundations.

***What are the change hypothesis/assumptions***? *Opportunities? How is the change we are discussing likely to take place? What alliances (e.g. between sympathetic officials or politicians, private sector, media, faith leaders or civil society) could drive/block the change? What would strengthen the good guys and weaken the bad – e.g. research and evidence, pressure from people they listen to (who are they?) or mobilisation in the street? Can you foresee any likely ‘critical junctures’: new governments; changes of leadership; election timetables when change is more likely to occur?*

What is at reach of ENAR’s limited resources and capacities for action? We have to focus on the progressiveness of action and focus, by order of importance, on the following elements:

1. Improvement of non-legal standards in matters of equality and inclusion at the workplace;
2. Improvement of the implementation of current legal antidiscrimination and antiracist paraphernalia;
3. Improvement of legislation within the current paradigm;
4. Raise awareness about the need for systemic change and the implementation of already existing alternative paradigms;

ENAR can dedicate resources to 1 to 3, while raising awareness about other paradigms (4) while contributing to the development of multiple stakeholder alliances likely to further the general awareness about the content and benefits of such systemic changes can be part of our regular activities of coalition building.

In the framework of the upcoming strategic plan of ENAR, between 2018 and 2020, ENAR should focus on obtaining the following concrete outcomes.

1. *Changes in law, policy and standards*

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| Implementation of easily accessible, cheap and universalised skill validation programs for migrants (all categories) |
| *Opportunities? How is the change we are discussing likely to take place?* Private employers in particular are interested by a system that would promptly and reliably assess the skills of migrants so as to hire them as early as possible in their integration process to avoid deskilling of migrants during long regularisation processes. Further, migrants do face an unavoidable “deskilling” during their time of travel from their country of origin to the host country, depending on the conditions of their travel. On top, depending from the country and their former area of living, their skillset or diploma might be unfit to the requirements of a similar job in a high technology environment. Employers are also demanding in particular to have migrant workers equipped with a “sufficient” level of knowledge of the national language(s).*What alliances could drive/block the change?* Debates are mostly happening at national level => fragmentation of the debate, in link with the specificities of each national process of recognition of skillsets for very specific professions. Bologna process only useful for university degrees, but lots of opposition from universities and corporations to have easy recognition process to protect their own curricula and stay competitive on the local/national market. There are some contradictory and conflicting demands here, between some market sectors, producers of diplomas, specific professions, etc.*What would strengthen the good guys and weaken the bad – e.g. research and evidence, pressure from people they listen to (who are they?) or mobilisation in the street?* Governments need to ensure a quick employability of migrants. Migrants want a job. A number of employers are in need of a flexible workforce. However, employers are not willing to pay for the skill validation process – which is a complex process for some professions and requires the development of dozens of key validation processes. The EC has a stake but \*\*\*\*. There are some CSO initiatives such as \*\*eric-naric\*\*, but it is unclear yet if they could be generalised within and outside of their national contexts.*Can you foresee any likely ‘critical junctures’: new governments; changes of leadership; election timetables when change is more likely to occur?*No, it will be a long haul as governments are frightened to give ammunitions to populist parties. Therefore, except maybe for the Merkel government, they will not take a public drive in bringing changes to validation processes and try to garner public support to go past the corporatist positions that might be expressed by some clusters of society and the business sector. The file will be considered as low profile by governments. A EU coordination might be useful in streamlining complex processes, with different requirements and different outcomes, the aim being to facilitate the access to the labour market for migrants, whatever their status, but also their intra-EU mobility so that they do not need to start the process all over again if they move to another country.Role of ENAR: this issue has long been on the agenda of many CSOs who have developed expertise in this area at national level. Check with PICUM, Caritas, ECRE, what is the situation from their perspective. Seen the high level of specialisation of that area, it is extremely unlikely that ENAR will be able to engage in meaningfully in the definition of the processes => our approach should focus more on advocating at EU and national levels to get things done. Focusing on key countries such as DE, FR, SP, SW and the UK might be more productive in setting standards and frameworks. We should explore who are the key players in that area, the work done already, if there are any coalition of NGO working on this issue and analyse what could be our added value.  |

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| Adoption of legislation protecting on multiple grounds against multiple, compound and intersectional discrimination |
| *Opportunities? How is the change we are discussing likely to take place?* *What alliances could drive/block the change?* *What would strengthen the good guys and weaken the bad – e.g. research and evidence, pressure from people they listen to (who are they?) or mobilisation in the street?* *Can you foresee any likely ‘critical junctures’: new governments; changes of leadership; election timetables when change is more likely to occur?* |

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| Development, dissemination and implementation (with control mechanisms) of Europeans standards for race equality at the work place (HDMC™ as a model?) |
| *Opportunities? How is the change we are discussing likely to take place?* *What alliances could drive/block the change?* *What would strengthen the good guys and weaken the bad – e.g. research and evidence, pressure from people they listen to (who are they?) or mobilisation in the street?* *Can you foresee any likely ‘critical junctures’: new governments; changes of leadership; election timetables when change is more likely to occur?* |

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| Application of proportionate and dissuasive penalties to discrimination by national justice systems |
| *Opportunities? How is the change we are discussing likely to take place?* *What alliances could drive/block the change?* *What would strengthen the good guys and weaken the bad – e.g. research and evidence, pressure from people they listen to (who are they?) or mobilisation in the street?* *Can you foresee any likely ‘critical junctures’: new governments; changes of leadership; election timetables when change is more likely to occur?* |

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| Adoption of legislative measures forcing MS to track and dismantle institutional racism and related discrimination, provide support and redress to their victims, empower victims to seek redress; and to implement positive action measures wherever possible |
| *Opportunities? How is the change we are discussing likely to take place?* *What alliances could drive/block the change?* *What would strengthen the good guys and weaken the bad – e.g. research and evidence, pressure from people they listen to (who are they?) or mobilisation in the street?* *Can you foresee any likely ‘critical junctures’: new governments; changes of leadership; election timetables when change is more likely to occur?* |

*2. Changes in practices and accountability*

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| Progressive diversity management is spread within international companies, SMEs and public employers through the expertise of equal@work |
| *Opportunities? How is the change we are discussing likely to take place?* *What alliances could drive/block the change?* *What would strengthen the good guys and weaken the bad – e.g. research and evidence, pressure from people they listen to (who are they?) or mobilisation in the street?* *Can you foresee any likely ‘critical junctures’: new governments; changes of leadership; election timetables when change is more likely to occur?* |

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| Raise awareness of employers about Europeans standards for race equality at the work place (HDMC™ as a model?) (see above) |
| *Opportunities? How is the change we are discussing likely to take place?* *What alliances could drive/block the change?* *What would strengthen the good guys and weaken the bad – e.g. research and evidence, pressure from people they listen to (who are they?) or mobilisation in the street?* *Can you foresee any likely ‘critical junctures’: new governments; changes of leadership; election timetables when change is more likely to occur?* |

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| End self-exclusion from the labour market and self-subordination by (potential) victims of discrimination through awareness raising campaign, empowerment programs run by NGOs and equality bodies |
| *Opportunities? How is the change we are discussing likely to take place?* *What alliances could drive/block the change?* *What would strengthen the good guys and weaken the bad – e.g. research and evidence, pressure from people they listen to (who are they?) or mobilisation in the street?* *Can you foresee any likely ‘critical junctures’: new governments; changes of leadership; election timetables when change is more likely to occur?* |

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| Raise awareness of employers and minority led organisations about the benefits of positive action measures |
| *Opportunities? How is the change we are discussing likely to take place?* *What alliances could drive/block the change?* *What would strengthen the good guys and weaken the bad – e.g. research and evidence, pressure from people they listen to (who are they?) or mobilisation in the street?* *Can you foresee any likely ‘critical junctures’: new governments; changes of leadership; election timetables when change is more likely to occur?* |

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| Economists and relevant official reports do give a value to the work carried out on the informal labour market, recognising the economic contributions of individuals trapped in that market, more often than not migrants and ethnic minority individuals |
| *Opportunities? How is the change we are discussing likely to take place?* *What alliances could drive/block the change?* *What would strengthen the good guys and weaken the bad – e.g. research and evidence, pressure from people they listen to (who are they?) or mobilisation in the street?* *Can you foresee any likely ‘critical junctures’: new governments; changes of leadership; election timetables when change is more likely to occur?* |

*3. Changes in mobilisation*

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| Reinforce the role of TUs in taking into account the existence and persistence of racial inequalities in all employment policies with the view to improve the coherence of their fight for equality in access to and progression in employment |
| *Opportunities? How is the change we are discussing likely to take place?* *What alliances could drive/block the change?* *What would strengthen the good guys and weaken the bad – e.g. research and evidence, pressure from people they listen to (who are they?) or mobilisation in the street?* *Can you foresee any likely ‘critical junctures’: new governments; changes of leadership; election timetables when change is more likely to occur?* |

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| Raise awareness and mobilise a large number of sectorial employers unions (SMEs, building industry, catering…) to the benefit of inclusive and non-discriminatory workforces to ensure local growth, resilience from the crisis in a competitive global market, avoid brand damages… this includes also training about diversity management, promotion of European standards, demands to national and European institutions to harmonise requirements to avoid distortion in competition, etc. |
| *Opportunities? How is the change we are discussing likely to take place?* *What alliances could drive/block the change?* *What would strengthen the good guys and weaken the bad – e.g. research and evidence, pressure from people they listen to (who are they?) or mobilisation in the street?* *Can you foresee any likely ‘critical junctures’: new governments; changes of leadership; election timetables when change is more likely to occur?* |

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| Raise awareness of progressive movements concerned by salary and income issues as well as by redistribution to factor race in their analysis and not only class and gender to reinforce our respective cases for a systematic shift by demonstrating it could have a positive impact on systemic racism at least |
| *Opportunities? How is the change we are discussing likely to take place?* *What alliances could drive/block the change?* *What would strengthen the good guys and weaken the bad – e.g. research and evidence, pressure from people they listen to (who are they?) or mobilisation in the street?* *Can you foresee any likely ‘critical junctures’: new governments; changes of leadership; election timetables when change is more likely to occur?* |

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| Contribute to intersectional mobilisation around the core “class-race-sex” but also include age, sexual orientation, disability, environmental sustainability, etc. |
| *Opportunities? How is the change we are discussing likely to take place?* *What alliances could drive/block the change?* *What would strengthen the good guys and weaken the bad – e.g. research and evidence, pressure from people they listen to (who are they?) or mobilisation in the street?* *Can you foresee any likely ‘critical junctures’: new governments; changes of leadership; election timetables when change is more likely to occur?* |

***How will we respond to achieve the desired outcomes?* Activities. Actions**