

ESTABLISHMENT AGREEMENT ON PROFESSIONAL EQUALITY BETWEEN MEN AND WOMEN

Between:

ENSTA Bretagne

Represented by Bruno Gruselle, Director

And:

The members of the employee representative institutions

## PREAMBLE

Since the Constitution of 27 October 1946, the principle of equality between men and women has constitutional value. The preamble of said Constitution provides that “the law guarantees women equal rights to those of men in all spheres”.

Article 23 of the Universal Declaration of Human Rights, International Labor Organization Convention no. 111 of 25 June 1958 concerning Discrimination in Respect of Employment and Occupation, and Article 141 of the Treaty establishing the European Community also set out the principle of equal treatment between men and women.

This principle was implemented in the spheres of access to employment, training and professional promotion and working conditions by a specific European Directive on 23 September 2002 (2002/73/EC).

At national level, various laws on discrimination at work introduced provisions in the French Labor Code guaranteeing compliance with the principle of equal treatment of men and women as regards employment, contractual performance or termination, pay and training (Articles L.1142-1, L.1144-3, L.3221-2 and L.6112-1 of the new Labor Code).

Despite the feminization of the active population and the existence of many texts recognizing equal rights for men and women, significant inequalities are still liable to persist in terms of pay and access to positions of responsibility between these two genders.

In this respect, ENSTA Bretagne is in a situation in which, of a total of around two hundred permanent employees at the school, 33% are women and 67% are men (respectively 22 and 78% for non-permanent employees). It should also be noted that women are moderately represented in its governing bodies: 36% on the board of directors, and 30% on the COMEX (executive board). Women are also predominant in category C positions (71%) and less present in Category B (33%) and A (24%) positions.

The signatories to this agreement agree to promote professional equality and reassert their commitment to the principle of non-discrimination between men and women.

Under this agreement, the signatories intend to reassert their commitment by setting out realistic and concrete provisions and actions to reduce potential inequalities and promote equality between men and women within the establishment.

In order to encourage and promote equality between men and women at the school, the signatories agree to address the following topics in this agreement:

- The fight against discrimination
- Employment,
- Training,
- Professional promotion and advancement,
- Working conditions,
- Coordination of professional life and family responsibilities,
- Pay,
- Awareness of and communication on these commitments.

As active players in a publicly-owned administrative establishment under the supervision of the French Ministry of Armed Forces, the signatories take on the French State's commitments towards changing mentalities and behavior in terms of gender equality, and notably perceptions on parenthood and conjugality.

The parties agree that this agreement will apply for a fixed period of 3 years and undertake to make as many changes as necessary based on a righteous rationale encouraging peaceful social dialogue.

The Director of ENSTA Bretagne

Employee representatives

In Brest, on 18 December 2020,

## SECTION 1 - THE FIGHT AGAINST DISCRIMINATION

In 2017, the school introduced an action plan to combat acts of discrimination, harassment and violence. With a more general scope than the professional equality plan, it also regulates said plan.

Pursuant to ENSTA Bretagne's internal rules, and notably Article 18, *"Any degrading or humiliating treatment of a human being, whether physical or mental, is prohibited and criminally punishable. This includes acts of discrimination, harassment, hazing, threats and defamation."*

As a result, in accordance with its internal rules, ENSTA Bretagne chooses not to accept any acts or behavior constituting violations of human dignity.

The school also decides to include all acts of discrimination falling under the meaning of Article 225-1 of the French Criminal Code in this policy.

The school decides that any reported acts will be reviewed with a view to establishing their veracity and responding appropriately, including, where necessary, with disciplinary action and supportive measures. Any measures taken must be adapted to the seriousness of the acts and the first priority will be to protect victims.

In addition, ENSTA Bretagne's management will report any acts of discrimination or harassment likely to constitute a crime or offence to the public prosecutor, in accordance with Article 40 of the Criminal Procedure Code.

The action plan will be appended to this document.

## SECTION 2 - EMPLOYMENT

ENSTA Bretagne's commitment in terms of employment is based on two firm commitments:

- To guarantee non-discrimination in employment
- To guarantee diversity and the promotion of feminization in employment

### A - Guaranteeing non-discrimination in employment

Context: renewal of staff following multiple expected departures due to retirement in upcoming years.

Due to the potentially large number of resulting hires, ENSTA Bretagne must be exemplary throughout the recruitment process, strictly ensuring equal treatment of applicants.

Furthermore, ENSTA Bretagne undertakes to continue to draft titles and content for job listings in a neutral and equalitarian manner, so as to promote pluralism and seek diversity in said employment, with a view to ensuring progress within the establishment.

Women and men share and possess the same types of technical and managerial skills at similar job levels. Nonetheless, the signatories refuse to introduce a strict quota policy to the

detriment of applicants' qualifications. However, the school's recruiters will apply identical selection criteria without referring to gender or any other sign of discrimination.

Much of recruitment is carried out based on competitions organized by external institutions over which the school has no control. For recruitment that is under the school's control, it undertakes, insofar as possible, to ensure parity among jury members without ignoring the qualifications principle applicable to said members<sup>1</sup>.

## B - Guaranteeing diversity and the promotion of feminization in employment

At ENSTA Bretagne, it appears that a given gender is overrepresented depending on profession and field.

Yet, professional diversity is a factor of collective enrichment and social cohesion; it is a source of complementarity and balance for the establishment and its employees.

In order to improve women and men's access to the various professions at the school, management has a clear desire to promote diversity in employment by encouraging the recruitment of women in professions with a predominantly male population and the recruitment of men in professions with a predominantly female population, subject to receiving corresponding applications.

Diversity in employment will be sought wherever possible.

Furthermore, within ENSTA Bretagne, the current percentage of women in management is too low. As part of this agreement, ENSTA Bretagne has set itself the goal of increasing the number of women executives, in functional and operational positions, at all managerial levels, subject to maintaining or improving the qualification level sought. This goal will be monitored and adapted using indicators set out in the establishment's social report.

## SECTION 3 - TRAINING

Like employment, continued staff training contributes towards the goal of equal treatment in professional careers.

### A - Promoting equal access to training

ENSTA Bretagne has an active policy on continued training and is committed to training the school's employees. The criterion of gender is not considered when choosing selected training.

The signatories reassert their desire to promote equal access to training for all staff. Training resources and initiatives, both for personal employee development and to adapt to changes within the establishment, must benefit both men and women, whether they are civil servants or contracted, full-time or part-time employees.

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<sup>1</sup> It should also be noted that the school will take early action among youths to combat stereotypes, and particularly those relating to the engineering profession.

## B - Promoting equal access to training for employees on long-term leave and facilitating their return to work

After a period of long-term leave, and during the return-to-work phase, employees experience discomfort. In order to prepare for their return to work, ENSTA Bretagne will apply the following support scheme to all employees on a voluntary basis:

- Employees absent for maternity or parental leave:
  - o When leaving for maternity or parental leave, the employee will be informed that, one month prior to returning to work, he/she will receive a letter from the school inviting him/her to a meeting with his/her hierarchy in order to discuss his/her personal and professional situation, and prepare his/her return to work;
  - o In case of a change in organization during the period of leave, the employee will be immediately informed to ensure that a discussion on any professional changes is held as soon as possible;
  - o One month prior to his/her return to work, the employee in question will be invited to a meeting to assess their return to work in a peaceful and collaborative manner, along with any options for adapting working hours, provided that said adaptations do not affect the establishment's general organization;
  - o When returning from a parental leave exceeding 1 year, the employee will be encouraged to use any individual entitlement to training hours acquired to undergo refresher or adaptation training, where required,
- Employees on leave for an event exceeding 1 year: employees on leave for illness, a family event, leave of absence or any other absence of the same type will benefit on their return, should they wish, from a meeting with their hierarchy during which their training needs will be assessed, within 30 days of their return to work. Any training agreed as necessary will be approved and scheduled within 12 months of their return to their duties.

## C - Promoting school personnel training on professional equality, the fight against stereotypes and the fight against sexual and sexist violence

As part of the 2017 action plan, workshops and training courses have been introduced to raise awareness among personnel. Discussions must be held on the potentially mandatory nature of such training.

## SECTION 4 - PROFESSIONAL PROMOTION

The signatories intend to reassert the fact that diversity implies that men and women can pursue the same careers, the same career advancement opportunities and have same ability to access positions of responsibility within the establishment.

Diversity in employment must be encouraged in all professions and at all hierarchical levels within the establishment. The rules for career advancement and promotions are mindful of equal treatment of men and women.

The implementation of an active professional promotion policy also depends on employees' status, and notably whether they are civil servants or contracted employees. For the former, ENSTA Bretagne must comply with interministerial and/or ministerial management directives. For the latter, although governed by financial supervision, management has much more room

for action. For civil servant employees, ENSTA Bretagne must also adapt to the specific circumstances of some groups (e.g.: 100% of senior study and manufacturing technicians or Ministry of Defense technicians at the school are men...). Thus, the school cannot commit to quantified targets, save for the commitment to examine 100% of employee cases eligible for professional promotion, whether civil servants or non-permanent staff. Examination of an employee's eligibility for advancement does not equal an automatic promotion.

Well aware that diversity in employment implies that men and women have the same opportunities for professional advancement, and in order to identify profiles eligible for promotion, the school has a valuable tool: professional interview reports (CREPs or CROBs).

These reports help to:

- Detect potential for promotion based on individual interviews conducted by direct supervisors,
- Reiterate rules for career advancement and wage increases under the promotion policy,
- Oversee geographical mobility opportunities.

The signatories are convinced that an employee's professional advancement must not be based on notions of age or gender, but rather on skills and mastery of one's profession or job. For this reason, the school undertakes to examine all professional advancement opportunities without age limit.

Employees on maternity or parental leave may currently feel that the advancement of their professional career has been hindered. Thus, as part of this commitment to promote equality, as soon as an employee's potential for promotion is noted, even in the case in which his/her professional activity is suspended due to maternity and/or parental leave, the school undertakes to keep his/her file in the list of employees eligible for a promotion.

It should be reminded that professional advancement is based exclusively on these objective criteria, i.e. skills and performance, as demonstrated in the performance of one's job and formalized in CREPs or CROBs.

## **SECTION 5 - WORKING CONDITIONS**

As part of the establishment's collective work organization, management and social partners are interested in changing collective agreement terms to better suit the school and its employees' needs.

The signatories agree that, as a principle, requests for part-time or full-time contracts may be made by all interested personnel, in accordance with the establishment's organization.

The situational analysis conducted within the school confirms that full-time contracts are accessible to men and women. However, 70% of part-time contracts in place are held by women. Similarly, while parental leave is a right open to all those working at the establishment, the majority of those asking to benefit from such leave are women, despite practices changing in younger generations.

In order to promote these measures, ENSTA Bretagne undertakes to highlight these provisions in its internal communication on gender equality for all employees and to encourage supervisors to examine all requests in an impartial manner.

## **SECTION 6 - COORDINATION OF PROFESSIONAL LIFE AND FAMILY RESPONSIBILITIES**

ENSTA Bretagne's management and social partners agree that cultural stereotypes surrounding men and women's roles in respect of family obligations must be challenged.

Consequently, in order to better reconcile their professional and personal life, ENSTA Bretagne undertakes to implement measures relating to the organization of work meetings wherever possible.

In order to reconcile private and professional time, wherever possible ENSTA Bretagne will organize meetings during working hours only, i.e., between 8 AM (earliest time for start of meeting) and 5:40 PM (latest time for end of meeting).

Employees' personal obligations will be considered when these conventional meeting times are not respected.

Similarly, some parental absences will be considered, without any impact on the employee, and particularly in terms of pay. This includes employees living with children under the age of 16, or with children recognized as disabled, invalid, or suffering from a serious long-term illness, subject to producing valid proof.

Similarly, where the employee's spouse, common law spouse or civil partner (PACS) is admitted to hospital, and on presentation of proof, the employee may be granted leave for the first day of hospital admission. This leave will not result in pay deductions.

In addition to these provisions, the establishment's internal rules also include a number of provisions on leave granted for family circumstances (wedding, death, etc.), which are not based on any gender criteria.

Furthermore, in order to support single or divorced parents, management undertakes to set the annual leave dates of those concerned in light of their intrinsic obligations (custody arrangements, etc.).

To better reconcile private and professional time, the school also applies interministerial directives allowing to implement flexible hours at the start of the school year. In this respect, employees in question have the right to push the time they start work back in order to take their children to school on their first day, provided they inform their direct supervisor in advance and if permitted by their department's organization.

## **SECTION 7 - PAY**



The reference pay scale for civil servant employees is determined without any differences based on gender, such that entry pay for civil servants is, as a principle, strictly equal for all based on their entry level. The rules for pay increases for civil servants also follow equalitarian principles, without reference to the employee's gender.

The same principles apply when hiring employees under permanent or temporary contracts, in accordance with the establishment's wage agreement of January 1, 2010.

The school reasserts that changes to employees pay throughout their career is based exclusively on their skills, professional experience, level of responsibility, results and expertise in the position occupied, without consideration of gender.

Furthermore, the various measures set out in this agreement to implement the action plan on gender equality directly or indirectly contribute towards reducing any gaps between the average pay received by men and women.

#### A - Guaranteeing fair pay (wages and bonuses)

The signatories guarantee that the principle of equal pay is a key component of professional equality. As part of a fair pay policy, ENSTA Bretagne reasserts that recruitment pay for contractual employees, at equivalent rank, must be strictly equal for men and women. ENSTA Bretagne undertakes to ensure that no pay gaps arise over time due to personal events or circumstances.

It should also be noted that the provisions on pay for ENSTA Bretagne employees are drafted such that they are not discriminatory. ENSTA Bretagne has always ensured that men and women employees, whether full-time or part-time, are paid based on equal pay principles.

#### B - Guaranteeing fair pay by neutralizing the impact of certain types of leave

In the context of gender equality, ENSTA Bretagne states its commitment towards guaranteeing that employees returning from maternity, parental or adoption leave do not suffer any changes to their pay as a result of said leave.

ENSTA Bretagne will ensure that all concerned employees benefit from this measure.

## SECTION 8 - AWARENESS AND COMMUNICATION

The signatories agree that the success of the gender equality agreement relies on the achievement of the goals set out and the proper implementation of the agreement.

Aware that all school employees must be informed of the measures negotiated, management undertakes to:

- Inform all employees of the provisions of the agreement as from its signature, and possibly during a specific internal communication conference
- Launch an internal communication campaign with posters listing the agreement's key provisions so as to inform all employees.

- Suggest that the ministry include the “Gender equality” action plan in the next performance and objectives contract currently being drafted.
- Highlight the progress made every year, notably in the social report,
- Nominate a pair of “gender equality” pilots within the establishment, on a voluntary basis, comprised of a man and a woman, entrusted with coordinating and listing measures promoting gender equality. This duo will be the employees’ preferred contact point for all gender equality matters, without replacing the principle of hierarchical obligation.

This pilot pair will take part in CHSCT or CT committees (and in the social committee) as experts when the topic of gender equality within the establishment is on the agenda.

## **SECTION 9 - AGREEMENT MONITORING INDICATORS**

The signatories agree that the results will be analyzed for all sections of the agreement, notably using the indicators listed below:

### **1 - Employment**

- Breakdown of new employment according to professional category, gender, type of entry to the establishment (civil servants, contractual employees, permanent contracts, temporary contracts) with a possible focus on applications.

### **2 - Training**

- Breakdown of the number of employees having benefitted from training by gender and category (permanent employees/contractual employees, breakdown A, B, C).
- Breakdown of the number of training hours as at 31/12 by gender and category (permanent employees/contractual employees, breakdown A, B, C).
- Breakdown of the number of employees having benefitted from training on returning from leave exceeding 1 year (illness, family event, leave of absence, individual training leave) by gender and category (permanent employees/contractual employees, breakdown A, B, C).

### **3 - Professional promotion**

- Breakdown of the number of employees promoted by gender and category (permanent employees/contractual employees, breakdown A, B, C).
- Average period between two promotions by gender
- Breakdown of the number of employees promoted to managerial and decision-making positions (head of department executives or higher levels)

### **4 - Effective pay**

- Range of pay by gender and category (permanent employees/contractual employees, breakdown A, B, C).
- Average pay by gender, all populations combined.
- Number of women in the 10 highest paid positions.

## **SECTION 10 – FINAL PROVISIONS**

This agreement is concluded for the duration of three financial years. It will be the subject of a social committee report at the end of 2023 and may be renewed.

This agreement will be disseminated as from its signature.