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OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council
On: 3 March 2017
To: Delegations

No. prev. doc.: 6268/17 SOC 90 GENDER 6 EMPL 60 EDUC 45 ANTIDISCRIM 9

Subject: Enhancing the Skills of Women and Men in the EU Labour Market
- Council conclusions (3 March 2017)

Delegations will find in the annex the Council conclusions on Enhancing the Skills of Women and Men in the EU Labour Market, adopted by the EPSCO Council at its 3523rd meeting held on 3 March 2017.

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DG B 1C EN

Enhancing the Skills of Women and Men in the EU Labour Market Council Conclusions

RECALLING:

- 1. The Trio Declaration on Gender Equality signed by the Netherlands, Slovakia and Malta on 7 December 2015 which notes that enabling women and men to make full use of their abilities and qualifications is of crucial importance for the effective use of the EU's human capital.
- 2. That equality between women and men is a fundamental principle of the European Union enshrined in Treaties and one of the objectives and tasks of the Union. Furthermore, mainstreaming the principle of equality between women and men in all its activities is a specific mission of the Union.
- 3. That equality between women and men is enshrined in Article 23 of the Charter of Fundamental Rights of the European Union.
- 4. That the Europe 2020 Strategy seeks to create conditions for modernising labour markets; to help raise employment levels to 75% among women and men aged 20-64; to reduce by at least 20 million the number of women and men in or at risk of poverty and social exclusion; and to ensure the sustainability of national social models. In particular it seeks to achieve this by empowering women and men through the acquisition of new skills to adapt to new conditions and potential career shifts.
- 5. That the Social Investment Package gives guidance to the Member States on more efficient and effective social policies in response to the economic crisis and demographic changes, and also calls upon Member States to invest in people.

- 6. That the European Pillar of Social Rights, as announced in the Commission's Work Programme for 2017, has the potential to support well-functioning and fair labour markets and welfare systems, inter alia through promoting equality between women and men.
- 7. The European Pact for Gender Equality (2011-2020), which urges actions to close gender gaps and combat gender segregation in the labour market. One such measure is to "eliminate gender stereotypes and promote gender equality on all levels of education and training, as well as in working life, in order to reduce gender segregation in the labour market".
- 8. The European Commission's Strategic Engagement for Gender Equality 2016-2019, which focuses on various priority areas, including "Increasing female labour market participation and the equal economic independence of women and men" and "Reducing the gender pay, earnings and pension gaps and thus fighting poverty among women". Pursuing these goals entails the introduction of further measures to improve the gender balance and working conditions in different economic sectors and occupations and the promotion of gender equality at all levels and in all types of education, including in relation to gendered choices of study subject and career. It also entails raising awareness of the social and economic consequences of inequality in employment, including the gender gap in pensions.
- 9. That the New Skills Agenda for Europe aims to ensure that people have the right skills throughout their working lives, not only in order to improve their prospects of entering, remaining and advancing in the labour market, but also with a view to enabling them to fulfil their potential as confident, active citizens.
- 10. That the Council recently adopted a Recommendation on Upskilling Pathways: New Opportunities for Adults, aiming to help low-skilled adults acquire a minimum level of literacy, numeracy and digital skills and progress towards higher qualifications.

The United Nations 2030 Agenda for Sustainable Development, which seeks to "Achieve 11. gender equality and empower all women and girls" thus ending all forms of discrimination. Relevant targets include the elimination of gender disparities in education; the achievement of full and productive employment and decent work for all women and men; equal pay for work of equal value; and the protection of labour rights for all workers, including those in precarious employment¹.

TAKING NOTE OF:

The Research Note² entitled "Upscaling skills of women and men in precarious employment 12. in the EU," prepared by the European Institute for Gender Equality (EIGE) at the request of the Maltese Presidency. The Research Note explores the potential for upscaling skills among women and men in the EU, highlighting the gender perspective, and analyses the diverse experiences of low-qualified women and men as regards their employability, their situation in the labour market and their access to job-related training. Taking a multidimensional perspective, the Note also describes the experience of low-qualified people in precarious employment and enumerates the factors hindering access to quality employment and the upscaling of skills.

6268/17 ADD 1.

[&]quot;Precarious employment" in these Conclusions means employment with 1) very low pay, 2) involuntary, very short working hours, or 3) low job security. (See Research Note by EIGE.) This is without prejudice to the meaning of the term "precarious employment" in other contexts and to any future definition to be agreed at the EU level or internationally. 2

RECOGNISING THAT:

- 13. Despite the fact that women are increasingly well-qualified, surpassing men in terms of educational attainment in Europe today³, women's paid work continues to be remunerated less well. Furthermore, women are still remunerated less well than men for comparable work. The undervaluing of women's work is one of the causes of the gender pay gap and it also contributes to the gender gap in pensions. These problems are rooted in gender stereotypes which help to perpetuate the unequal sharing of care responsibilities and household tasks between women and men, as well as gender segregation in education, in training and in the labour market.
- 14. Overall, women face a higher risk of precariousness throughout their lives -- for example very low-paid work, or involuntary part-time work, or low job security. The biggest gender difference is seen in pay one in five women is low-paid, as compared with just one in ten men. Young women and men and women and men close to retirement, as well as women and men in vulnerable situations, such as those with a migrant background, and marginalised groups including Roma, face a higher risk of working in precarious jobs.⁴
- 15. Productive employment and decent work for all, as formulated by the International Labour Organisation, are among the key factors for achieving de facto gender equality and a fair globalisation, to reducing poverty and to attaining equitable, inclusive and sustainable development.
- 16. People outside the labour market, and in particular those with low skill levels, might be discouraged from entering the labour market or taking up a job due to the associated extra expenses, such as transportation costs and the cost of care services for children and other dependants.

In 2014, 42.3% of women (aged 30-34) had tertiary education or higher compared to 33.6% of men. (EU Labour Force Survey 2015)

⁴ Eurostat Labour Force Survey, EIGE's calculations based on 2014 microdata.

- 17. Because of structural inequalities and persisting gender stereotypes, low-skilled women face additional challenges and discrimination. Half of low-qualified women aged 16-64⁵ in the EU-28 are out of the labour market (inactive), as compared to 27% of men⁶.
- 18. Almost every second low-skilled woman (45%) -- as compared with every fourth low-skilled man (26%) -- works in a precarious job⁷.
- 19. Although in recent years the educational attainment of women has been rising, with the young generation of men more likely to have lower qualifications⁸ than women (in 2015 20% of men and 15% of women aged 20-24 had a low level of educational attainment), in the older population 35% of women and 29% of men aged 55-64 have low qualifications.⁹
- 20. Older women, particularly those close to retirement, also face a higher risk of poverty as a result of gender inequalities over the life course ¹⁰, including differences in remuneration, working hours and the duration of working lives. This is due, among other reasons, to the fact that household and caring duties fall mostly upon women, who as a result experience more career interruptions and are more likely to work part time than men.

⁵ Excluding students.

⁶ Eurostat Labour Force Survey, EIGE's calculations based on 2014 microdata.

⁷ Eurostat Labour Force Survey, EIGE's calculations based on 2014 microdata.

International Standard Classification of Education (ISCED): people who have only received early childhood education, primary education and lower secondary education (ISCED 0-2) are considered to be low-qualified.

⁹ Eurostat, Labour Force Survey (edat_lfse_03).

European Commission (2015) Why older women are much more exposed to the risk of poverty than older men, Evidence in Focus. EIGE's Report, Poverty, gender and intersecting inequalities in the EU: Review of the implementation of the Beijing Platform for Action in the EU Member States (14295/16 ADD 1).

- 21. A significant share of low-qualified working-age women and men¹¹, whether in employment or otherwise, lack the basic skills needed to take part in vocational training or further education. In addition, training opportunities are less available to low-qualified women and men, particularly if they work in precarious jobs¹².
- 22. Only about a third of low-qualified women (36%) and men (33%) in precarious employment have had training during the past 12 months (2015), and in only a few cases was the training provided by their employers.¹³
- 23. Women and men born outside the EU are more likely than EU nationals to have a low level of basic skills and more than a third (36%) of them have low educational attainment¹⁴. Women, in particular, face a higher risk of poverty and social exclusion. Moreover, their participation in the labour market is limited¹⁵, and the low level of qualifications can reinforce this disadvantage. One reason is that the system of recognition of non-EU qualifications has yet to be fully developed.

THE COUNCIL OF THE EUROPEAN UNION

With due regard to the Member States' broad competences in the relevant areas, to the principle of subsidiarity, and to the role of the social partners and civil society, CALLS ON THE MEMBER STATES TO:

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^{24 %} of the population (23% of men and 24% of women) aged 25-64 have low educational attainment.

European Working Conditions Survey, EIGE's calculations based on 2015 microdata.

European Working Conditions Survey, EIGE's calculations based on 2015 microdata.

Eurostat, Labour Force Survey (edat 1fs 9912).

^{15 14295/16} ADD 1.

- 24. Give priority to addressing barriers to women and men's participation in the labour market when implementing the Europe 2020 Strategy, paying special attention to the importance of skills, with a view to reaching the headline target of aiming to raise to 75% the employment rate for women and men aged 20-64.
- 25. Step up efforts to mainstream the gender perspective into their national skills and labour market policies and, to this end, where relevant, include such measures in national action plans and/or as part of the European Semester, in line with the Employment Guidelines, paying particular attention to the specific disadvantages faced by women in the labour market and over the life course. Reporting at the EU level on any such efforts should take place within existing frameworks. Gender sensitive measures should be designed to achieve the following aims:
 - a) To address precarious conditions of work, such as low pay, involuntary part-time work and low job security.
 - b) To promote equal opportunities and the equal economic independence of women and men.
 - c) To combat and prevent gender discrimination in the labour market, especially in relation to access and working conditions, recognising that certain groups of women, particularly those in vulnerable situations, including victims of gender-based violence, may face additional difficulties in their efforts to participate in quality jobs, or may be at risk of discrimination on multiple grounds.
 - d) To enforce the principle of equal pay for work of equal value and address the causes behind the gender gaps in pay, earnings and pensions.

- e) To reduce disincentives to work, if and where applicable, by tackling the cost of taking up a job or of re-entering the job market, giving due attention to possible fiscal disincentives ¹⁶, while noting that such disincentives have a higher impact on women and that reducing them can help narrow the gender participation gap.
- f) To promote quality jobs and to equip women and men with the competencies required to take up these jobs, including in the area of digital technology.
- g) To combat horizontal occupational segregation by sex, and to promote measures aiming at improving the recognition and status of sectors that predominantly employ women, such as domestic work, the health sector, social services and the care sector, as well as consider measures to improve pay in these sectors while respecting national circumstances and the role of the social partners.
- h) To encourage equal access for women and men to the teaching profession, also with a view to offering both female and male role models to learners.
- i) To provide adequate and targeted training and other forms of support to low-qualified inactive women and men, as well as to workers in precarious jobs, including by giving them access to upskilling pathways, ¹⁷ so as to improve their employability, improve their job prospects and combat long-term unemployment and the risk of permanent exclusion from the labour market.
- j) To ensure equal access to quality education, training, vocational training (including apprenticeship schemes), and lifelong learning for all, including for women and men with caring responsibilities; and to remove barriers that prevent participation, as well as intensify educational outreach measures, taking into account the circumstances and needs of women and men with low qualifications.

Commission Staff Working Document 2015 Report on equality between women and men in the European Union, p. 6.

Recommendation on Upskilling Pathways: New Opportunities for Adults, http://eurlex.europa.eu/legal-content/EN/ALL/?uri=OJ:C:2016:484:TOC.

- k) To combat stereotypes and discrimination on the grounds of age in employment throughout the life course.
- To combat discrimination against and exploitation of women and men born outside the EU and to facilitate their employment, education and lifelong learning opportunities, and in this way, support their integration into society and the labour market.
- 26. Combat gender discrimination, segregation and stereotypes in education, training, vocational training and career guidance. Promote gender equality in schools, colleges and universities. Encourage girls, boys, women and men from all backgrounds to choose educational fields and occupations in accordance with their abilities and skills, not based on gender stereotypes, and in particular by promoting women's and girls' access to educational fields and occupations inter alia in science, technology, engineering and mathematics ("STEM"). Encourage men and boys to study and work in fields such as social services, child care and long-term care.
- 27. Continue analysing early school leaving from a gender perspective and address the various challenges that hinder educational attainment, particularly among girls and boys who are in vulnerable situations or belong to marginalised groups. Encourage young women and men, especially those with low educational attainment, to participate in further training or education as well as apprenticeship schemes in order to acquire further skills and qualifications, alongside work experience, in line with the New Skills Agenda for Europe.
- 28. Address the gender gap in employment among workers close to retirement by adopting an intersectional approach, paying specific attention to the need to provide support to women and men in long-term unemployment ¹⁸, by safeguarding equal opportunities in employment, such as in career development and advancement, as well as in salaries or promotions, and by providing support services for women and men with caring responsibilities.

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Council Recommendation of 15 February 2016 on the integration of the long-term unemployed into the labour market (2016/C 67/01).

- 29. Provide and make accessible gender-sensitive targeted advisory services to low-skilled inactive women and men, including adequate assistance where necessary, in order to ensure that they can utilise their skills effectively, including by presenting the possibility **of** and providing advice on becoming entrepreneurs and setting up cooperatives.
- 30. In order to strengthen the employability of women and men, including those with low qualifications and those born outside the EU, take steps to further facilitate the recognition of qualifications and of informal and formal skills and to promote the validation of non-formal and informal learning.¹⁹
- 31. Provide care leave for parents, including paternity leave, and facilitate the reconciliation of work, family and private life through the provision of quality, affordable and accessible care services to assist persons with caring responsibilities (including early childhood education and care and care for other dependants), so as to allow them to enter or remain in employment, look for quality jobs, and participate in training and lifelong learning opportunities, while also promoting equal division of care and domestic tasks among women and men. In particular, all relevant measures needed to achieve the Barcelona objectives on childcare facilities should be implemented, in line with the commitments confirmed in the Europe 2020 Strategy.
- 32. Combat precarious employment, and upgrade working conditions by enforcing the applicable legislation. Support companies on the management of reconciliation measures. Incentivise companies, for example, by means of certification schemes or financial measures, to implement flexible working arrangements and family friendly measures in the workplace, making full use of the possibilities for "smart" working ²⁰. Facilitate the uptake of such reconciliation measures by both women and men. Provide equal opportunities for further training and ensure equal treatment of all workers, including workers in precarious employment, who make use of such measures.

Council Recommendation of 20 December 2012 on validation of non-formal and informal learning (2012/C 398/01).

[&]quot;Smart" working arrangements in the context of possibilities offered by modern technology (for example, teleworking and flexible working hours).

- 33. Encourage and incentivise companies in all sectors to provide more training at work and opportunities for education and training to both women and men, including those in occupations where training is less available.
- 34. Foster dialogue with the social partners, women's organisations and civil society organisations, in accordance with their respective roles and competences within Member States, in order to enhance cooperation on combating pay discrimination and precarious job conditions, including by enhancing the upskilling of workers in precarious jobs. Encourage stakeholders to acknowledge the circumstances and needs of women and men in precarious employment and to support such workers, particularly when defining and recognising skills, as well as to disseminate information on the benefits of upskilling and lifelong learning for low-qualified women and men as well as employers.
- 35. Consider taking steps to ensure that public procurement contracts do not lead to precarious employment situations for women and men, and that they promote women's labour-market participation.

CALLS ON THE EUROPEAN COMMISSION TO:

- 36. Support the Member States in their endeavours to mainstream the gender perspective in labour market policies, including in the context of the implementation of the Europe 2020 Strategy (in particular, through the European Semester) and of the New Skills Agenda for Europe, as well as in the context of the European Structural and Investment Funds and in the European Pillar of Social Rights announced in the Commission's Work Programme for 2017.
- 37. Ensure that a gender perspective is integrated in policies and measures related to the upscaling of skills, particularly in work related to digitalisation, science, research and development, as well as in the areas of lifelong learning and the labour market.

- 38. Promote programmes and policies that recognise and take account of the different circumstances and needs of women and men, particularly parents and caregivers in precarious employment, so as to improve access to family-friendly measures, flexible and "smart" working arrangements for women and men and accessible, affordable and quality formal care services for children and other dependants (including early childhood education and care). Encourage fathers to use paternity and parental leave and employers to facilitate the take-up of such leave, so as to enable women to increase their participation in the labour market. The Commission should take those dimensions into account when putting in place the initiative to address the challenges of work-life balance faced by working families announced in its Work Programme for 2017.
- 39. Fund and support awareness-raising initiatives on equality and the employment rights of women and men workers, as well as on the benefits of lifelong learning and the services available to guide and assist low-skilled persons who wish to enhance their employability, including in the implementation of the New Skills Agenda for Europe.

References

1. EU Legislation:

- Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to
 encourage improvements in the safety and health at work of pregnant workers and
 workers who have recently given birth or are breastfeeding (tenth individual Directive
 within the meaning of Article 16 (1) of Directive 89/391/EEC)
- Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation (OJ L 303, 2.12.2000, p. 16)
- Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services (OJ L 373, 21.12.2004 p. 37)
- Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast). (OJ L 204, 26.7.2006, p. 23)
- Directive 2008/104/EC of the European Parliament and of the Council, of 19 November 2008, on temporary agency work
- Council Directive 2010/18/EU of 8 March 2010 implementing the revised Framework
 Agreement on parental leave concluded by BUSINESSEUROPE, UEAPME, CEEP and
 ETUC and repealing Directive 96/34/EC (Text with EEA relevance), OJ L 68,
 18.3.2010, p. 13–20
- Directive 2010/41/EU of the European Parliament and of the Council of 7 July 2010 on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity and repealing Council Directive 86/613/EEC (OJ L 180, 15.7.2010, p.1)

2. Council:

All relevant documents, and in particular the following:

- Council Directive 97/81/EC of 15 December 1997 concerning the Framework
 Agreement on part-time work concluded by UNICE, CEEP and the ETUC Annex:
 Framework agreement on part-time work
- Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP
- Council Conclusions on the Review of Member States' implementation of the Beijing Platform for Action: pay inequalities between women and men (14485/01)
- Council Conclusions on Eliminating Gender Stereotypes in Society (9671/08)
- Council Conclusions on Family Friendly Scientific Careers: towards an Integrated Model (9026/1/08)
- Council Conclusions on the review of the implementation by the Member States and the EU institutions of the Beijing Platform for Action Women and the Economy:
 Reconciliation of work and family life (17474/08)
- Council Conclusions on the Review of the implementation by the Member States and the EU institutions of the Beijing Platform for Action: "Beijing +15": A Review of Progress (15992/09)
- Council Directive 2010/18/EU of 8 March 2010 implementing the revised Framework
 Agreement on parental leave concluded by BUSINESSEUROPE, UEAPME, CEEP and
 ETUC and repealing Directive 96/34/EC (Text with EEA relevance)
- Council Conclusions on Strengthening the commitment and stepping up action to close the gender pay gap, and the review of the implementation of the Beijing Platform for Action (18121/10)
- Council Conclusions on the Review of the implementation of the Beijing Platform for Action Women and the Economy: Reconciliation of work and family life as a precondition for equal participation in the labour market (17816/11)

- Council Conclusions on the European Pact for Gender Equality (2011- 2020) (OJ C 155, 25.5.2011, p. 10)
- Council Conclusions on early childhood education and care: providing all our children with the best start for the world of tomorrow (OJ C 175, 15.6.2011, p. 8)
- Council Recommendation of 20 December 2012 on validation of non-formal and informal learning (2012/C 398/01)
- Council Conclusions Towards social investment for growth and cohesion (11487/13)
- Council Conclusions on Women and the economy: Economic independence from the perspective of part-time work and self-employment (11050/14)
- Conclusions on the review of the implementation of the Beijing Platform for Action by the Member States and the EU institutions on Gender equality in the EU: The way forward after 2015. Taking Stock of 20 years of implementation of the Beijing Platform for Action (16891/14)
- Council Conclusions on Moving towards more inclusive labour markets (7017/15)
- Council Conclusions on Equal income opportunities for women and men: Closing the gender gap in pensions (10081/15)
- Council Decision (EU) 2015/1848 on guidelines for the employment policies of the Member States for 2015 (OJ L 268, 15.10.2015, p. 28–32)
- Council Conclusions on the Gender Action Plan 2016-2020 of 26 October 2015 (13201/15)
- Council Conclusions on Combating Poverty and Social Exclusion: an Integrated Approach (9273/16)
- Council Conclusions on Women and Poverty (15409/16)
- Council Recommendation of 15 February 2016 on the integration of the long-term unemployed into the labour market (2016/C 67/01)
- Council Recommendation on Upskilling Pathways: New Opportunities for Adults (2016/C 484/01)

3. European Commission:

- Communication from the Commission "Europe 2020: the European Union's Strategy for jobs and smart, sustainable and inclusive growth" (COM (2010) 2020 final)
- Communication from the Commission of 21 September 2010: Strategy for Equality between Women and Men 2010–2015 (COM (2010) 491 final)
- Communication on the European Platform against Poverty and Social Exclusion: a European framework for social and territorial cohesion (COM (2010) 758 final)
- Communication from the European Commission. Early Childhood Education and Care: Providing all our children with the best start for the world of tomorrow (COM(2011) 66 final)
- Communication from the Commission "Towards Social Investment for Growth and Cohesion including implementing the European Social Fund 2014-2020" (COM (2013) 83 final)
- Commission Recommendation on strengthening the principle of equal pay between men and women through transparency (C (2014) 1405 final)
- Commission Staff Working Document "Strategic engagement for gender equality 2016-2019" (SWD (2015) 278 final)
- Roadmap "New start to address the challenges of work-life balance faced by working families" (August 2015):

 http://ec.europa.eu/smart-regulation/roadmaps/docs/2015_just_012_new_initiative_replacing_maternity_leave_directive_en.pdf
- Why older women are much more exposed to the risk of poverty than older men (14 October 2015), Evidence in Focus.
- Communication from the Commission: A New Skills Agenda for Europe: Working together to strengthen human capital, employability and competitiveness.
 (COM(2016) 381 final)
- Commission Staff Work Document "2015 Report on equality between women and men in the European Union" (SWD (2016) 54 final)
- Communication from the Commission "Action Plan on the integration of third country nationals" (COM (2016) 377 final)
- Education and Training Monitor, 2016

 http://ec.europa.eu/education/sites/education/files/monitor2016_en.pdf

4. European Parliament:

- Resolution of 19 October 2010 on precarious women workers (2010/2018(INI))
- Resolution of 20 October 2010 on the role of minimum income in combating poverty and promoting an inclusive society in Europe (2010/2039(INI), OJ C 70E, 8.3.2012)
- Resolution of 8 March 2011 on the face of female poverty in the European Union (2010/2162(INI))
- Resolution of 15 November 2011 on the European Platform against poverty and social exclusion (2011/2052(INI))
- Report of 8 April 2016 on gender equality and empowering women in the digital age (2015/2007(INI))
- Resolution of 26 May 2016 on poverty: a gender perspective (2015/2228(INI))

5. Other:

- Trio Presidency Declaration on Gender Equality (the Netherlands, Slovakia and Malta),
 Brussels, 7 December 2015
 https://english.eu2016.nl/documents/publications/2016/01/05/declaration-on-gender-equality
- EIGE's Research Note, Upscaling skills of women and men in precarious employment in the EU (6268/17 ADD 1)
- EIGE's Report, Poverty, gender and intersecting inequalities in the EU: Review of the implementation of the Beijing Platform for Action in the EU Member States (14295/16 ADD1)
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- Fourth World Conference on Women, Beijing Platform for Action, 1995 http://www.un.org/womenwatch/daw/beijing/platform/
- Eurostat, Labour Force Survey.
- Eurofound, European Working Conditions Survey.