



Southern China International MUN

Human Rights Committee: On measures to promote employment equity and remedy effects of discrimination

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1. Description of Issue

1.1 History of Issue

Issues of discrimination have plagued society for hundreds of years, and one of the biggest forms of discrimination in the modern world is employment. Specifically, **Less Economically Developed Countries (LEDCs)** meet the necessary requirements to combat these social issues. Of course, it is imperative to recognize LEDCs generally have much more pressing issues than employment discrimination such as debt, marginalization, poverty, etc. which means it is up to **More Economically Developed Countries (MEDCs)** to set the global standards regarding this issue. The United Nations charter clearly states “all persons, institutions and entities, public and private, including the State itself, are accountable to just, fair and equitable laws and are entitled without any discrimination to equal protection of the law” (UN). The importance of these laws cannot be understated in reaching a future of equality. It is of great necessity that devising a feasible resolution to combat this issue will bring the world one step closer to a brighter future.

Employment equity is defined as the use of hiring policies that encourage fair representation of members of minority groups, women, or other people who suffer discrimination. There is a clear aim to achieve complete employment equity to the point that these minority groups have no relation in the job process. Governmental organizations, such as the International Labor Organization, have combated this issue; however, this is still a major challenge is both MEDCs and LEDCs.

Racial Discrimination

Employment discrimination dates back thousands of years for a multitude of different reasons. It's important to understand the roots of these issues. Thousands of years ago, European powers colonized the Africa, and later the Americas. Introduced by the Europeans, a cycle of systematic racism emerged as African-Americans were brought in as slaves to work on plantations. The economy was built on the exploitation of slaves. Hundreds of years of slavery has left systematic racism amongst even after modern laws prohibit the discrimination of race. Moreover, government policies and institutional practices help create

this system of concentrated workers of color in undervalued occupations, institutionalized racial disparities in wages and benefits, and perpetuated employment discrimination. The lasting effects of colonialism can still be seen as racial disparities exist in jobs, wages, benefits, and almost all other measures of economic stability and well-being in society to this day, particularly in the Americas. Startling statistics show black workers make 30 percent less than white workers, the vast majority of African Americans are in the lower-paying service roles, etc. This issue of racial discrimination is predominantly in the Americas given the history between African Americans; however, many nations have issues with completely applying the zero-discrimination policy. International wage gap between African American and white people have only been increasing in recent years.

Gender Discrimination

Throughout history, women have always been seen as the weaker sex until the recent rise in feminism. Patriarchal society dominated all governmental systems, and much of modern government is still considered a patriarchy by certain individuals. The biggest turn towards gender equality – especially in the workplace – began in the 20th century. However, it is important to understand the circumstances women faced during this period of time. Census showed that only 5 percent of women worldwide were categorized as a labor force outside of home. Societal norms looked down upon any women who was not a housewife. Despite widespread sentiment against women, especially married women, working outside the home, given the limited opportunities available to women, many women enter the labor market during this time and are single. The employment rate for women rose by almost 50% between 1930 and 1930. For married women, it reached almost 12%. This increase suggests that while women still have an incentive (and often a requirement) to withdraw from the labor market upon marriage if they can rely on their husband's income, practices are changing. In fact, these years intersected with what is known as the first wave of the women's movement. Women came together to advocate for change on a variety of social issues, including suffrage and abstinence, culminating in the ratification of the 19th Amendment in the United States in 1920, providing the right to vote.

Discrimination due to Sexual Orientation or Gender Identity

People of minority sexualities and gender identities have been the target of marginalization in employment as well. It can be categorized as a form of sex discrimination that involves denying employment opportunities to or harassing those who may not be of what is considered a “normal” sexual orientation or gender identity. Historically, there have been visible pay gaps between homosexual men and heterosexual men, and it was concluded that bisexuals tend to earn less than straight people (Mollenkamp). Some were even isolated socially, including not being invited to company events. Because of this, many employees reported that they felt pressured to hide their LGBTQ identities, either by changing their physical appearances or altering their behaviors. Others simply left their jobs because of the unfair treatment. It is interesting to note that religious beliefs often played a role in the motivation behind these discriminatory behaviors, wherein some cases people were told to “go to hell” in the name of the Bible (Sears).

Other Forms of Discrimination

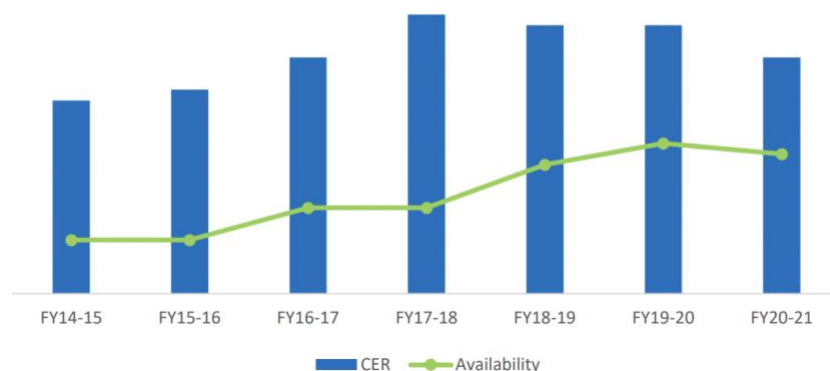
There are many other forms of employment discrimination: disability, age, social status etc. To understand this topic, it is imperative that the roots of these issues are solved, as it will be impossible to solve employment discrimination without changes to the systematic prejudice towards people of minority.

1.2 Recent Developments

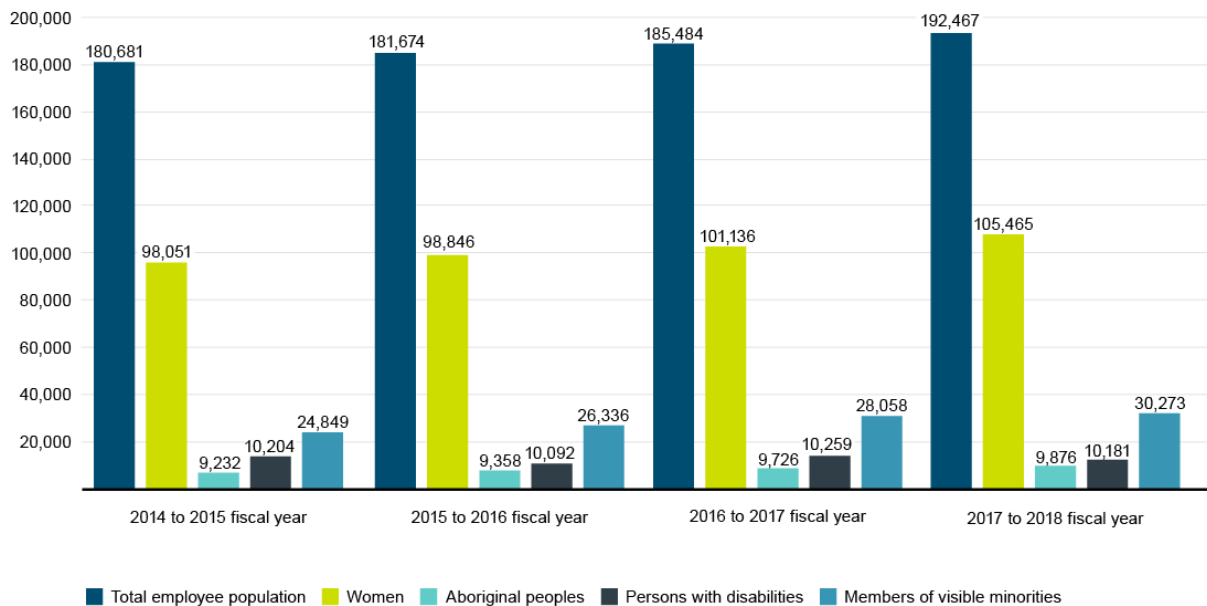
The concept of employment equity has not changed recently; however, many countries have taken steps towards the goal of promoting fair employment for all. For instance, in the United States, the most important international bill (EEA) is set to be amended in 2023. Some of the changes that must be highlighted are changing the definition of employer, the ability to minister of employment and labor to identify national economic sectors and set numerical targets, and the introduction of a criteria to be met by the employer in order to receive a certificate by the Department of Employment and Labor (DoEL). These changes will result in the better execution of their anti-discriminatory laws. It is found that the successful implementation of EEA will address the problem of unfair discrimination that people suffered as a result of race, gender, disability and sexual orientation.

Moreover, the Canadian Energy Regulator (CER), a government agency in pursuit of promoting the fluidity of energy and has made recent developments towards employment equity. CER's branch in regards to the employment equity has had substantial impacts on the workplace. Starting by collecting information from employment throughout the nation, CER explores the gaps of segregation in different occupations. Committees are then created responsible for tackling different aspects of the employment inequality; for instance, the Women's Leadership Community of Practice, which dedicated itself to increase the balance of employment for women. Through the diversity of committees comes the variety of legislations and plans, such as the Diversity and Inclusion (EEDI) 2021-2024 Plan. Finally, CER executes and implements the legislative requirements, allowing women, aboriginal people, and disabled individuals to receive employment treatments that are equal amongst others.

Chart 2: Employment Equity Representation: Aboriginal Peoples - 2014 to 2021



Assisting in providing employment equity for the indigenous people, CER has proposed –in December of 2020– the Indigenous Relations and Reconciliation Business Unit, as well as establishing the Indigenous Advisory Committee dedicated towards advocating for the inclusion of the Aboriginal demographics in the workforce. As seen on the graph, though improvements are gradual, the Indigenous populations are taking steps that will help bring an equilibrium to the workforce.



Analyzing the representation exhibited above, the employment of several underprivileged groups were met with a steady increase in employment, with the population of women in the workforce rising from 98,000 to over 105,000 workers. In addition to the significant effects of the legislative implementations, CER also strives for major improvements in the future, proposing goals for women, aboriginal people, and disabled groups. Although this ambitious program starts from the confines of the Canadian nation, it’s impacts will soon be seen in the world

Putting emphasis on LEDCs, it is important to understand the challenges of regulating the labor market. As previously mentioned, the EEA is not perfect in its implementation. Developing nations tend to ignore some of the clauses in return for greater profit. These developing nations have many more issues to balance than developed nations, having to consider incomes, employer flexibility, and most importantly profit maximization. Politics will always coincide with the policy process, as law makers must use careful data driven analysis to inform their decisions based on social and economic outcomes. These decision makers in MEDCs have access to extensive research to help guide their decisions, which LEDCs do not have. Due to this lack of research, recent evidence suggests many developing countries set labor market rules in a zone where some protection is provided to the worker, lacking a specific set of rules/regulations and punishments along with it. Furthermore, it is

important to understand that bills like the EEA were set in MEDC economies, with a different goal in each economy can lead to differences between nations. One major difference is the population of informal economy, as statistics show 93 percent of the world's informal employment is in developing countries (ILO). Treaties like the EEA have very little power in changing the employment equity in informal employment.

The issues mentioned are more than just the promotion of employment equity, but the implementation of these laws that are passed. MEDCs, and especially LEDCs, have very little ways to enact these employment equity laws, and on an international level it would be even more difficult to promote.

Key Terms

Employment Equity - the use of hiring policies that encourage fair representation of members of minority groups, women, or other people who suffer discrimination.

Formal Employment – employment that is created through contractual arrangements between an incorporated company and an individual employee. In developed economies, many sectors of the economy, such as the extractive industry, manufacturing, and provisions of services, are typically part of the formal economy.

Informal Employment – employment that is a part of any economy that is neither taxed nor monitored by any form of government. Although the informal sector makes up a significant portion of the economies in developing countries, it is sometimes stigmatized as troublesome and unmanageable.

Employment discrimination - a form of illegal discrimination in the workplace based on legally protected characteristics.

2. Emphasis on the Discourse

2.1 Stance of Intergovernmental Organizations

The Rule of Law, declared by all member states of the **United Nations**, acts upon the foundation that states should “dedicate themselves to respect the equal rights of all without distinction as to race, sex, language, or religion.” This legal framework incorporates a number of international instruments that promote the rights of all including but not limited to indigenous peoples, migrants, disabled persons, women, and minorities in terms of race, sexual orientation, or gender identity. Relevant documents and links can be accessed via the United Nations Rule of Law page on the UN website.

The **International Labor Organization** is a specialized agency of the United Nations that aims to promote social justice worldwide by “setting up standards, developing policies, and devising programs” for workers worldwide (ILO.org). Along with **The Organization for Economic Co-operation and Development** (OECD) and UN Women, the ILO introduced an initiative known as the Equal Pay International Coalition (EPIC). Under this coalition,

stakeholders aim to reduce gender pay gaps and account for other forms of discrimination, striving to make pay equity a reality. It acts as an overarching framework for countries and other organizations within the secretariat to communicate their plans and monitor each other's actions. They hold conferences across multiple continents, ranging from Europe, Asia and the Pacific, to the Americas. Their most recent work was a successful launch of the EPIC scheme in Latin America and the Caribbeans. By 2030, the organization aims to establish full employment considering both productivity and an enhanced social protection of minorities, which brings the world closer to Goal 8 of the United Nations Sustainable Development Goals.

The International Movement Against All Forms of Discrimination and Racism

(IMADR) is a non-profit and non-governmental organization that is “devoted to eliminating discrimination and racism, forging international solidarity among discriminated minorities, and advancing the international human rights system” (IMADR.org). The organization itself is based in Japan, but many of its work consults the opinion of the United Nations Economic and Social Council (ECOSOC). Their areas of action include elimination discrimination in working environments by fostering what is known as grassroots movements around the world. These movements allow local networks to be formed and through this, communities can share their experiences with each other and build a cohesive bond that rises above their national differences.

2.2 Stance of Developed Countries

Unfortunately, no society in our world now is completely free of discrimination. It is important to note that even in the most developed countries, there are many people that are still denied the fundamental right to freely pursue employment opportunities solely based on their performance. Barriers created based on ethnicity, sex, religious values, and other social origins constrain people to low wages, limited fields of occupation, and the lack of adequate training to perform certain jobs.

Inequal opportunities in employment due to race and ethnicity has been a persistent issue in many developed nations. Although the problem is not as aggravated as the case for developing countries, research conducted by the UCLA World Policy Analysis Center reveals that an alarming 28% of high-income countries do not have any protections in regard to those who are discriminated at work due to their race and ethnicity. Additionally, sociologists at the Institute of Policy Research (IPR) analyzed samples of job applications from nine different developed countries (Belgium, Canada, France, Germany, the UK, Netherlands, Norway, Sweden, and the US) to compare levels of racial inequality in the developed world. They calculated racial discrimination in the hiring process by comparing the rate at which a white person received a callback for an interview to that of a person of color. Results illustrated that France and Sweden had the greatest level of workplace racial discrimination, where “minority applicants would need to send out 70-94 percent more resumes than white applicants to receive the same number of responses” (IPR Northwestern). It was theorized that this was because these countries do not have official capacities of

measuring racial inequality, so it was difficult for employers to monitor their discriminatory behaviors. In contrast, the United States had a comparatively low level of hiring discrimination than its counterparts. Although it was notoriously plagued by discrimination in the previous century, the US has since then put into place laws that now have shown visible effects in regulating discriminatory practices. For instance, the Civil Rights Act published in 1964 strictly prohibited discrimination by the private sector in the public accommodations, government services, and education. Then in 1972, the Equal Employment Opportunity Act, enforced by the Equal Employment Opportunity Commission (EEOC), was given litigation authority. Requiring large employers to monitor the ethnic makeup of their staff opened more discussions of this issue in the US compared to European countries.

The same goes for employment disparities due to gender. Even in developed nations, women have been restricted in job participation, especially due to concerns of mobility, marriage, and parenthood. For instance, in the United Kingdom, over 25% of women express that they have faced discrimination either in seeking jobs or during their work. This is largely due to employers holding the mindset that “women can’t have it all” for those who want to balance their careers and plans of bearing children (Greenbaum). However, it is not to say that developed nations have not acted upon this issue. In a number of EU countries, there exist binding quotas aimed at improving gender balance in corporate boards (Froehlicher). This was a representative indicator of improved gender inclusivity in employment.

In many developed countries, people are also at risk of age-related discrimination, typically in the form of forced retirement. Despite countries having an official retirement age, some employers may deliberately deny continued employment for people they consider “too old for the job”, albeit them being much younger than the required age. However, it is noted with approval that countries like Canada and Singapore have been growing more aware of this situation, wherein the latter exists The Retirement and Re-employment Act that “prohibits the dismissal of any employee under age 62 on ground of age” (Dealing with Diversity).

2.3 Stance of Developing Countries

Developing countries are typically more behind on their regulations as well as raising awareness of employment equity. They are more concerned with economic objectives or are simply slow to respond to cases of discrimination occurring within their country. Most policies enacted by developing nations are more general, broad, and are not specific enough to target certain instances or employers. For example, although China is against discrimination, it has yet to implement a comprehensive framework that outlaws discrimination on the grounds of race, social background, or personal beliefs. The supervision for anti-discriminatory practices could also be strengthened. In addition, China does not outlaw age or sexual-orientation related discrimination, especially in the case of allowing different retirement ages for men and women, which is likely a result of cultural expectations. Other emerging economies share the same flaws in their systems.

In developing countries, religion embodies strict gender roles which severely affects labor participation for women. Based on data collected by a senior economist of the ILO, there is a drastic negative correlation between religious beliefs and the probability of job participation. In countries like India, it is not uncommon for employers to neglect the applicants' merit and instead, look for indicators like religion and gender when deciding who to hire. Persistent gender roles have also affected countries such as China, where effects of its infamous "one child policy" have now shown its influence in the Chinese workforce. In 2013, only around 21% of female graduates were employed within and time frame of two months, which was significantly lower than their male counterparts. Despite historical struggles with gender discrimination, there has been some recent developments such as in 2013, India actually issued a Companies Bill that requires major public corporations to hire at least one woman in directing positions. Similarly, Malaysia also introduced a policy illustrating that at least 30% of the executive boards of large companies should be female. These efforts are all in an attempt to reduce the gender gap in employment.

3. Possible Solutions

3.1 In favor of Developed Countries

Although inequality from an economic standpoint often occurs due to substantial deficiencies in a country's development, employment inequity could also be observed from several MEDCs. Moreover, in the case of countries with little to none discriminatory treatment (in the domain of employment), implementing provisional solutions could assist in fortifying employment equality. These solutions can be found in ways such as:

- The establishment of funding organizations. Deriving monetary supplies from developed countries, these organizations will dispense necessary amounts of money to large corporations to incentivize the employment of previously discriminated demographic groups.
- The creation of more employment opportunities. One of the most significant causes of an equal employment environment is due to the significant barriers to apply. Speaking from an objective perspective, indigenous, immigrants, and impoverished people in general have higher chances of lacking the educational abilities to meet the towering standards of jobs. Therefore, creating jobs with less requirements in the intelligence aspects such as jobs in the construction, culinary, or hygienic domains.

Despite the significant costs in carrying out the solutions above, it would immensely augment the labor force whilst simultaneously mitigating the employment inequity in countries around the globe.

3.2 In favor of Developing Countries

The concentration of most inequality in employment resides in countries with low development and employment to start with. Countries in the middle east, Africa, and southern

Asia as rated by the Council of Foreign Relations, received a scores of 60 and less on the employment equality scale. The nations in these regions mentioned are all characterized by a lack of monetary supplies, equality legislation, education, and economic stability. Solutions for the issues are likely to be demonstrated in ways such as:

- The increase of cooperative alliances with humanitarian NGOs and IGOs. In this situation, the needs of the LEDCs represent the sole purpose of the solution. Hence, it is necessary for LEDCs to seek out NGOs and IGOs to gain assistance in ways such as sending monetary funds, employing specialists, and collecting needed information. Through these methods, LEDCs are able to stabilize their economy, creating the space for gradual refinements in employment equality.

Although introductions to equality-related laws may seem difficult to implement and enact, their impact towards the betterment of employment equality is the most substantial. Examples of some potential legislations may include:

1. Employers are obligated to recruit workers without the presence of prejudice and discrimination.
2. Employees and workers are entitled to work free from discrimination and harassment on the ground of race

Furthermore, developing countries without the expertise to enforce these laws could refer to the Equal Employment Opportunity (EEO) Principles while constructing the equality-based legislations for employment.

With the utilization of these laws, it is imperative to pair them with corresponding subsidies for the firms in charge of these employments. It gives them the motives and incentives to hire specifically employees with different races, ethical backgrounds, gender, and socioeconomic status. In addition to the employers, they will also be disincentivize as the violation of the legislations above results in a punishment such as monetary fines and even possible incarcerations.

Improving and enhancing the education systems in the developing countries are also integral to mitigating employment inequity. Apart from racial, ethnic, and gender biases, socioeconomic discrimination is also ubiquitous in developing countries. Furthermore, a majority of the prejudice in a socioeconomic standard derives from one's lack of education. Therefore, constructing a more inclusive and intricate education system is essential to not only provide employment equity now, but also to deliver a long-term solution for generations to come.

4. Keep in Mind of the Following

When doing research for the following topic, please refer to factors like economic status, working class distributions and wage gaps, and the country's previous history with

discrimination. All such factors will be extensively affecting how a country would resolve the issue. Additionally, seeing the situation of other countries would also benefit the delegates during the resolution drafting process, as a resolution is supposed to be applicable to the entire globe. It is encouraged to view the following points when preparing for the conference:

- How should discrimination be defined? What individual, cooperative, and nation-wide actions towards certain groups of people can be determined discriminative, and what are the consequences experienced by the groups affected? Please specify the term when conducting research and preparing speeches.
- What is the reason behind employment discrimination? Is it due to prejudice, less access to educational resources, etc.?
- How is discrimination seen in employment of the country? What groups of people are affected by discrimination in the country in general? Some examples of minority groups that are sensitive to workplace discrimination include but not limited to: women, racial and ethnic minority groups, members of the LGBTQ+ community, people with mental and physical impairments, etc. How does discrimination towards different groups differ? How is this reflected within the country's employment diversity? How are the wages of the minorities affected?
- What is the country's stance on discrimination, and have any historical events played a role in why discrimination exists? In that case, what is the country's history on dealing with discrimination? Has the country taken any action towards reducing or resolving such cases, has the country been publicly acknowledged the problem, or has stayed silent or even pro-discriminative? Have there been any significant events that happened due to the country's stance on discrimination in the work force?
- What was the people's response to the government's attitude towards workforce discrimination? Have there been any actions that the people took towards facing/promoting the problem? Have there been any protests, online arguments, regarding this?
- What's the economic stance of the country? Is the nation financially independent and stable, or are they dependent on external resources? If there are any economic struggles, what is the government's approach to solving it while dealing with employment discrimination?

5. Evaluation

As more people move towards equality, it is acknowledged that employment discrimination continues to be the most prominent and internalized discrimination in society. Without combatting employment discrimination, there may be worse discrimination towards minorities in the long run, as they're given less ways to support themselves. It is important to consider that each nation has its own unique history and relationship with discrimination in the workforce, and the main goal would be to create a resolution that's able to face all

situations. The Human Rights Committee aims to battle issues like this, and to bring people to take another step towards an equal world for all. Good luck.

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