



# Equality Plan

## (Interim Status 2022)

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## 1 Preamble

Since the amendment of the Federal Equality Act/[Bundesgleichstellungsgesetzes] (BGleiG), all federal authorities have been required to draw up an evaluation that shows the extent to which women and men have made use of the measures to improve the compatibility of family, care and work and how their career advancement compares to women and men who have not taken advantage of such measures (§13 BGleiG). The JKI is happy to accept this task and will evaluate career differences according to these specifications in an analysis step. The results of the study are intended to show what influence the reconciliation packages and their implementation have on the success of a targeted women's advancement policy.

The goal of equal rights for women and men is based on the constitutional mandate of the Basic Law/[Grundgesetz], the provisions of the EC Treaty and obligations under international law. Especially in the professional field, however, this equality has not yet been achieved everywhere. All the more reason for all of those involved to continue their efforts to improve gender equality policy and practice.

In principle, every position within the JKI can be filled by a woman or a man. Starting from the legal basis and principles of equality, this equality plan formulates concrete goals and measures for effective equality between women and men in the JKI on the basis of a statistical analysis of personnel data.

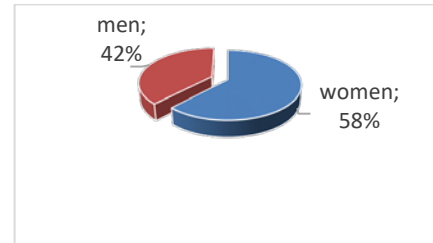
In the JKI, management, personnel administration, the Equal Opportunities Officer, the persons of trust of people with disabilities and the staff councils are committed to equality between women and men. This equality plan was drawn up in close cooperation with the Equal Opportunities Officer, the Representative of Severely Disabled Persons and the General Staff Council.

## 2 Current situation analysis

The following numbers/figures of the current situation analysis continuously refer to numbers/figures from the Equality Plan Interim 2021, which can be found in the intranet.

Total JKI employees (as of 01.07.2022) Table 1

Employees	absolute	percent
Women	758	58
Men	544	42
<b>in total</b>	<b>1,302</b>	<b>100</b>



The number of employees has increased overall, while the ratio of women to men has remained largely the same.

### 2.1 Personnel structure by status and career group

Personnel structure by status group (as of 01.07.2022) Table 2

Status	Total	Women		Men	
		absolute	percent	absolute	percent
Officials	165	71	43	94	57
Employees	1,098	667	61	431	39
Trainees	39	20	51	19	49
<b>In total</b>	<b>1,302</b>	<b>758</b>	<b>58</b>	<b>544</b>	<b>42</b>

Looking at the personnel structure, we can observe a recurrent decline in female officials compared to the previous year.

### 2.2 Personnel structure by category (officials and employees covered by collective agreements)

Staff structure by career category (officials, as of 01.07.2022) Table 3

Officials - senior service - Salary grade	Total	Women	Women	Men	Men	Career category
		absolute	percent	absolute	percent	
B 6	1	0	0	1	100	senior service
B 3	4	1	25	3	75	
B 2	10	1	10	9	90	
B 1	7	3	43	4	57	
A 16	1	0	0	1	100	
A 15	27	10	37	17	63	
A 14	64	28	44	36	56	
A 13h	32	17	53	15	47	

Officials - upper grade and mid-level service - Salary grade	Total	Women		Men		Career category
		absolute	percent	absolute	percent	
A 13g	3	3	100	0	0	upper grade service
A 12	2	2	100	0	0	
A 11	2	2	100	0	0	
A 10	0	0	0	0	0	
A 9g	6	2	33	4	67	
A 9m (with allowance)	1	0	0	1	100	mid-level service
A 9m	2	0	0	2	100	
A 8	3	2	67	1	33	
A 7	0	0	0	0	0	
A 6	0	0	0	0	0	
<b>in total</b>	<b>165</b>	<b>71</b>	<b>43</b>	<b>94</b>	<b>57</b>	

Compared with the previous year, the overall proportion of women has remained almost unchanged. This shows a strong under-representation in this area. Comparing the different career categories a high difference between the representation of women and men in the area of senior service could still be observed.

Personnel structure by career category (employees covered by collective agreements, as of 01.07.2022) Table 4

Remuneration group	Total	Women		Men		Career category
		absolute	percent	absolute	percent	
Non-collective agreement	1	1	100	0	0	senior service
E 15	1	0	0	1	100	
E 14	64	34	53	30	47	
E 13	270	153	57	116	43	
E 12	19	1	5	18	95	upper grade service
E 11	25	6	24	19	76	
E 10	37	20	54	17	46	
E 9c	7	5	71	2	29	
E 9b	56	44	79	14	21	mid-level service
E 9a	64	45	70	19	30	
E 8	63	45	75	18	29	
E 7	117	76	65	42	29	
E 6	192	123	64	59	35	
E 5	120	67	56	53	44	simple service
E 4	13	5	38	8	62	
E 3	47	39	83	8	17	
E 2	2	2	100	0	0	
E 1	0	0	0	0	0	
<b>in total</b>	<b>1,098</b>	<b>667</b>	<b>61</b>	<b>431</b>	<b>39</b>	

There is an under-representation of employed women covered by collective agreements within the salary grades. Significant differences are shown in the upper-grade service and senior service. The distribution reflects the overall picture (Table 2) of the JKI. The underrepresentation in the top positions of the senior service is striking.

### 3 Age structure

Analysis of the age structure (as of 01.07.2022) Table 5

Age	Total	Women	Men	Percent
Over 65 years of age	14	5	8	1
60-64 years of age	184	112	72	14
55-59 years of age	211	138	73	16
50-54 years of age	136	78	58	10
45-49 years of age	97	62	35	7
40-44 years of age	131	83	48	10
35-39 years of age	167	91	76	13
30-34 years of age	176	97	79	14
25-29 years of age	121	62	59	9
Under 25 years of age	65	30	35	5
<b>in total</b>	<b>1,302</b>	<b>776</b>	<b>544</b>	<b>100.0</b>

Demographic change is clearly visible. 49 % of the employees are 45 years of age or older. This was 4 % less at the time of the survey in 2020 and the same as in 2021. After deducting positions that have been eliminated without replacement, however, a number of positions remain that can be filled.

### 4 Work-life balance

#### 4.1 Parental leave

Each parent is entitled to parental leave under the Federal Parental Allowance and Parental Leave Act/[Bundeselterngeld- und Elternzeitgesetz] (BEEG). After the end of parental leave, there is a right to return to the same level of working hours as before parental leave.

#### 4.2 Leaves of absence

Applications for leave of absence in connection with the care of children or relatives in need of care are generally approved. As in the previous year due to the extended special leave regulations in the Coronavirus Service Instruction, parents with school-age children and employees with relatives needing care were given the opportunity to take advantage of this in 2021/2022.

#### 4.3 Teleworking/Mobile Work

Alternating telework takes place in the JKI on request and where operationally possible. Due to the extended regulations in the Coronavirus Service Instruction, home office work/ mobile work was also offered in 2021/2022. Teleworking was supplemented by the service agreement "Mobiles arbeiten am Julius Kühn-Institut" from June 30<sup>th</sup> 2022.

#### 4.4 Part-time employment

Part-time work is seen in many different variants in the JKI, whereby employment for half of the regular weekly working hours predominate.

The working hours per week are family-friendly, which means that the working hours are individually distributed over the days of the week according to the wishes of the employees. All requests for a different distribution of working hours from the 5-day week have been granted in the past.

#### 4.5 Reconciliation of family and career

Table 6 (as of 01.07.2022)

Number of employees 1,302 persons, of which	Total	for family reasons		for non-family reasons	
		Women	Men	Women	Men
Parental leave	28	23	5	0	0
Special leave/family reasons	5	2	0	2	1
Teleworking	113	47	27	31	8
Part-time	458	287	52	71	48

Parental leave has been used less in 2022 than compared to 2021. The demand for teleworking for family reasons has increased. On the other hand, the users of part-time work for non-family reasons have declined. The option of part-time work is being taken increasingly by women for family reasons.

#### 4.6 Promotion/career

Table 7 (as of 01.07.2022)

1,302 persons, in total	Total	Parental leave		Special leave for family reasons		Part-time		Full-time		of which in telework part-time		of which in telework full-time	
		Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men
Conversion to permanent employment	36	0	0	0	0	11	0	15	10	0	0	0	0
Award of official status	10	0	0	0	0	1	1	7	1	0	0	1	1
Deferral of official status	3	0	0	0	0	0	0	1	1	0	1	0	0
Higher grouping of employees covered by collective agreements	22	0	2	0	0	3	0	5	12	0	0	0	0
Promotion of officials	2	0	1	0	0	0	0	1	11	0	0	1	0
Assumption of leadership position	6	0	0	0	0	0	0	1	5	0	0	0	0



The number of employment status changes from transient to permanent employment was higher in the group of females, independent of full-time or part-time employment. This corresponds to the overall distribution of more women than men employed at the JKI (Table 1). Overall, there were more conversions to permanent employment and awards of official status than in the previous year. The number of changes to a higher wage group by women employed under full-time conditions has been decreased in comparison to men. Despite extensive efforts, full-time management positions were predominantly taken over by male employees. Data for teleworking part-time and full-time are not representative due to the Coronavirus Service Instruction.

## **5 Summary of the current situation analysis**

Overall, the JKI employs more women than men (see Table 1).

As in recent years, there is a marked under-representation of women in the field of officials in the higher service (see Table 3).

In the management functions B6 to B1 (President/Vice President/Institute Manager/Deputy Institute Manager), still only five women are represented compared to seventeen men. In comparison to the previous years, it has not yet been possible to increase the proportion of women in pay grades A14 to A16, despite the setting of a specific goal. Under-representation continues to be very pronounced.

Due to the high proportion of women, a more differentiated picture emerges among employees covered by collective agreements: The proportion in the mid-level and simple service has remained almost unchanged and is particularly still strongly staffed by women. There has been a slightly increase of men within the salary grades E 9a and E 6. The proportion of men in higher and upper-grade service has remained high and is particularly noticeable in the higher pay groups (see Table 4).

Overall, a high age structure can be observed. Regardless of gender and career, 49 % of employees are aged 45 or over (see Table 5).

Women account for 78 % of part-time workers (see Table 6).

In the area of promotion and career, it should be noted that all measures are prioritised in the area of full-time employment. Compared to the previous years there has been a significant increase of changes to higher wage groups of employees covered by collective agreements and awards of official status. Only one woman was promoted to a management position compared to five men. Due to the high proportion of women working part-time, more women were transferred to permanent part-time and full-time employment than men. In addition, more part-time working women covered by collective agreements were transferred to higher wage groups than men. However, the opposite applies for full-time working women (Table 7).

## **6 Objectives and measures**

### **6.1 Objectives**

The objectives of this equality plan are:

- An actual promotion of women in order to reduce existing disadvantages. Increasing the proportion of women in the respective under-represented areas (§1 para. 1 no. 2, BGlG) through appropriate personnel and organisational measures; this applies in particular to women in management positions.
- An at least constant proportion of women, even with future job cuts.
- Improved qualification through targeted further training.
- The measures introduced to promote the reconciliation of work and family life for women and men

are to be maintained at the previous high level.

- Equal composition of JKI internal committees.
- The mandatory training of all institute directors, work group leaders and deputies in the Federal Equality Act is planned until end 2022.
- Protection against sexual harassment in the workplace.

An increase in the proportion of women in the under-represented areas is aimed at for new hires, as well as higher groupings and promotions. For any measure to increase the proportion of women, the suitability, competence and professional performance must be assessed in accordance with the principle of performance. Preferential consideration of women, therefore, presupposes their equal qualifications relative to male counterparts.

Parity in the filling of posts is one aspect of equality between women and men. Also important are the framework conditions that make it possible to reconcile work and family life. Here, flexible working hours and practicable flexitime arrangements have been introduced at JKI through the auditing as a family and life phase-conscious employer, which has been in place since 2021, and further progress has been made in the past year as a result.

In achieving the objectives, the special needs of women with disabilities and women at risk of disability must be taken into account and existing disadvantages must be eliminated. Specific measures are permitted to promote the effective enforcement of equal rights for women with disabilities and to eliminate existing disadvantages. Staff planning should, therefore, provide for specific rules for the employment of an appropriate proportion of women with severe disabilities.

Preference of women in underrepresented areas is excluded, if reasons worthy of legal protection prevail, which lie in the person of a male applicant.

## **6.2 Measures**

The measures to achieve the above objectives cover all of the areas that are essential for personnel development:

- personnel selection and recruitment
- transfer of higher-value functions
- continuing and further training
- reconciliation of work and family life
- professional re-entry
- internal framework conditions.

The individual measures required to achieve goals and optimise the situation are carried out on the basis of a trusting cooperation with the Equal Opportunities Officer, the Staff Council and the persons of trust for people with disabilities. The relevant co-determination and participation rights must be observed.

## **6.3 Increasing the proportion of women in the respective under-represented areas through appropriate personnel and organisational measures**

Women are under-represented in the JKI, especially in the following areas:

- female officials in the higher service, especially in management positions
- remuneration group E11/E12/

There is, therefore, a need for action in accordance with the BGEiG to increase the proportion of women in this area. The increase in the proportion of women can be achieved by giving priority to women when creating positions for officials, provided that equal suitability, competence and professional performance (qualification) are available. Since recruitment into the higher service is usually made as employees covered by collective agreements, this area is of particular importance. After several years of work, employed scientists and employees from non-scientific fields form the circle of applicants for possible official positions. Concrete measures must, therefore, be taken to increase the proportion of women in this area and personnel planning must take place at an early stage.

#### **6.4 Concrete objectives according to § 13 BGEiG**

In the years 2020 to 2024 the following will be released:

- 11 positions in pay grades from A 16 to B 6. Of these positions, at least 6 should be filled by women. In this area, from 2021 to 2022, no position was occupied by a woman.
- approx. 20 positions with the grades A 14 and A 15. In this area, at least 11 positions should be filled by women. In the period from 2021 to 2022, no position was occupied by a woman.

If women are under-represented in the area to be advertised, a direct invitation to women to apply must be included in the invitation text. Alternating telework or mobile work is offered. Positions with supervisory and management tasks must also be advertised part-time, provided that compelling official interests do not stand in the way.

When filling positions in areas where women are under-represented, at least as many women as men with the qualifications required by the call for applications shall be invited to interviews or special selection procedures. This applies, in particular, if the management of an institute/department is to be filled during the term of this equality plan.

The following basic measures to increase the proportion of women in under-represented areas should be sought:

- The proportion of women must be increased when filling permanent positions, especially where there is under-representation.
- An increase in the proportion of women in official positions in the higher service is still necessary, as this is the only way to strengthen the area from which management positions grow.
- Raising awareness of the Federal Equality Act is implemented through targeted and mandatory further training measures, especially at management levels.
- Wherever possible, managers shall point out potentially suitable women to apply for higher-quality positions and motivate them to take on management tasks.
- In the case of assessments and the awarding of performance bonuses, the compatibility of family, care and professional activities, for example part-time work, must not be assessed adversely.
- Management shall work specifically towards the participation of women in committees.

#### **6.5 Improved qualification through targeted further training.**

Fee-based training for employees of the JKI is currently based on a needs assessment and approval by the training committee, in which the Equal Opportunities Officer participates actively. The aim is to maintain the good qualifications for JKI employees and to continuously expand and improve them. Particular emphasis is placed on promoting women in further training, for example, to qualify for later management positions. Employee interviews with the respective manager give the concerned employees the opportunity to express their training wishes and discuss the options for implementation with their superiors, taking into account official, budgetary and personal circumstances.

- Management supports the invitation of women to workshops and lectures by women for women by the Equal Opportunities Officer. In working groups, interested women have the opportunity to exchange ideas.
  - for example, participations in events such as from women for women from the BMEL
  - training on the topic of women in management positions
- The JKI strives to give women who aspire to a management position the opportunity to get to know the tasks involved in institute management through a mentoring program.
- When awarding training courses, in particular those that lead to qualification for a management position, care is taken to ensure that at least as many women as men receive the desired training. If necessary, there should be a preference for women if the places on offer are exhausted.
- Employees with family responsibilities are offered spatially and temporally adapted training events, with the possibility of childcare if necessary. Employees on leave for a longer period of time for family reasons must be offered opportunities and enabled to take them up to a sufficient extent with a view to re-entering employment.
- Women with severe disabilities must be given special support in their professional qualifications, disability-related concerns must be taken into account and participation must be facilitated by appropriate measures.

## **6.6 Promoting the reconciliation of work and family life**

In particular, the following measures serve to improve the compatibility of family and working life:

Since September 2021, the JKI is audited by berufundfamilie Service GmbH and successfully completed the first reporting year.

Part-time work requests are usually met, provided that official interests do not conflict with this. Insofar as official interests preclude this, it must be examined whether these can be taken into account by organisational or personnel measures. Conflicting official interests must be justified in individual cases.

The scope and distribution of working hours are determined in accordance with the relevant regulations on working hours and, as a rule, are based on the wishes of the employees. This is only deviated from in the case of compelling official interests. In principle, all vacancies/posts are advertised as being suitable for part-time work.

Applications for telework and mobile will continue to be granted unless there are official interests to the contrary. Teleworking was supplemented by the service agreement "Mobiles arbeiten am Julius Kühn-Institut" from June 30<sup>th</sup> 2022.

The vacancies made available by converting full-time positions into part-time positions must be filled in individual cases, as far as this is possible in terms of personnel, employment law and organisation, in order to increase the acceptance of part-time employment among managers and employees.

"Job remnants" arising from position management are used, in particular, to enable part-time employees to increase their working hours on request and within the framework of specific organisational needs in individual cases (§17 BGlEiG).

Employees on leave for family reasons shall – if they so wish – be given the opportunity to keep up to date with matters of fundamental importance and further training opportunities (for example, via access to the intranet). They will be informed of this possibility when the leave is approved.

Those on leave of absence shall be informed of their planned assignment at an early stage before their return. On request, a personnel interview will be held with them about work and professional development opportunities.

Applications from employees for part-time employment during parental leave are given preferential treatment within the scope of organisational possibilities.

A new service agreement on working hours has been concluded at the JKI. The service agreement functional periods are intended to expand the scope for decision-making by the department and the options for officials and employees covered by collective agreements at the JKI to help shape their own working hours and thus contribute to a better compatibility of working time and leisure time, as well as work and family. This is also intended to increase the motivation of JKI employees. Working hours can be arranged flexibly in several respects – within the framework of collective bargaining agreements. For example, the following can be agreed individually:

- the average working hours per week,
- days of the week which are considered to be working days,
- a different number of working hours per working day or weekday.

This flexibility can be used to meet both the requirements of efficient service operation and the personal needs of employees in the best possible way. The JKI has been practising flexible working hours for a long time. The service agreement concluded for this purpose contains options for agreement on working hours and working time models tailored to the interests of both parties in individual cases.

## **6.7 Equal composition of JKI internal committees**

All JKI-internal committees (e.g. the committees of the Institute College or selection committees) are generally to be made up of equal numbers of women and men. The increase in the proportion of women in the higher service envisaged would, therefore, also have a positive effect on the equal number of members of committees.

## **6.8 Sensitisation of managers to equality**

All managers are obliged to inform themselves of measures for equality between men and women, as well as those for the compatibility of families and employment.

Targeted support measures (training courses on the BGlEiG) for managers are made mandatory and the existing qualifications are adapted to the current requirements.

The Equal Opportunities Officer can convey the content of gender equality within the framework of their participation rights in personal discussions with the heads of the institutes and departments, as well as with their employees.

## **6.9 Gender main-streaming**

Following gender main-streaming, the different interests and life situations of women and men must already

be taken into account when drawing up service agreements, planning projects or other measures (e.g. changing organisational structures and processes).

## **6.10 Protection against sexual harassment in the workplace**

The General Equal Treatment Act/[Allgemeine Gleichbehandlungsgesetz] (AGG) prohibits any form of sexual harassment in the workplace. The act refers to the constitutionally guaranteed claim to the inviolability of human dignity (Art. 1 AGG).

Sexual harassment is a disadvantage with regard to §1 and §3 (4) AGG if an undesirable, sexually determined behaviour, including unwanted sexual acts and requests for these, sexually intended physical touches, remarks of sexual content, as well as unwanted showing and visible display of pornographic representations, has as its object or effect that the dignity of the person concerned is violated, in particular, if an environment characterised by intimidation, hostility, humiliation, degradation or insults is created.

The management of the institution, as well as the management of all institutes and departments, consider it their duty to do everything possible to protect employees from sexual harassment in the workplace. The pornographic use of the Internet provided by the IT facilities of the JKI is prohibited by an IT User Code.

A complaints office has been set up in accordance with §13 AGG in the JKI and has been announced on the intranet to all employees. The contact point is an external employee of evers Arbeitsschutz GmbH.

## **6.11 Further measures**

The equal opportunities plan is made available to all employees for information on the intranet. Heads of institutes and heads of departments receive it separately in electronic form.

As part of the annual update envisaged, an interim balance sheet will be drawn up, indicating the extent to which the objectives have been achieved. Where appropriate, it is also necessary to explain why objectives have not been met or have not been met in the desired manner. On this occasion, the original objectives and the catalogue of measures can be adapted to current developments.

## **7 Legal bases and principles of equality**

### **7.1 International (legal) foundations**

The provisions of the Treaty of Amsterdam (Article 2, Article 3 para. 2, Article 141 para. 4 EC Treaty) and Article 11 of the Convention on the Elimination of All Forms of Discrimination against Women oblige the Federal Government to adopt an active equality policy.

### **7.2 Constitutional principles**

“Men and women have equal rights. The state facilitates the enforcement of equal rights for men and women and works towards redressing existing disadvantages.” (Article 3 para. 2 Basic Law).

Article 3 para. 2 of the Basic Law, supplemented in 1994, contains the constitutional mandate for the state to work towards the equalisation of living conditions and, in particular, employment opportunities and the improvement of the compatibility of family and career for women and men.

### **7.3 General Equality Act (AGG), §5 Positive Measures**

Regardless of the reasons named in §§8 to 10, as well as in §20, different treatment is also permissible if

existing disadvantages are to be prevented or compensated by suitable and appropriate measures for a reason named in §1.

#### **7.4 Act on the Equality of Persons with Disabilities (Disability Equality Act/[Behindertengleichstellungsgesetz] – BGG), §2 Women with Disabilities; Discrimination due to several reasons**

- (1) In order to ensure equal rights for women and men and to avoid discrimination against women with disabilities for a number of reasons, the specific concerns of women with disabilities should be taken into account and existing disadvantages should be eliminated. Specific measures are permitted to promote the effective enforcement of equal rights for women with disabilities and to eliminate existing disadvantages.
- (2) Irrespective of paragraph 1, the special interests of persons with disabilities who may be affected by disadvantages due to a disability and at least one other reason referred to in §1 of the General Equality Act must be taken into account.

#### **7.5 German Social Code/[Sozialgesetzbuch] IX Rehabilitation and participation of people with disabilities**

§1 Self-determination and participation in life and society

It shall take into account the special needs of women with disabilities and women at risk of disability, as well as people with mental disabilities or people at risk of such disability.

§49 Benefits for participation in working life

(2) Women with disabilities shall be guaranteed equal opportunities in working life, in particular through offers that are suitable for their professional purposes, which are close to their place of residence and can also be used part-time.

§154 Duty of employers to employ severely disabled people

(1) Particular attention shall be paid to severely disabled women.

§166 Inclusion agreement

(2) As part of personnel planning, special regulations for the employment of a reasonable proportion of severely disabled women shall be provided.

#### **7.6 Inclusion agreement of the Federal Ministry of Food and Agriculture and the authorities of its business area in accordance with §166 German Social Code – Ninth Book (SGB IX)**

See 5.5 Women with disabilities

#### **7.7 Federal Staff Representation Act/ [Bundespersönalvertretungsgesetz] (BPersVG)**

##### **§61 Authorizations**

1. The staff meeting may deal with matters that directly affect the department or its employees, in particular collective bargaining, salary and social matters, as well as issues relating to the actual equality of women and men, the prevention of discrimination against people who do not belong to either of these genders, the participation of people with disabilities and the compatibility of family, care and work.

##### **§62 General duties**

The Staff Council has the following general duties:

2. to ensure that the laws, regulations, collective agreements, service agreements and administrative orders applicable to employees are implemented.

5. to promote the implementation of effective equality between women and men and to counteract discrimination against people who do not belong to any of these genders, in particular in recruitment, employment, education and training and career advancement.

6. to promote the compatibility of family, care and work.

### **§80 Co-determination in organisational matters**

In the absence of a statutory or collective agreement, the Staff Council shall determine:

13. measures aimed at family-friendliness, the reconciliation of family, care and work, the enforcement of effective equality between women and men, the prevention of disadvantages for people who do not belong to any of these genders and the prevention of disadvantages for people with disabilities, in particular in recruitment, employment, education, training and career advancement.

## **8 Act on Equality between Women and Men in the Federal Administration and in Federal Companies and Courts (BGleIG)**

The Federal Equality Act has been amended by the German Bundestag as Article 2 of the Act on the Equal Participation of Women and Men in Management Positions in the Private and Public Sector of 24 April 2015 (BGBl. I p. 642) and entered into force on 1 May 2015. This was most recently confirmed by Article 2 of the Act of 7 August 2021 (BGBl. I p. 3311).

The current law strengthens the rights of equal opportunities officers and is not limited to formal legal equality between women and men, but pursues the goal of actually enforcing them in the area of federal administration. On this basis, the Federal Government as an employer is obliged to exploit the official and organisational possibilities in the design of workplaces in order to improve the compatibility of family and career for women and men and to reduce existing disadvantages. The proportion of women in positions in which they are under-represented must be increased, including in management positions. The principle of the primacy of aptitude, competence and professional performance continues to apply (Art. 33 para. 2 GG). The best person is to be selected in each case.

The willingness of everyone to identify with the goals of the BGleIG and to live equality is indispensable for the successful implementation of equality. This is the only way to achieve the ambitious objectives of this equality plan.

In accordance with §12 BGleIG, the JKI is legally required to draw up an equal opportunities plan for a period of four years with the participation of the Equal Opportunities Officer, which can be adapted annually to the current circumstances. According to §11 BGleIG, the equal opportunities plan is an essential instrument of personnel planning, in particular for personnel development. The equality plan must take stock by describing the existing situation of women and men in the department as of 30th June of the year its preparation and by evaluating the previous promotion of employees in the individual areas for the past four years. In a further step, concrete targets and measures for the implementation of necessary personnel and organisational improvements must be defined.

Halfway through the period of validity of four years, an initial monitoring of its success takes place. If the targets have not been sufficiently implemented by then, supplementary measures must be included in the equality plan in order to enable targets to be achieved within the period of validity. If, despite all efforts, the objectives could not be achieved, the reasons must be set out in the next equality plan.

### **8.1 The Equal Opportunities Officer and their deputy (§§19-36 BGleIG)**

The Equal Opportunities Officer and their deputy are elected for a term of four years.

A representative is appointed in smaller departments and in remote parts of the department at the recommendation of the competent Equal Opportunities Officer.



The Equal Opportunities Officer is a member of Human Resources and is directly assigned to the head of the department. Their office is incompatible with membership of a staff committee and with working in a staff unit.

The main tasks of the Equal Opportunities Officers include:

- to support the department in achieving the objectives of the BGlEiG and in promoting the general obligations under §4,
- to participate in all relevant personnel, organisational and social matters measures of the service (on the basis of the earliest possible participation) concerning equality between women and men, the elimination of under-representation, the reconciliation of family, care and work and protection against sexual harassment in the workplace.

To carry out these tasks, the Equal Opportunities Officer is equipped with extensive rights, the most important of which include:

- exemption from instructions
- entitlement to the earliest possible and extensive oral and written information by the department
- access to all relevant meetings (e.g. participation as an advisory member in meetings of the Institute College and the selection committees in appointment procedures)
- the provision of all relevant documents
- a right of inspection of the decision-relevant parts of the personnel files without the express consent of the data subject(s)
- holding women's assemblies at least once per year
- the right to speak at staff meetings.

The Equal Opportunities Officer has the right to object and sue and has the right to file an application for a court decision with the competent administrative court in the event of non-agreement with the head of the department after a prior internal objection and settlement procedure.

Quedlinburg, 20 December 2022

President and Professor  
of the Julius Kühn Institute  
Federal Research Centre for Cultivated  
Plants

Braunschweig, 21 December 2022

Equal Opportunities Officer  
of the Julius Kühn Institute  
Federal Research Centre for Cultivated Plants

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Prof. Dr. Frank Ordon

Kerstin Rogge