



Equality Plan

(Interim Status 2023)

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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.

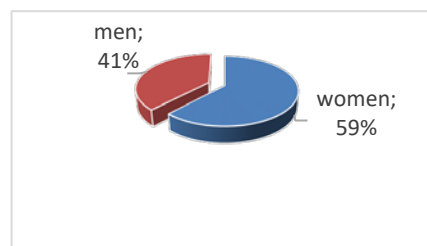
In the JKI, management, personnel administration, the Equal Opportunities Officer, the persons of trust of people with disabilities and the staff councils are committed to equality between women and men. This equality plan was drawn up in close cooperation with the Equal Opportunities Officer.

2 Current situation analysis

All conclusions from the analysis of the current situation below are based on a comparison with the figures from the interim report “JKI Equality Plan 2022”, which is available on the Intranet.

Table 1 Total JKI employees (as of 01.07.2023)

Employees	absolute	percent
Women	783	59
Men	552	41
in total	1,335	100



The number of employees has increased slightly, with the proportion of women rising by another percentage point compared to men.

2.1 Personnel structure by status and career group

Table 2 Personnel structure by status group (as of 01.07.2023)

Status	Total	Women		Men	
		absolute	percent	absolute	percent
Civil servants	157	68	43	89	57
Employees	1,150	699	61	451	39
Trainees	28	16	57	12	43
In total	1,335	783	59	552	41

Looking at the personnel structure, the proportion of women and men has not changed compared to the previous year, despite an increase in the total number of employees. Only the proportion of female trainees has increased.

2.2 Personnel structure by category (civil servants and employees covered by collective agreements)

Table 3 Staff structure by career category (civil servants as of 01.07.2023)

Civil servants	Total	Women absolute	Women percent	Men absolute	Men percent	Career category
B 6	1	0	0	1	100	higher service
B 3	4	2	50	2	50	
B 2	11	0	0	11	100	
B 1	5	1	20	4	80	
A 16	1	0	0	1	100	
A 15	25	10	40	15	60	
A 14	58	27	47	31	53	
A 13h	33	17	53	16	48	
A 13g	2	2	100	0	0	higher intermediate service
A 12	2	2	100	0	0	
A 11	2	2	100	0	0	
A 10	0	0	0	0	0	
A 9g	7	3	43	4	57	
A 9m (with allowance)	1	0	0	1	100	intermediate 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	
in total	157	68	43	89	57	

The overall proportion of women within the higher service has remained unchanged. Therefore the goal of increasing the proportion of women in this area has not been achieved. Compared to the previous year, the number of women in salary grade B 3 has increased by one, while the number of women in grade B 1 has

decreased by two. This shows a continued strong under-representation in this area. Looking at the career categories, there is once again a major difference between the representation of women and men in the higher service this year.

Table 4 Personnel structure by career category (employees covered by collective agreements, as of 01.07.2023)

Remuneration group	Total	Women absolute	Women percent	Men absolut	Men percent	Career category
Non-collective agreement	1	1	100	0	0	higher service
E 15	1	0	0	1	100	
E 14	69	44	64	28	36	
E 13	310	165	53	145	47	
E 12	19	1	5	18	95	higher intermediate service
E 11	27	8	30	19	70	
E 10	39	26	67	13	33	
E 9c	5	4	80	1	20	
E 9b	58	46	79	12	21	
E 9a	68	49	72	19	28	intermediate service
E 8	60	49	65	21	35	
E 7	118	81	69	37	31	
E 6	189	121	64	68	36	
E 5	124	70	56	54	44	
E 4	13	5	38	8	62	ordinary service
E 3	48	38	79	10	21	
E 2	1	1	100	0	0	
E 1	0	0	0	0	0	
in total	1,150	699	61	451	39	

There is a certain underrepresentation of women in some salary grades for employees covered by collective

agreements. The distribution reflects the overall picture (Table 2) at the JKI. The unchanged underrepresentation of women in the top positions of the higher service is striking. The overall number of employees covered by collective agreements has risen.

3 Age structure

Table 5 Analysis of the age structure (as of 01.07.2023)

Age	Total	Women	Men	Percent
Over 65 years of age	16	10	6	1
60-64 years of age	190	120	70	14
55-59 years of age	193	129	64	14
50-54 years of age	127	73	64	10
45-49 years of age	111	82	29	8
40-44 years of age	145	86	59	11
35-39 years of age	182	99	83	14
30-34 years of age	175	90	85	13
25-29 years of age	130	61	69	10
Under 25 years of age	66	33	33	5
in total	1,335	783	552	100

Compared to the previous years, the demographic change is still clearly visible. 47 % of the employees are 45 years or older. This is 6 % less than at the time of the 2020 survey.

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. In particular, parents with school-age children and employees with relatives needing care were given the opportunity to take advantage of this.

4.3 Teleworking/Mobile Work

Alternating telework or mobile work takes place in the JKI on request and where operationally possible. Teleworking was supplemented by the "Agreement on mobile work at the Julius Kühn-Institut" from June 30th, 2022. New applications refer to mobile work, the remaining share of approved teleworking will expire as a result.

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 predominates.

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. In the past, all requests for a working week that deviates from the 5-day week were granted.

4.5 Reconciliation of family and career

Table 6 Reconciliation of family and career (as of 01.07.2023)

Number of employees 1,335 persons, of which	Total	for family reasons		for non-family reasons	
		Women	Men	Women	Men
Parental leave	24	21	3	0	0
Special leave	7	6	1	0	0
Teleworking/mobile work	537	150	82	191	114
Part-time	469	284	67	68	50

Parental leave has been used less than in 2021 and 2022. The demand for teleworking / mobile work for family reasons has increased strongly overall. This high increase is based in the transition from teleworking to mobile working and the transition from the instructions in place during the coronavirus pandemic. The number of users of telework/mobile work for non-family reasons have also increased for the reasons mentioned above. The option of part-time work for family reasons is more frequently used by women.

4.6 Promotion/career

Table 7 Promotion/career (as of 01.07.2023)

1,335 persons, in total	Total	Parental leave		Special leave for family reasons		Part-time		Full-time		of which in telework/mobile work part-time		of which in telework/mobile work full-time	
		Women	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women	Men
Conversion to permanent employment	26	0	1	0	0	3	0	13	9	1	0	2	2
Appointment as civil servant	4	0	0	0	0	1	0	2	1	1	0	2	1
Deferral of appointment as civil servant	2	0	0	0	0	0	1	0	1	0	1	0	1
Promotion of public employees to higher salary groups	31	0	0	0	0	7	1	8	15	4	1	2	8
Promotion of civil servants	4	0	0	0	0	0	0	1	3	0	0	1	0
Assumption of leadership position	2	0	0	0	0	0	0	0	2	0	0	0	1

Women working full-time and part-time were more often converted to permanent employment than men. This corresponds to the overall distribution of more women than men at the JKI (Table 1). Overall, there were fewer conversions to permanent employment and appointments as civil servants than in the previous year. The number of promotions of male and female employees working full- or part time is almost balanced. All in all, more people were promoted to higher salary groups than in the previous year. Despite extensive measurements, only full-time employees and no woman filled management positions. In terms of teleworking/mobile working, both part-time and full-time, there was an overall increase in all areas.

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 civil servants in the higher service (see Table 3).

In the management functions B6 to B1 (President/Vice President/head or deputy head of institute), still only three women are represented compared to eighteen men. In the A14 to A16 grades, the proportion of women could not be increased compared to previous years, although this had been set as a 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 of women employed in the ordinary and intermediate service remains high. The proportion of women and men in the higher intermediate service is equalizing. However, the proportion of men in the pay groups E 11 and E 12 remains very high (see Table 4).

Overall, a slight rejuvenation of the age structure can be observed. Regardless of gender and career, 47 % of employees are aged 45 or older (see Table 5).

Women account for 75 % 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 employment. Compared to previous years, the number of promotions to higher pay grades or higher civil servant positions has once again decreased significantly. Two men were promoted to management positions, but no woman. Due to the high proportion of women working part-time, more women were transferred to permanent part-time and full-time employment than men. Similarly, more female employees working part-time were promoted to higher pay grades than men, while the opposite can be seen for full-time employees (see 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, BGleIG) 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 should be maintained at the previous high level. A re-audit of the career and family service will be performed.
- Equal representation on JKI internal committees.
- Mandatory training in the Federal Equality Act for all institute heads, work group leaders and deputies was planned by the end of 2022. Part of the managers have already completed this training. New managers should catch up on this within one year of taking up their management position.
- Protection against sexual harassment in the workplace.

The aim is to increase the proportion of women in underrepresented areas when recruiting new employees as well as for higher grades 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 that they have the same qualifications as their male counterparts.

Parity in the filling of positions 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 civil servants in the higher service, especially in management positions
- remuneration group E11/E12

There is, therefore, a need for action in accordance with the BGleIG 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 appointing civil servants, provided they have the same suitability, competence and professional performance (qualification). 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 group of applicants for possible civil servant 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 BGleIG

In the years 2020 to 2024, the following positions will become vacant:

- 11 positions in pay grades from A 16 to B 6. Of these positions, at least 6 should be filled by women. In the timeframe from 2022 to 2023, once again, no position in this area was held by a woman (based on data from 1.07.2023).
- 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 30.06.2022 to 01.07.2023, again none of these positions was filled 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 advert 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 civil servant 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 encourage potentially suitable women to apply for senior 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.

The aim of the Second Leadership Positions Act [Zweites Führungspositionen-Gesetz - FüPoG II] , to achieve the equal participation of women and men in management positions in accordance with this Act by December 31, 2025, must be further pursued.

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 employees concerned 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 aims 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. There is no mentoring program

yet.

- 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.

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:

In September 2021, the JKI was audited by berufundfamilie Service GmbH and has since successfully completed the second reporting year.

Part-time work requests are usually met, provided that there are no conflicting official interests. Insofar as official interests prevent an approval, it must be examined whether these can be overcome 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 mobile work will continue to be granted unless there are official interests to the contrary. Teleworking was supplemented by the "Agreement on mobile work at the Julius Kühn-Institut" from June 30th 2022. In future, only applications for mobile work will be permitted.

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 BGlG).

Employees on leave for family reasons shall – if they wish so – 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 their 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 agreement on working hours has been concluded at the JKI. The "Agreement on functional time" is intended to expand the scope for decision-making by the department and the options for civil servants 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 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 JKI Board of Scientists 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 JKI management and the heads 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 Usage Guideline.

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 person 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 report 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 Second Leadership Positions Act (FüPoG II)

The aim of the Second Leadership Positions Act [Zweites Führungspositionen-Gesetz] is to increase the proportion of women in management positions and to set binding targets for business and the public sector.

The Act to Supplement and Amend the Regulations for the Equal Participation of Women and Men in Leadership Positions in the Private and Public Sector (Zweites Führungspositionen Gesetz - FüPoG II) further develops its predecessor regulation, the First Leadership Positions Act (FüPoG), which came into force in 2015, improves its effectiveness and closes gaps.

The aim of the Federal Civil Service is to achieve equal participation of women in management positions within the scope of the Federal Equal Opportunities Act by the end of 2025

7.4 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.

7.5 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.

7.6 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.

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, internal agreements and administrative orders applicable in favour of the 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

(1) In the absence of a statutory or collective agreement, the Staff Council shall co-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 this in the federal administration. On this basis, the Federal Government as an employer is obliged to make full use of 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 of 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 and measures of the

department (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 JKI Board of Scientists 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, 18 December 2023

President

of the Julius Kühn Institute

Federal Research Centre for Cultivated
Plants

Braunschweig, 18 December 2023

Equal Opportunities Officer

of the Julius Kühn Institute

Federal Research Centre for Cultivated Plants

Prof. Dr. Frank Ordon

Kerstin Rogge