
9 Laws, policies and practices of diversity management in the Netherlands revisited

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1 INTRODUCTION

This chapter updates the chapter on the Netherlands in the first edition of the *International Handbook On Diversity Management At Work* (Bleijenbergh et al., 2010). The Netherlands recently went through turbulent political times where, after a decade of increasing inward-looking, anti-immigrant, ethnocentric sentiments peaking around the elections in 2010, there was a sudden drop in these sentiments in the 2012 elections. While the centre-right Cabinet Rutte I (2010–12) moved policies towards a less Eurocentric and more ethnocentric approach, the left-right Cabinet Rutte II, installed in 2012, is slightly more Eurocentric again. Nevertheless, the political attention for diversity, completely abolished under Rutte I,¹ is not yet restored to its full strength. In comparison, in the previous centre-left Cabinet Balkenende IV (2007–10) diversity was high on the agenda. Although the Rutte II Cabinet has less restrictive immigration policies than Rutte I, which aimed at decreasing immigration and encouraging repatriation, it still strengthens immigration policies by moving towards a law that will criminalize those who stay illegally. Gender equality has not been very high on the government agenda for a number of decades, with a short revival in the Balkenende III Cabinet (2007–10) under the Minister of Internal Affairs Guusje ter Horst. Nevertheless, many organizations have put gender equality in their organization on the agenda, usually with a focus on increasing the number of women in higher ranks of organizations.

Owing to an ageing population, raising the pension age has been the subject of heated debate for years. It took until Rutte II for a gradual rise in the pension age to occur. In organizations, policies and practices targeted at older employees (for example, more vacation days, regular health checks, and demotion policies) have been replaced by a focus on sustainability and employability for all workers. Rutte II also aims to increase the labour participation of people with disabilities as a means to decrease their dependency on public expenses. Their initial plans to introduce a quota for hiring disabled workers (Regeerakkoord VVD-PvdA, 2012), were, however, quickly turned down because of resistance from employers. Entrance to the current sheltered workshops for disabled people will be abolished from 2015 (Sociaal Akkoord, 2013).

2 CONTEXT: FACTS AND FIGURES

2.1 Position of Migrants in the Labour Market

The labour market position of migrants shows a mixed picture. The participation rates of migrants deteriorated slightly in the years of the economic crisis. However, the proportion of migrants in lower labour market positions decreased, while their proportion in higher positions increased. The participation rate is the lowest among Moroccan-Dutch (48 per cent) and Turkish-Dutch (52 per cent), compared with Antillean-Dutch (57 per cent), Surinamese-Dutch (60 per cent) and 69 per cent of the native Dutch population (Gijsberts et al., 2012). Moreover, in 2010 the unemployment rates are the highest among Moroccan-Dutch (14.6 per cent), Antillean-Dutch (12.5 per cent), Turkish-Dutch (11.3 per cent) and Surinamese-Dutch (10.4 per cent). On average the unemployment rate of migrants is 13 per cent compared with 4.5 per cent of the native Dutch (Gijsberts et al., 2012).

In contrast, the job level of migrants is improved, except for Antillean-Dutch. Between 2000 and the year 2010, the proportion of migrants in lower labour market positions (elementary level) decreased. For Turkish-Dutch from 70 per cent to 56 per cent, for Moroccan Dutch from 56 per cent to 53 per cent, for Surinamese-Dutch from 42 per cent to 40 per cent, compared to the native Dutch from 32 per cent to 30 per cent. However, the proportion of Antillean-Dutch in lower labour market positions increased from 35 per cent to 41 per cent. Moreover, the proportion of migrants in higher labour market positions (higher vocational and academic education) increased for the second generation migrants (that is, born in the Netherlands from migrant parents), although the patterns differ for the different migrant groups. Between 2001/03 and 2008/10 the proportion of Turkish Dutch in higher labour market positions increased from 7 per cent to 18 per cent, for Moroccan Dutch it increased from 12 per cent to 21 per cent, for Surinamese Dutch it increase from 12 per cent to 26 per cent and for Antillean Dutch it increased from 30 per cent to 34 per cent. The proportion Antillean Dutch in higher labour market positions is higher than the proportion of native Dutch in these positions, which increased from 28 per cent to 32 per cent (Gijsberts et al., 2012).

One of the explanations for the lower labour market position of migrant groups is the lower educational level of most migrants groups compared to native Dutch groups (Bleijenbergh et al., 2010). In 2010, 13.2 per cent of migrants (12.3 per cent in 2007), of which 17.5 per cent were non-Western migrants (17.0 per cent in 2007), had primary education as the highest educational level compared to 6.9 per cent of the native Dutch population (CBS, 2012). However, the proportion of bachelor and master's degrees among migrants has increased in the same period. In 2010, 25.2 per cent of migrants (22.9 per cent in 2007), of which 19.1 per cent were non-Western (15.7 per cent in 2007), had a bachelor or master's degree, compared with 28.6 per cent of the native Dutch population (26.3 per cent in 2007). Since the education level of the native Dutch population has increased as well, the difference in education level between migrants and native Dutch remains the same. Moreover, there is a regional element in the labour market position of migrants. Unemployment among migrants is lowest in the Randstad, the urban west part of the Netherlands, and is highest in Brabant, Limburg and Groningen, the last two being the northern and southern countryside regions in the Netherlands (Forum, 2012).

2.2 Position of Women in the Labour Market

The proportion of women in the labour market in the Netherlands increased from 59 per cent in 2006 to 64 per cent in 2011. Between 2006 and 2011 the proportion of men in the labour market remained stable at 80 per cent. The proportion of part-time working women, already the highest in Europe, kept on increasing to 73 per cent in 2011, while the proportion of part-time working men increased to 19 per cent (Mars et al., 2012).

The share of women in management positions increased from 24 per cent in 2003 to 29 per cent in 2011 and the share of women in top positions² increased from 7 per cent in 2007 to 10 per cent in 2009, which is still low from an international comparative perspective (Merens, 2012). Furthermore, the non-profit sector experienced a slight increase in women in management positions. The highest rise was in government, where the share of women in higher and top positions rose from 20 per cent in 2008 to 26 per cent in 2010. In higher education the share of women full professors increased from 9 per cent in 2003 to 12 per cent in 2009, below the target figures the Dutch government has set for themselves (15 per cent in 2010), which were already below the Lisbon targets of 25 per cent (Merens et al., 2010). To conclude, the proportion of Dutch women participating in the labour market is still increasing slightly, notwithstanding the economic crisis, but as the majority of women work part-time the gross participation of women does not increase substantially. The share of women in management positions is slightly improving, but still fairly low compared with to international standards.

2.3 The Position of the Elderly in the Labour Market

The total Dutch population in 2013 was approximately 16 750 000 inhabitants. Because of the ageing of the population, the prognoses for the demographic composition imply that the proportion of elderly people will increase. The percentage of younger people under 20 is 23.1 per cent and is expected to decrease to 20.3 per cent by 2060 (CBS, 2013a). People above 65 years of age represent 16.8 per cent of the population and this percentage is expected to increase to 26.3 per cent in 2060 (CBS, 2013a). Unemployment was 8.2 per cent in 2013. Unemployment has been increasing strongly during recent years, mainly in the older (over 45), and middle-aged (24–45) categories (CBS, 2013b).

2.4 The Position of Disabled in the Labour Market

In 2012, the proportion of people at the labour market who were mentally or physically disabled varied from 3.7 per cent in the 16–20 age group to 18 per cent in the 55–65 age group (CBS, 2013b). The labour participation of people with long-term disability is 49 per cent, compared with 73 per cent of the abled population (Jehoel-Gijsbers, 2010). The labour participation of the disabled did not increase between 2002 and 2008, despite changes in legislation to increase it. The labour participation of young disabled persons did not increase between 2001 and 2006 either. In contrast, the proportion of young disabled persons working full-time decreased from 58 per cent in 2001 to 48 per cent in 2006 (Jehoel-Gijsbers, 2010).

3 EQUAL TREATMENT LEGISLATION

3.1 Historical Development

Equal treatment is a basic principle of Dutch law (Bleijenbergh et al., 2010). Since 1983, the prohibition of discrimination is outlined in Article 1 of the Dutch Constitution: 'All persons in the Netherlands shall be treated equally in equal circumstances. Discrimination on the grounds of religion, belief, political opinion, race or sex or on any other grounds whatsoever shall not be permitted.' The prohibition aims at preventing discrimination by government. The aim of preventing discrimination between citizens is implemented in the Equal Treatment Act (ETA) and other equal treatment legislation. The ETA came into force on 1 September 1994.

A disadvantage of the present legislation is that observance is mainly left to the initiative of individuals and depends on their ability and willingness to complain whether or not the law is actually used. Supervision of how closely equal treatment legislation is adhered to is a task for both the Dutch courts and the Netherlands Institute for Human Rights (NIHR, formerly called the Equal Treatment Commission). The NIHR is an independent, professional organization, which explains, monitors and protects human rights, promotes respect for human rights (including equal treatment) in practice, policy and legislation, and increases the awareness of human rights in the Netherlands. The NIHR also investigates whether discrimination is or has been taking place as referred to in the equal treatment legislation. This type of investigation leads to an assessment. It is not the task of the NIHR to deal with individual complaints about violations of human rights, other than those relating to equal treatment. Citizens can ask the NIHR to give an opinion in specific cases. In such cases, the NIHR will investigate whether the equal treatment law has been violated. In contrast to legal judgments, opinions of the NIHR are not binding. Moreover, the NIHR will search independently for information, whereas the courts mainly depend on evidence that lawyers put forward. Other differences are that lodging a complaint with the NIHR is free of charge and a lawyer is not required. Since victims of discrimination are often not in the best position to complain, the NIHR's ability to act on its own initiative takes away an important obstacle for the principle of equality to become instrumental (Havinga et al., 2000). Since 1999, the Dutch government has attempted to integrate all Dutch equal treatment Acts and provisions into one Integration Act (ETC, 2010).

3.2 Present-day Legislation

The main development in the field of equal treatment was the replacement of the formal Equal Treatment Committee (ETC) by the Netherlands Institute of Human Rights (NIHR) in 2012. Finally, the Netherlands have a Human Rights Institute in accordance with the Paris Principles (Principles relating to the Status of National Institutions Adopted by General Assembly resolution 48/134 of 20 December 1993). Permanent members of the NIHR are the National Ombudsman, the chair of the Dutch Data Protection Authority (Dutch DPA) and the chair of the Council for the Judiciary (Raad voor de Rechtspraak). Three new members were appointed to join the former commissioners of the ETC in the new institute. This replacement also made change to the Dutch Equal Treatment Act necessary.

Before this replacement, the ETC had carried out the third official evaluation of the Equal Treatment Act in 2011. It is a legal obligation for the ETC to exercise an evaluation every fifth year. In addition to the ETC, the Act on equal treatment of men and women (WGB) and article 7:646 of the Civil Code were involved in this evaluation.

An important issue in the Dutch debate on equal treatment is the intersection between different discrimination grounds, such as race, religion and gender, for example, discrimination of elderly homosexuals, young Moroccan boys or female Muslims. The evaluation showed that the existing law offers enough possibilities to deal with intersection and interference of discrimination grounds (such as gender and religion or age and ethnicity), however there should be more attention given to these phenomena and more data collection is deemed necessary. It would be interesting to know whether sub-groups within minority groups especially suffer from discrimination, if they have access to justice and what can be done to strengthen their positions.

Although the authority of the ETC was proven to be stable, which means that 75 per cent of the legal opinions have been complied with by the Dutch courts, the evaluation showed worries about retaliation or victimization (negative treatment as a result of lodging a complaint about discrimination). The law alone is not sufficient to deal with (fear of) retaliation and victimization, other instruments are needed. The evaluation showed that this authority should give information, advice and opinions on its own initiative about situations in which discrimination apparently exists, as the threshold for the victims to complain is often too high. During the evaluation period the ETC has used these instruments significantly more often than before. For example, it published reports about investigations on its own initiative into victimization on the shop floor (Van Genugten and Svensson, 2010); about discrimination against homosexual men and lesbians on the shop floor (Van der Klein et al., 2009) and about equal pay in general hospitals (ETC, 2011).

4 PUBLIC DEBATE AND POLICY

4.1 Public Debates and Policies Concerning Migrant Workers

The position of migrants in Dutch society was and still is an important issue in the public debate in the Netherlands. The two changes of government in a short period influenced the direction of the debate. During the Rutte I Cabinet (2010–12) the public debate was heavily dominated by the leader of the populist right-wing Party for Freedom (Partij voor de Vrijheid – PVV), Geert Wilders. Since this party had an official ‘support agreement’ with the minority Cabinet of Liberals and Christian Democrats, many populist ideas were translated in the coalition agreement. Central in the coalition agreement (Regeerakkoord VVD-CDA, 2010) and particularly in the support agreement (Gedooagkoord VVD-PVV-CDA, 2010) was the emphasis on ‘the leeway within the European Union directives’ on restriction of migration, particularly family reunification of migrants with limited [labour market] perspectives. Furthermore, this coalition aimed to develop bills restricting labour migration for citizens outside the European Economic Area (EEA). Furthermore, the emphasis on ‘integration’ of migrants was increased, for instance by installing a higher threshold for the ‘Integration exam’ for migrants.

Furthermore, the entry of workers from new European Union (EU) members (for example, Romania, Bulgaria and Poland) was under pressure during the Cabinet Rutte I. Public opinion about these workers in the Netherlands became more negative. In 2012 the Party for Freedom opened a website that allowed Dutch citizens to complain about East European immigrants and this website received a lot of media attention. Prime Minister Mark Rutte refused to distance himself publicly from this initiative, probably to ensure enduring support for the Party for Freedom for his Cabinet. This lack of political reaction raised negative international reactions from the embassies of East European countries, the European Parliament and by Dutch left-wing political parties.

Another shift in attention for diversity in policies is the cutbacks in machinery that supports the integration of migrants into the labour market. The Rutte I Cabinet announced the abolition of any measures to facilitate integration and to 'end the diversity/affirmative action policies based on sex and ethnic background'. As the previous Cabinet Balkenende IV put a lot of emphasis on diversity and affirmative action policies and has subsidized diversity programmes, many of these initiatives and staff working on these initiatives had to reconsider or cut the practices installed and programmes developed. Expert centres such as Div, the National Diversity expertise centre supporting employers, Equal Opportunity and many regional, local and national support organizations lost (part of) their subsidies and ceased to exist or needed to find alternative financing through company sponsorships. The present Rutte II Cabinet (2012–present) takes a less anti-immigrant standpoint. In particular, the strong role of Labour leader Diederik Samson in the negotiations about the Cabinet Rutte II caused a more Eurocentric approach. Nevertheless, the left-right Cabinet aims to criminalize any illegal immigrants who stay.

4.2 Public Debate and Policies Concerning Gender at Work

The current Rutte II Cabinet has less strong gender equality policies than used to exist in the Balkenende IV Cabinet (2007–10) under the Minister of Internal Affairs, Guusje ter Horst. She has made ministries and government bodies responsible for increasing the number of women in higher and top positions and has actively monitored them. This policy was successful in increasing the number of women in governmental bodies. Nevertheless, all this effort lost its political support in the Cabinet Rutte I and was not taken up again by Rutte II. However, Rutte II moved the focus to gender equality on company boards and supported an initiative to set a 30 per cent gender target. During the Rutte I Cabinet the proportion of women members of government fell from 43 per cent (Balkenende IV) to 20 per cent. During the Rutte II Cabinet the proportion increased again to 40 per cent.

During Rutte I the low level of women in top positions was no longer considered an issue of public concern. As mentioned in the introduction to this chapter, the Cabinet Rutte I ended any diversity policies based on sex. It justifies termination of diversity policies with a reference to selection procedures: 'Selection has to be based upon quality' (Regeerakkoord VVD-CDA, 2010). The underlying assumption is that for anyone, individual qualities are sufficient to get into higher positions. The current labour market position of women is explained by referring to individual merits rather than taking

into account the unintended discrimination in recruitment, selection and systems of promotion.

The position of women and men at work is also affected differently by the Cabinet Rutte I and II. Severe budget cuts in public childcare provision increased the prices of day-care facilities and after-school care, which causes substantial problems for lower-income families. From January 2012 the average financial contribution of parents has increased by 16 per cent. The Rutte Cabinet announced a further reduction of financial support for public childcare by the government from 2013 onwards. This has consequences especially for women's labour participation. The Dutch Trade Union Federation (FNV) announced that in 2012 20 per cent of working parents will reduce their working time because of the increasing price of childcare facilities. According to research performed by the FNV, a further reduction of financial support of childcare provision by the government will lead to a further reduction of working time by working parents (FNV, 2012).

4.3 Public Debate and Policies on Homosexuality at Work

The Netherlands was the first country to introduce same-sex marriage (in 2001). With a strong tradition of freedom of religion, the freedom of civil servants to refuse conducting same-sex marriage remained a topic of discussion. The Dutch Equal Treatment Commission advised against allowing Protestant marriage officials with conservative beliefs the right to refuse to officiate at same-sex marriage ceremonies. Although the Dutch association of municipalities (VNG) agreed with this advice, some municipalities still give preference to the freedom of religion of these civil servants and release them from the obligation to conduct same-sex marriages. The COC (the gay support organization) keeps track of the number of so-called '*weigerambtenaren*' (refusing marriage officials) and refusing municipalities. According to the most recent figures, 87 refusing officers work in 48 municipalities (COC, 2013). The word '*weigerambtenaar*' was chosen as word of the year 2011 by the Dutch language association (Genootschap Onze Taal). Unexpectedly, in November 2011 a parliamentary motion by GroenLinks (the left-wing green party) to end the ability of civil servants to refuse to conduct same-sex marriages was accepted, with 84 votes in favour and 58 votes against. Moreover, the Cabinet Rutte II decided to prohibit municipalities from hiring new civil servants who would refuse same-sex marriages (Regeerakkoord VVD-Pvda, 2012).

In 2011, the debate on conservative Protestant schools claiming the right to refuse to employ or to dismiss schoolteachers who are openly homosexual came to a climax. On 2 November 2011 the District Court of The Hague (BU3104) judged in favour of homosexual teacher Duran Renkema who was dismissed by a Conservative Protestant School. The judgment, however, left some room for further discussion as it was mainly based on the inadequate dismissal procedure. On 14 December 2011 it was made public that Duran Renkema will not continue his work at the school and that an amicable settlement between him and the school was reached. The COC is very disappointed that the school, apparently at any price, wanted to avoid employing a homosexual teacher. The Cabinet Rutte II decided to adapt the equal treatment legislation in such a way that schools are no longer allowed to dismiss schoolteachers who are openly homosexual (Regeerakkoord VVD-PvdA, 2012).

4.4 Public Debates and Policies Concerning Elderly Workers

The government implemented measures in recent years to increase the participation in the labour market of people who are approaching retirement age. In 2006, early retirement plans were no any longer financially supported by tax reductions (Arts and Otten, 2012). The official retirement age will be increased by one month a year, from 2013 onwards. The Rutte II Cabinet has plans to speed up this increase from 2015 onwards, so that the retirement age will be 66 in 2018 and 67 in 2021 (Rijksoverheid.nl, 2013). Collective Labour Agreements in the Netherlands increasingly include opportunities for organizations to support elderly employees to stay at work, and Dutch employers on average use more policy measures to keep employees at work than employers in other European countries (Van Dalen and Henkes, 2013). However, most measures that are included in Collective Labour Agreements are aimed at lowering demands for older employees, for example by providing more holidays, or reduction of tasks (Van Dalen and Henkes, 2013).

With respect to age discrimination, recent figures show that complaints on age discrimination are not often reported to the police (Andriessen and Fernee, 2012). However, among the cases handled by the Equal Treatment Commission, complaints relating to age discrimination rank second (Andriessen and Fernee, 2012).

4.5 Public Debates and Policies Concerning Disabled Workers

The labour position of mentally and physically disabled people is discussed explicitly during the Cabinet Rutte II. The coalition agreement announced the abolition of the present sheltered workshops for disabled people as part of severe government cutbacks in the care sector. From January 2015 new entrants to sheltered workshops will not be allowed. From then on disabled people are supposed to find a job on the regular labour market. Municipalities provide support in finding jobs via special centres ('Werkbedrijven') and provide a social benefit if this is not successful (Sociaal Akkoord, 2013). Initially, the Rutte II Cabinet aimed to introduce quota for hiring disabled people. However, after this met with resistance from employers, social partners concluded a voluntary agreement with target figures for hiring disabled people as an alternative to legislation. In 2014, employers aim to hire 2500 disabled people and, in 2015, 5000, increasing by 1000 per year until 2020 (Sociaal Akkoord, 2013). If the targets are not met the intention is to bring in a quota. The Cabinet Rutte II announced that it will ratify the Convention on the Rights of Persons with Disabilities, although it will take time to implement the necessary obligations.

5 ORGANIZATIONAL PRACTICES

5.1 Practices Directed at Migrant Groups

In the Balkenende IV Cabinet a number of targets were set for the representation of migrants; for instance, to increase the number of 'biculturals' (the official term for migrants) in higher management in ministries by 50 per cent (in 2010, 4.8 per cent

non-Western migrants on mid- or higher-management layers); new hires for traineeships for higher government positions should be 50 per cent bicultural. Following the initiatives that have been developed, a steady increase in the proportion of migrants at different levels can be seen during the term that the Cabinet Balkenende IV has served (Lam, 2012). With the change to Rutte I, these targets were ignored.

Despite the political changes, and the cutbacks in subsidies for diversity/affirmative action programmes, actual diversity practices in public sector organizations did not (completely) cease to exist. The Dutch police organization for instance aims to make diversity an integral part of the police hiring policies, in order to increase the legitimacy of the organization and the public trust in the services (LECD, 2012). The focus in the last decade was to integrate 'multicultural craftsmanship' in the core tasks of the police. In 2010 and 2011 the police held working conferences to evaluate initiatives such as educational programmes and the national multicultural craftsmanship expertise team (which ceased to exist in 2011 but should be followed by regional expertise groups) (see LECD, 2012). Other public sectors such as youth and health care and education show an abundance of initiatives to increase expertise on diversity issues and to improve work processes, albeit usually segmented and local. Organizations pay less attention to diversifying the ethnic background of the personnel. In primary and secondary education for instance, the proportion of migrants among teaching personnel is 9 per cent, in secondary education and lower vocational education the proportion is 14 per cent, which is less than the 21 per cent in the potential labour force. In higher vocational education and academia the proportion is 21 per cent (Vieeve et al., 2012).

Dutch for-profit organizations still have diversity high on the human resource management agenda, although we did not find updates of the research on the extent to which organizations actually employ diversity policies (see, for instance, Ait Moha et al., 2008; De Vries et al., 2005).

5.2 Practices Directed at Gender Equality

Although the political attention for diversity ceases to exist under the Cabinet Rutte I, the issue of gender equality is still present in organizational practices. In Particular, large public and private sector organizations have taken up the issue as part of their human resource management. An interesting example is the charter 'Talent to the Top', introduced in 2008 by the previous Balkenende government, based on an English model. It is a voluntary agreement between government and employers about measures to stimulate the number of women in top jobs in their organizations, encompassing organizational targets regarding the proportion of women in top jobs. At the end of 2013 more than 227 Dutch companies and organizations had signed this charter, among which were 12 Dutch universities, large employers' organizations and labour unions, a number of large Dutch banks and other listed companies (Charter Talent naar de Top, 2012). The public sectors, such as public government, research and education, and health care, are overrepresented, while the private sectors, such as industry, construction, trade and catering, are underrepresented. Organizations that signed the charter performed significantly better in increasing the number of women in top positions than comparable organizations in the same sector (Merens, 2011, pp. 25–7). Apart from gender target figures, the organizations

have committed themselves to make a plan to accomplish these targets. Given the fact that organizations have to report on a regular basis, it is a matter of prestige to accomplish these targets.

Interestingly, two universities were commissioned to appear for the Equal Treatment Committee (ETC) because they installed a fellowship programme for talented women (a temporary job substantiated with a research grant) as part of the Charter Talent to the Top programme (Verdict 2011–198 and Verdict and 2012–195 (www.mensenrechten.nl)). The ETC decided that the University of Groningen should have opened the position for men too, because ‘there was no evidence for a severe underrepresentation of women’, whereas in the case of Delft University of Technology the ETC decided that the underrepresentation was very severe, that measures that the university has taken to improve gender equality have not been successful, that the fellowship programme may result in more gender equality and that the current measures will create a minor decrease in opportunities for men.

6 CONCLUSION AND DISCUSSION

To conclude, the issue of diversity at work has remained an important issue in the public debate in the Netherlands the last five years. The centre-right Rutte I Cabinet, supported by the right-wing Party for Freedom under the leadership of Geert Wilders, abolished explicit diversity policies and tries to restrict immigration. Organizations that supported integrating of women or minorities in the labour market were closed down or had to face severe cutbacks. The Cabinet Rutte II put labour participation of women, the elderly and people with a disability back on the political agenda, mainly to reduce dependency on public support. Moreover, it aims to abolish discrimination against homosexuals at the workplace. The public debate, which was restrictive towards the entry of migrants to the Dutch labour market for years, has been tightened. The labour market position of both immigrants and women has increased slightly, while the labour market position of native Dutch men, who still have the highest participation rate and the majority of top positions, has reduced slightly.

Summary table for the Netherlands

Existence of anti-discrimination legislation	Yes
Criteria covered by anti-discrimination legislation	Religious and political conviction, race, nationality, gender, marital status, sexual orientation, permanent or temporary labour contracts, working hours, handicap and chronic illness, age
Criteria for which the reporting of quantitative data and its communication to a public administration are compulsory	Abolished in 2004
Criteria covered by ‘affirmative’ or ‘positive’ action legislation other than unemployment- or income-based	Absent

Summary table for the Netherlands (continued)

Existence of a discourse or debate about 'non-discrimination' or 'equality'	Yes
Existence of a discourse or debate about 'diversity'	Yes
Year or period when the 'discrimination' concept started to disseminate in management literature in the country	About 1990
Year or period when the diversity concept started to disseminate in management literature in the country	About 2000
Who pushed the 'diversity' agenda?	Semi-governmental and non-governmental organizations such as FORUM and E-Quality
Existence of a professional association representing diversity professionals and year of creation	No, although there are a number of national platform and knowledge organizations (Div-Netwerk, 2004, Opportunity-in-Bedrijf, 2005, E-Quality, 1998)
Existence of a professional association representing diversity scholars and year of creation	Netherlands Research School on Gender Studies (since 1995)

NOTES

1. The coalition agreement of the Rutte I government mentions: 'The Cabinet ends the diversity/affirmative action policies based on sex and ethnic background. Selection has to be based upon quality' (Regeerakkoord VVD-CDA, 2010).
2. In the 100 largest companies in the Netherlands.

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