Resolution R4
Gender Equality

A. Introduction

Achieving gender equality at the workplace and in public policies is one of EPSU's main priorities.

Around 35% of women in full-time employment in the EU work in the public sector as against 22% of men. Women, therefore, both as public service workers and users, are the first casualties of cuts on public services particularly in social services, health care, child and elderly care, and administration. Women are also the key agents in the interaction between family members and public services. The effects of budgetary restraints and privatisation reforms on gender equality can undermine earlier achievements in relation to women’s rights and women’s access to employment and education. Alongside this, the general context of de-unionisation, fragmentation of collective bargaining and individualisation of wages and working conditions is a bar on sustained improvement of women’s working life.

Already, there are signs that the slow narrowing of the overall gender pay gap throughout the 90s is currently stagnating, while in some countries it is on the increase. There also seems to be a trend that more women than men accept positions for which they are overqualified and underpaid.

The gender pay gap continues, however, to be narrower in the public sector than in the private sector in most countries. This can be doubly significant given that in a number of EU countries women's level of pay in the public sector tends to be much higher than female pay in the private sector. But when compared to male earnings, public sector wages often lag behind the private sector, increasingly so in Central and Eastern European countries, which points to the persistent under-valuation of public sector work and by extension of women's work.

The positive role the European Commission has played in initiating legislation on equal treatment between women and men at the workplace is now nearing the completion stage. The main focus for the years to come will therefore be on the implementation of existing law, gender mainstreaming, the open coordination method, the employment strategy and social dialogue.

EPSU basic policy on gender equality whose principles and objectives are set out in the policy statement adopted at the 2000 General Assembly and EPSU Equal Pay Resolution of 2002 will be maintained. These are:

- women’s equal representation in all trade union bodies and decision-making positions;
- exchange of information on and monitoring of gender gaps;
- women’s access to quality employment and improving working conditions;
- social dialogue and collective bargaining;
- reduction of the pay gap by 2 to 5% before 2007.

The twin-track approach namely the treatment of specific equality themes and gender mainstreaming of all policies should be maintained.
The action points for the main part of the Congress mandate have concentrated, to a large extent, on internal trade union activities, as a result of which EPSU has become the leading ETUC’s industry federation with regards to gender equality. This is however only “logical” given that more than half of EPSU’s membership is made of women.

Following the 2000 General Assembly the EPSU Gender Equality Committee was established. The Committee’s constituency-based membership is drawn from the EPSU Executive Committee. Its functioning has had mitigated results. While the Committee has certainly helped prioritise gender equality in EPSU, the poor participation rate affects its working capacity and legitimacy. It also means that some seats are currently taken away from members who may otherwise want to take part in the Committee. Alternative proposals will therefore need to be discussed including the possibility to nominate substitutes from equal rights or collective bargaining departments. The objective of having a gender balance in the Committee should be maintained. The policy orientations for the next Congress period should help improve participation of the Committee members.

While maintaining the momentum with regards to trade union internal priorities including women’s representation in decision-making bodies and gender proofing of all policies, the next Congress period will shift the emphasis towards more outcome, campaign-based policy areas. To re-ascertain the positive link between quality, well-funded public services and gender equality together with a collective, trade union rights based approach will form the guiding threads of EPSU work.

Priority policy areas will be:

- collective bargaining with the emphasis on tackling simultaneously the gender pay gap and low wages;
- pensions;
- implementation of the EU revised equal treatment directive (2002);
- social dialogue;
- campaigns for well-funded quality public services responsive to a better work/life balance;
- regular gender impact assessment of reforms of public services.

B. Developments at EU Level

Legislation

The EU institutions have repeatedly committed themselves to incorporating equal treatment of women and men in all EU policies and activities. The Treaty of Amsterdam (1999) has entrusted the EU with combating discrimination and promoting equality between women and men, while providing for positive action measures. In the same spirit, the EU Community Framework Strategy on Gender Equality (2001-2005) recognises gender equality as an integral part of economic, social, and democratic development. Last but not least, compliance with equality regulations is a precondition for EU membership.

In terms of legislation, the main development has been the revision of the directive establishing equal treatment between women and men in relation to access to employment, vocational training and promotion, and working conditions. The two-year long revision process was finalised in 2002. Key amendments include provisions on indirect discrimination, sexual harassment, social dialogue and gendered data collection. The deadline for transposition is October 2005.
The Commission has adopted a draft directive based on the non-discrimination article 13 of the existing Treaty with a view to addressing gender inequalities in areas beyond the workplace. It will cover matters such as access to and supply of goods and services including social services, healthcare, welfare benefits and housing insurance. This piece of legislation will be the final legislative initiative on sex discrimination at EU level for the years to come.

**EU Employment guidelines**

The five-year old Employment Strategy has proven useful in highlighting the gender gaps especially through annual recommendations to Member States. In 2003 the employment guidelines have been revised to confront new challenges such as faster economic change, ageing populations and enlargement. The Commission proposes three basic objectives for the future strategy: full employment, the promotion of quality and productivity at work (better jobs) and fostering cohesion and an inclusive labour market. Specific priorities, to be supported wherever possible by quantified targets, will include: getting women (back) into work, helping older workers to stay in work and making work pay.

**EU Constitutional Treaty**

The draft EU Constitution upholds the provisions relating to equal treatment between women and men and gender mainstreaming, while gender equality is now part of the EU objectives. However, the lack of explicit and positive references to services of general interest and their potential contribution to job-creation in the EU contradicts parallel commitment to gender equality.

EPSU welcomes the incorporation of the EU Charter of Fundamental Rights into the new EU Constitutional Treaty. Chapter 3 of the Charter under the heading “equality” contains Articles referring to the principle of non-discrimination, to equality between women and men in every field and to the right to reconciliation of professional and family life.

**Macroeconomics**

Although EPSU recognises the progress and commitment of the EU towards gender equality, a policy that centres only on affording equal rights to individuals while overlooking the impact on women of macroeconomic policies is bound to lead to disappointment. The growing tension between on the one hand EU belief in the supremacy of the market and the virtues of deregulation and competition and, on the other hand, the pursuit of gender equality which often requires opposition to market forces is not sustainable.

**Labour Markets**

The EU labour markets continue to be highly segregated with a high representation of women in public services and in low-paid and part-time jobs. Latest Eurostat statistics indicate that the average hourly earnings of women employed in the public sector are 13% lower than those of men (1998) compared to 23% in the private sector. The higher the qualification level, the wider the gender-specific income gap. Although the public sector has to some extent been a better employer for women than the private sector this trend is likely to reverse.

The pattern of men’s and women’s unemployment in Central and Eastern European Countries (CEE) is uneven. Evidence indicates that in most CEE countries for the greater part of the 1990s, women have borne a disproportionate share of the costs of the economic transformation process, while benefiting relatively less from the new opportunities and positive labour market developments. As in EU member states, women in CEE are over represented in public employment (education, health and social care). Pay levels in the public sector generally lag behind those of the private sector. Investment in the social infrastructure of CEE countries is needed to support the economic transition process.
C. **Trade Union Priority Actions**

**Collective bargaining**

Our focus needs to be on changing the way the structure of the labour market (including wage systems) and gender relations impact negatively on women and men.

Collective bargaining plays a key role in furthering or blocking progress on gender equality. EPSU’s commitment towards reducing the pay gap by 2 to 5% before 2007 is monitored every year at the EPSU collective bargaining conference. Data on the situation in EU accession and candidate countries remain very scant, while a majority of EU countries have yet to develop a proactive, regular and quantified programme to reduce the gender pay gap.

There have been, however, a number of noteworthy developments in the public sector relating to changing the pay and grading structures via gender equality plans and job evaluation systems. Good practice examples should be disseminated and built upon.

In accordance with the conclusions of the EPSU Brussels conference on gender equality, EPSU will draw up jointly with PSI a checklist on the gender dimension of collective bargaining in time for the joint EPSU/PSI pay equity conference in October 2004.

Low pay continues to be clearly identified as a key factor in maintaining the gender pay gap\(^1\). In the European Union, 15% of all employees, i.e. some 16.5 million people, are on low wages, 70% of whom are women\(^2\). The tendency of EU policy-makers towards stimulating the development of low wage jobs to increase employment opportunities will only exacerbate the situation.

The risk in some countries (so far mainly limited to the UK and Austria) of a link between the narrowing of the gender pay gap and levelling down of wages of both men and women needs to be closely monitored.

The twin-track approach in collective bargaining of both increasing low wages and reducing gender inequalities is therefore relevant. As the share of women who are paid at the minimum wage exceeds that for men in most, if not all, EU countries, EPSU will also need to consider whether commitment towards closing the gender pay gap requires coordinated work on improving the level of minimum wages in Europe. This is of particular importance in Central and Eastern European Countries.

**Social dialogue**

The EU institutions rely increasingly on social dialogue to develop further the social agenda. The intersectoral social partners’ work programme 2003-2005 includes a number of items for negotiation of great relevance to women. These include a framework of actions on gender equality with an emphasis on collecting sex-segregated data at the workplace – negotiations having started end of 2003; a voluntary agreement on work-related stress – negotiations having started end of 2003; a voluntary agreement on harassment-negotiations due to start in 2004-2005.

EPSU welcomes the gender dimension of the intersectoral social partners’ programme.

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\(^1\) The gender pay gap and gender mainstreaming pay policy in EU Member States, November 2002, Jill Rubery, Damian Grimshaw, Hugo Figueiredo

\(^2\) Eurostat, 2000. A low wage employee is defined here as an employee whose monthly wage is less than 60% of the median salary in his/her country. Only employees working at least 15 hours a week are taken into account,
EPSU will develop the use of gender equality as a strategic tool to make further advances on wider equality issues and social dialogue.

**Legislation and labour markets**

Overall there remains a lack of effective implementation mechanisms which limits the positive effects of progressive legislation even where it exists.

EPSU will monitor proper transposition of the revised equal treatment directive (2002) in public services and encourage affiliates to make the best use of it particularly the provisions relating to value discrimination and the regular collection of sex-segregated data on all working conditions to be carried out jointly with employers. EPSU will provide affiliates with guidelines on the directive to facilitate this process.

EPSU will support the adoption of the pending gender equality directive based on the non-discrimination article 13 with far reaching implications for EU public policy. Coordinated action with the ETUC and women’s support groups is likely to be necessary to prevent a dilution of the content during the adoption process.

The revision of the EU employment strategy will need be monitored, especially the extent to which it helps foster quality employment. Equal pay and publicly funded, quality child and elderly care facilities remain a priority to achieve higher employment levels for women.

**Macroeconomics**

EPSU welcomes initiatives both at national and EU levels (European Parliament and Commission) on building public budgets from a gender perspective to take into account women’s priorities and needs on an equal basis to those of men. Gender budget strategies must be implemented in a broader macro-economic context which bolsters the development of human resources and human capital in line with the objectives set at the Lisbon Summit. There are a number of requirements for building a public budget from a gender perspective, such as: identifying how different citizens benefit from public expenditure and contribute to public revenue; evaluating the different impact on women and men of budgetary policies and redistribution of resources in terms of money, services, time and work of social and family care.

**Pensions**

Women are the most affected by pensions and benefit cuts. In most countries the gender pension gap is higher than the pay gap. In line with the EPSU resolution on pensions, the gender dimension of pension reforms including the need for provisions facilitating a reconciliation of work and family responsibilities of both sexes will be incorporated in this policy area.

A gender equality action plan 2004-2008 is to be drawn up based on the above policy areas around explicit target groups:

- employers;
- EU institutions;
- trade unions;
- social justice/women’s movements.
Trade union cooperation

Strong cooperation with the ETUC and PSI women’s rights departments will continue.

EPSU will support the implementation of the ETUC action plan 2003-2007, as adopted at the ETUC Congress in May 2003. The plan focuses on three objectives including the reduction by half of the female representation gap in all trade union bodies (including decision-making); gender mainstreaming with a particular emphasis on collective bargaining and the reform of the welfare state; strengthening the role of gender equality/women's bodies in ETUC affiliated national centres.

Adopted by the Congress