



Towards an EPSU common demand for equal pay in collective bargaining?



EPSU Collective Bargaining Conference
Brussels, 14 December 2012



Background

- Gender pay gap is average 16.4% across Europe (hourly pay) (2012)
 - Adjusted pay gap shows that discrimination is still a key component (4% in Denmark, 30% in Cyprus)
 - Pay gap varies between 4,4 % and 27,6% in the Member States
 - Explained by direct discrimination and the continuing under-valuing of women's work and occupational segregation
 - Progress in reducing is extremely slow (17,7 % in 2006, 17,4 % in 2008, 16,9 % in 2009, 16,4 % in 2010), In some Member States the gap has widened!
- Women's unequal employment
 - Women's employment rate is 58.3% (72.5% for men)
 - 75% of workers in health and social care are women
 - 60% of graduates are women
 - 29% of scientists and engineers are women
 - 32% of managers are women
 - 10% of those on company boards of management
 - 78% of part-time workers are women
 - 21% of women over 65 years are at risk of poverty (compared to 16% of men)



Background (continued)

- **Multiple, complex and inter-related causes**
 - Direct and indirect discrimination (go far beyond the single issue of equal pay for equal work)
 - Undervaluing of women's work
 - Segregation in the labour market – vertical and horizontal
 - Structure of bargaining and pay systems
 - Traditions and gender stereotyping, educational paths
 - Balancing of work and family life
- **In the current economic climate**
 - Gender pay gap widening in some EU countries
 - Threats to many gender equality gains
 - Pay cuts and wage moderation
 - Evidence of new forms of discrimination



European context

- Article 141 of the Treaty provides the basis for:
 - 1975 Equal Pay Directive
 - 2002 Directive on equal treatment in access to employment, vocational training, promotion and working conditions
 - 2006 Recast Directive (seven equality directives including the 2002 directive)
 - Equal pay is one of the structural indicators to monitor the European Strategy for Growth and Jobs
 - Communication (2007) 'Tackling the gender pay gap between women and men: Actions to tackle the problem including better application of legislation, integration into member states' employment policies, action by employers through social responsibility, exchange of good practices and social partnership
- A revision to the Equal Pay Directive is being considered by the Commission, **latest EP report (May 2012) requests COM to review Dir. 2006/54/EC**
- **Legislation is one thing, but also a Europe-wide strategy to address the gender pay gap needed, coordinating policies and institutions working jointly with Social Partners! Campaigning is not enough...**



European context (continued)

Recent Consultation with ETUC on Equal Treatment Directive (recast) on European Commission report to the European Parliament and the Council on its application – ETUC reply recommends full review of legal framework regarding equal pay and improvements should address:

- Comparators:** women should be allowed to compare themselves with a wider range of similar male workers, to better tackle the under-valuation of work
- Transparency:** force employers to provide gender-specific data
- Mandatory Pay audits:** employers should be required, in consultation with trade unions to conduct pay audits and annual action plans covering all aspects of the pay gap; equality bodies should provide guidance...
- Class Action:** strengthen the provisions promoting “representative” legal actions by trade unions, and encourage MS to make provision under national equal pay laws for such representative actions
- Promotion of collective bargaining at all levels**
- Infringement Procedures** against Member States who have not properly transposed equal pay legislation



European context (continued)

- The Commission's policy to close the gender pay gap conflicts with the Commission's market driven policy agenda for public services
 - Pay cuts and wage moderation impact on the gender pay gap and hit the lowest paid women (**New EP Parliament Report 3 December 2012: acknowledges that the austerity measures impact unequally and women are the principal victims of austerity!**)
- Economic crisis is used as an excuse to take the gender lens off pay issues
 - Gender pay gap must be addressed as a key issue for economic recovery and for social and economic benefits
- Many of the issues raised by the Commission concern awareness raising and exchange of good practice
 - Need more robust legislation for gender audits and gender equality plans in the workplace
 - Concerted action by the social partners at the national and European levels
 - Essential to address the issue in multi-faceted way and to address structural causes of inequality



EPSU priority on Gender Pay Gap in Public Sector and Services

- **Congress Resolutions on Equal Pay and specific Equal Pay in female-dominated sectors resolution from Congress 2009**
 - Campaigning and political lobbying
 - Negotiating and educating
 - EPSU structures
- **Negotiating checklist on Equal Pay – to ensure that the gender pay gap is part of collective bargaining**
 - e.g. through training for negotiating teams and ensuring that women are present in collective bargaining
- **Checklist for the coordination of information on pay bargaining and pay systems**
 - Key for role gender transparent pay systems
- **EPSU study on pay in health and social care**
 - Recommendations for integration of gender into collective bargaining and improved gender statistics
- **Detailed Annual EPSU equal pay survey (2010, latest updated information 2011)**
 - Monitor progress on union action on equal pay
- **EPSU study on pay in health and social care**
 - Recommendations for integration of gender into collective bargaining and improved gender statistics
- **EPSU-ETUI Training Seminar “awareness-raising”**
- **Sectoral Statement Central Administration**
 - Transparency, De-gendered data collection, monitoring remuneration



Next Step: Towards an EPSU Common Demand to reduce equal pay gap through collective bargaining-possible areas for action?

- 1. Definitions of the Pay Gap (gross hourly pay, unadjusted adjusted?)**
- 2. Analysis of the situation and transparency of the results, including work evaluation and job classification as identified by EPSU Equal Pay Survey** e.g. Availability of pay gap statistics and data in the public services, Transparency of pay systems and elements of the pay structure (bonus and performance- related pay, for example) that might lead to discrimination, impact of outsourcing, training, promotion, lowest-paid women jobs, etc, etc., etc.
- 3. How to prevent discrimination?**
- 4. What sanctions?**
- 5. Mixed-sex (50/50) Collective Bargaining Teams**
- 6. Role of European Sectoral Social Dialogue**



Next Step: coordinating approach to prepare for EPSU Congress 2014

1. **Agreement of Political Goals for common demand (indicators, benchmarks, an evaluation procedure and a timeframe) currently reduction of 5% reduction in the gender pay gap, the current Gender Pay Gap Report will be updated and the gaps filled in 2013 as part of the project “Promoting trade union solutions to help closing the gender pay gap in the public sector” with DG Employment funding, 23/24 May Women’s Conference)**
2. **Translation into national implementation policy by EPSU affiliates (What?, How? When?)**
3. **Evaluation and benchmarks (Defining the actions possible as e.g. a joint campaign around the Common Demand for EPSU and affiliates, etc..)**



Questions

1. Can we achieve an EPSU common demand for equal pay for collective bargaining? And is it a feasible approach?
2. Is it the right approach to bring the gender pay gap to the centre of collective bargaining at a time of economic crisis and pay restructuring?
3. What strategies do unions need to do to ensure that a gender lens is part of the response to the economic crisis including the gender pay gap?

We Can Do It!

