



Bargaining for Equality

How collective bargaining
contributes to eliminating
pay discrimination
between women and men
performing the same job
or job of equal value



CONFEDERATION
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EUROPÉEN
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European Trade Union Confederation

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SUMMARY

This report documents a survey carried out of ETUC affiliates in 2013 as part of the ETUC's 'Bargaining for Equality' project. The report documents trade union tools and instruments to reduce the gender pay gap, with a specific emphasis on the role of collective agreements to reduce pay inequalities between women and men. It shows how trade unions have approached the issue of gender pay inequalities in collective bargaining and gives examples of successful agreements at sectoral and company levels, as well as the challenges faced by trade unions in the context of the increasingly difficult bargaining climate arising from the economic crisis.

SECTION 1: Introduction and Context sets out the background and methodology of the report, provides a summary of the main trends and challenges in reducing the gender pay gap, and sets this within the context of widening earnings inequalities and the economic crisis. It gives examples of how collective bargaining can play a positive role in reducing gender inequalities and the gender pay gap. However, significant variations in the scope and level of collective bargaining across Europe impact on the extent to which unions have the political and economic leverage to enter into negotiations to reduce gender pay inequalities. (Bargaining coverage ranges from 90% or over in France, Belgium, Austria, Finland and Slovenia, to 30% or under in Bulgaria, UK, Poland and Lithuania. The section finishes with a discussion of ETUC policies on pay inequalities between women and men, and the current challenges facing collective bargaining in the light of the economic crisis and threats to the autonomy of collective bargaining.

SECTION 2: The impact of the economic crisis on union efforts to reduce pay inequalities between women and men documents the impact of the economic crisis on gender equality, with a focus on how the crisis has affected bargaining for equality. It shows that gender inequalities that existed before the crisis have been exacerbated by it. Attempts to address structural inequalities have been severely affected by a lack of attention by governments and employers to assess the gender effects of the crisis on women's employment and pay. A more hostile bargaining climate has emerged since the crisis began, resulting in weakened bargaining action particularly in the countries most affected by the economic downturn. Additional problems have arisen in integrating specific gender considerations into collective negotiations and in convincing employers to keep gender equality issues on the negotiating agenda. However, this section also shows that unions in some countries have played critically important roles in mitigating some of the negative impacts of

the crisis on women's pay and employment, for example, by protecting the lowest paid workers from pay cuts or by challenging precarious working practices. In addition, many unions have continued to remain committed to gender equality, and in some cases the crisis has even reinforced and renewed their efforts in integrating gender equality into negotiations.

SECTION 3: Pay transparency, pay data and the gender pay gap examines the role that unions have played in negotiating for improved pay transparency and in sourcing gender disaggregated data to inform collective pay agreements. For many unions the absence of gender disaggregated data and pay transparency are major barriers to bargaining to reduce gender pay inequalities. This section also examines the role that legislation can play in enhancing pay transparency. In particular, the ETUC and its affiliates have lobbied the European Commission to improve the equal pay provisions of the Equal Pay Directive (2006/54/EC) in the area of pay transparency. At the national level unions have been instrumental in fighting for and implementing legislation to improve pay transparency, for example, through company level pay audits, pay surveys, equality plans and income reports. In particular, the ETUC survey shows that unions believe that collective negotiations to reduce pay inequalities between women and men would be enhanced by stronger legislation requiring employers to provide transparent, gender disaggregated data. This section also cites good practices from those countries where agreements for pay transparency have been negotiated, including union involvement in drawing up company level pay surveys and income reports, and unions that have provided for gender disaggregated transparent data to inform sectoral level agreements. Evidence from the ETUC survey also shows that the quality of pay data improves when it is jointly negotiated and analysed.

SECTION 4: Collective agreements to reduce pay inequalities provides a detailed analysis of collective agreements to decrease pay inequalities between women and men. It shows that collective agreements have been the main mechanism promoted by unions to reduce pay inequalities, and in many cases they promote agenda setting roles for gender equality. The ETUC survey also shows that a strong and enabling legal framework on gender equality can provide an important incentive for negotiations, and particularly in convincing employers of the economic and social importance of equality bargaining. Evidence to this effect is provided from unions in France, Spain, Italy, Austria and Sweden.

The survey shows that more than half of unions responding to the survey had negotiated agreements specifically focused on reducing pay inequalities between women and men, and a larger number had negotiated agreements that integrated equality issues into existing agreements. Some unions have also carried out gender impact assessment of agreements to ensure that gender considerations are integrated into the renegotiation or renewal of agreements.

Overall, agreements on reconciliation of work and family life were reported by over half of the unions responding to the survey, followed by agreements on training and career development of women. The most commonly reported pay agreements that had been negotiated to reduce gender pay inequalities were those that focused on minimum wages and increasing the pay of low paid workers, reported by nearly one-third of unions. Nearly 20% of unions had negotiated agreements to address occupational segregation by awarding larger pay increase to low paid workers in female dominated sectors. Other agreements that predominate in this area are agreements on pay transparency, gender-neutral job evaluation and job classification systems, and workplace equal pay audits and pay surveys. Despite many successful agreements, unions continue to face challenges in negotiating to reduce gender pay inequalities. Overall, this section points to the importance of collective agreements in reducing pay inequalities between women and men and to addressing occupational segregation, the under-valuing of women's work and the unequal sharing of working and family life. It points to the importance of gender mainstreaming as a tool to uncover deep seated, structural gender inequalities and to the importance of gender-neutral criteria to be used in wage setting.

SECTION 5: Trade union strategies, policies and actions to reduce pay inequalities between women and men points to a wide range of union strategies, policies and actions that have been implemented to enhance the potential and impact of collective bargaining to reduce gender pay inequalities. Over half of the unions responding to the survey had put in place strategies and policies to reduce pay inequalities, and a larger number had engaged in joint initiatives with employers and/or governments to address these inequalities. Nearly one-half of unions had introduced gender equality and gender mainstreaming training for bargaining teams, 40% had introduced guidelines for negotiators and a similar number had put in place measures to improve the representation of women on collective bargaining teams.

Other actions reported by unions includes gender-impact assessment and monitoring of collective agreements, jointly negotiated equal pay certification systems and union campaigns and lobbying to raise awareness about gender pay inequalities and to enhance legal provisions.

SECTION 6 provides the conclusions and recommendations from the study. An overwhelming conclusion is that there is substantial evidence to show that many trade unions have not only transformed their bargaining agendas to take better account of gender inequalities, but have actively engaged in negotiations to address structural gender disparities such as women's broader economic, social occupation segregation, the under-valuing of women's work and women's precarious work. The recommendations in the report are divided into recommendations for trade unions at the national level and recommendations for the ETUC.

Recommendations for trade unions at the national level cover the need to promote collective bargaining to reduce gender pay inequalities, to integrate a gender perspective into all negotiations and agreements, and into assessments of the economic crisis. Other recommendations cover the role that unions can play in lobbying for mandatory pay audits and gender equality plans, the coordination of collective bargaining on gender pay inequalities, training and guidelines for union negotiators, and promoting gender balance in collective bargaining teams. Finally, the report recommends that unions at the national level need to engage with the European semester and the EU's country specific recommendations and integrate gender considerations into the formulation of these at the national level.

Recommendations for the ETUC include the need to keep up momentum to implement and update the 2008 Resolution on the gender pay gap based on the findings of this report. Other recommendations include strategic cooperation between the ETUC's Collective Bargaining and Women's Committees in relation to EU country specific recommendations and the coordination of collective bargaining, monitoring the implementation of the European Commission's non-binding Recommendations on wage transparency and carrying out European Trade Union Institute (ETUI) level training for negotiators.

SECTION 1: INTRODUCTION AND CONTEXT

1.1 INTRODUCTION

This report documents research carried out by the ETUC under its EU-funded project 'Bargaining for Equality'. It provides an analysis of how pay inequalities between women and men are addressed in collective bargaining structures and processes. By documenting both challenges facing trade unions and good practices, the report aims to point a way forward for ETUC and its affiliates to reduce pay inequalities.

The objectives of the 'Bargaining for Equality' project are to:

- ▶ Develop and improve trade union tools and instruments to reduce the gender pay gap in the negotiating agenda, enhance women's presence in bargaining units and ensure gender mainstreaming in collective bargaining;
- ▶ Raise awareness among trade unions of the need for gender equality in collective bargaining at workplace, sectoral and national level;
- ▶ Foster knowledge and good practices about social partners' actions to address the gender pay gap through collective bargaining;
- ▶ Contribute to European policy on gender equality and identify priorities and actions for the EU.

This report is based on a detailed questionnaire sent to ETUC affiliates in 2013. Forty-seven questionnaires were returned (34 of which were from confederations in 25 countries, and 13 of which were from trade union federations in 11 countries). **Appendix 1 lists the unions that responded to the survey.** In addition, four seminars were held during 2013 in Paris, Stockholm, Sofia and Brussels,¹ which brought together trade union officers and representatives from collective bargaining committees and women's committees across ten countries (Belgium, Bulgaria, Czech Republic, Estonia, France, Italy, Norway, Spain, Sweden and Turkey). An ETUC European 'Bargaining for Equality' conference was also held in Vilnius, 5-6 November 2013. This report documents the findings from the survey, and draws on the wider literature and discussions held at the ETUC's 'Bargaining for Equality' seminars and European Conference, and through the project's Advisory Group.

It also gives an overview of collective bargaining trends and their impact on gender pay inequalities, along with examples of different approaches taken to address the issue in negotiations as well as of examples of specific initiatives taken under legislation requiring the social partners to negotiate to reduce pay inequalities between women and men.

The research was conducted during 2013 at a time when many unions were defending hard won collective agreements and countering the impact of a worsening bargaining situation and austerity measures introduced in response to the economic crisis. This has resulted in a significant deterioration of the climate in bargaining for gender equality, particularly in the countries most affected by the crisis. This negative impact of the economic crisis on gender equality has been widely documented and has severely impeded progress in achieving the goals set out in the Europe 2020 strategy (ETUC 2012, EPSU 2013, European Parliament 2012a and 2013).

The evidence collected from the 'Bargaining for Equality' survey shows that collective agreements can play a significant role in promoting gender equality and in reducing pay inequalities between women and men. High collective bargaining coverage benefits the pay and conditions of women workers, employment security and protection against job losses, shorter working hours and flexible working time options. However, survey findings are set in the context of a general trend towards decentralised and individualised pay-setting (Plantenga and Remery 2006, Eurofound 2010, ETUC 2012), and a reluctance on the part of the European Commission to further extend and strengthen the provisions on equal pay contained in the 2006 Recast Directive (2006/54/EC).² However, some progress has been made in the area of wage transparency on the basis of a European Commission Recommendation, issued in March 2014, to improve wage transparency (which is discussed in more detail in Section 3 below).

1 Paris (14 March 2013), Stockholm (12 April 2013), Sofia (17 April 2013) and Brussels (10 October 2013).

2 Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast). Available at: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2006:204:0023:0036:en:PDF>

1.2 THE GENDER PAY GAP IN EUROPE

In 2012, as **Table 1** shows, the unadjusted gender pay gap (based on gross average hourly earnings) was **16.4%**, representing a small narrowing from 17.7% in 2006 (Eurostat 2012). The gender pay gap was slightly wider, at 16.7%, in the euro area (EA-17). Across Member States the gender pay gap varied by 27.5 percentage points, ranging from 2.5 % in Slovenia to 30.0% in Estonia. Differences exist between the public and private sector as shown in **Table 2**. The majority of countries have a wider gender pay gap in the private sector, compared to the public sector, although not the case in Bulgaria, Latvia and Hungary. The highest pay gap in the public sector was registered in Hungary (24%). Within the education sector, Estonia and Ireland record the highest pay gaps (25%). Despite the fact that the gender pay gap is smaller in the public sector, there is a danger that the economic crisis is undermining the public sector's lead role in this area (EPSU 2013, European Commission 2013a).

In 2012, in the EU the gender pay gap for part-time workers varied by 31 percentage points, with the highest gaps recorded in Spain (31.8 %), Portugal (26.1 %) and Slovakia (24.4 %). Eurostat data shows that the gender pay gap is lowest for young employees in most EU Member States; it tends to increase with age, and is particularly affected by women having periods of leave for family reasons. Men's earnings are higher in every occupation group; however, pay gaps are wider in white-collar male-dominated occupations (Eurofound 2013). There are variations across economic sectors. The widest gap is in the financial and insurance sector (the highest in the UK at 43% and the lowest in Bulgaria at 21%). In the business economy the highest gender pay gap is in Estonia (27%) and the lowest in Slovenia (8%). In the manufacturing industry Sweden (8%) has the lowest gender pay gap and the highest is in Portugal (33%). Research also suggests that the gender wage gap is wider in higher paid occupations, where there is a strong correlation between the gender pay gap and the 'glass ceiling' on the basis that the gender pay gap is typically larger at the top of the wage distribution. However, for some countries gender pay gaps are also wider at the bottom of the wage distribution, suggesting a 'sticky floor' (Arulampalam et al. 2007).

TABLE 1:
The unadjusted gender pay gap in 2012

EU-28	16.4
EA-17	16.7
Estonia	30.0
Austria	23.4
Germany	22.4
Czech Republic	22.0
Slovakia	21.5
Hungary	20.1
Finland	19.4
United Kingdom	19.1
Croatia	18.0
Spain	17.8
Netherlands	16.9
Cyprus	16.2
Sweden	15.9
Portugal	15.7
Denmark	14.9
France	14.8
Bulgaria	14.7
Ireland	14.4
Latvia	13.8
Lithuania	12.6
Belgium	10.0
Romania	9.7
Luxembourg	8.6
Italy	6.7
Poland	6.4
Malta	6.1
Slovenia	2.5
Switzerland	17.9
Norway	15.1

Source: Eurostat 2012

Table 2: The unadjusted gender pay gap (public and private sectors)

	GPG (%)	
	Public	Private
Belgium	-3.0	13.8
Bulgaria	20.9	12.6
Czech Republic	21.2	22.7
Denmark	12.9	17.7
Germany	14.0	25.7
Ireland	11.9	20.0
Spain	13.4	21.5
Italy	6.4	16.3
Cyprus	0.3	24.3
Latvia	17.5	13.2
Lithuania	13.3	16.1
Hungary	24.4	16.3
Netherlands	17.2	17.4
Poland	3.7	16.1
Portugal	13.5	29.4
Slovenia	5.3	8.9
Slovakia	15.6	23.1
Finland	18.3	19.4
Sweden	13.6	13.4
United Kingdom	19.7	24.5
Norway	13.5	17.8
Iceland	16.2	18.5
Switzerland	13.3	21.1

Source: Eurostat 2012

Narrowing of the gender pay gap: a result of the economic crisis

The slight narrowing of the gender pay gap from 17.7% in 2006 to 16.4% in 2012 (in 16 out of 25 countries) represents a leveling downwards. The largest reductions in the gender pay gap have been in Lithuania, the Netherlands and Slovenia; moderate reductions in Denmark, Cyprus, Malta, Poland, Sweden, Slovak Republic and the UK; and less than 1% decline in Belgium, France, Finland, Luxembourg, Romania

and Spain. The gender pay gap widened in the EU Member States that have been most affected by the economic crisis, most notably in Romania, Greece, Ireland, Spain and Portugal.

The overall small narrowing of the gender pay gap is attributable to three factors: cuts in non-basic wage components, such as bonuses and overtime premia, which predominate in male dominated sectors/occupations; sectoral segregation; and policy related developments to reduce the gender pay gap (Karamessini & Rubery 2014). Some point to decline in male wages at the lower end of the earnings distribution and an increase in women's participation in managerial positions as contributing to the reduction of the gender pay gap (Perrons & Plomient 2014).

According to the European Commission:

This trend could be misunderstood as an improvement in the situation. The very slight decreasing trend for the past years is largely a result of the economic crisis, which has seen men's earnings decrease, rather than women's earnings increase. For example, the manufacturing sector, traditionally characterised by a high gender pay gap, lost ground at the beginning of the economic crisis (2014:1).

The findings from the 'Bargaining for Equality' survey and ETUC work in this area had led to the same unsatisfactory conclusion (ETUC 2013a, O'Dorchai 2014).

Some unions in the ETUC 'Bargaining for Equality' survey contested the validity of Eurostat data on the unadjusted gender pay gap, suggesting that hourly data masks the reality of women's working lives, which are often typified by shorter working hours and part-time work. If women's weekly or monthly earnings are taken into account the gender pay gap can double, which Eurofound (2013) argues rises to 23.8% when monthly earnings are taken into account. In addition, the unadjusted gender pay gap does not take into account all of the factors that impact on the gender pay inequalities, such as differences in education, labour market experience, hours worked, type of job, etc., as well as other factors that may go unrecorded such as overtime payments, performance related pay or other bonus payments. When the data is 'adjusted' to take account of these factors estimates vary of between 12% and 50% of the gender pay gap that remains unexplained. Hence despite a decline in the level of the unadjusted pay gap overtime, the unexplained or 'discriminatory' component of the gap has remained largely the same.

The pensions pay gap

There is a growing concern about the level of the gender pension gap – estimated to be an average of 39% across the EU (European Commission 2013b). Overall, 17 out of 27

EU Member States have gender gaps in pensions greater or equal to 30%. This is twice the figure of the gender pay gap at 16.4%. The highest pension gap exists in Luxembourg (47%) and Germany (44%); and the lowest pension gap is in Estonia (4%) and Slovak Republic (8%). There appears to be no correlation with the gender pay gap in these countries, for example, Estonia has the lowest pension gap (4%) but the highest gender pay gap. Some unions, in recognition of this gap have begun to lobby to introduce qualifying periods for parental leave in pension arrangements, to ensure that women are not disadvantaged in relation to pensions.

The causes of the gender pay gap

The gender pay gap is the result of multiple factors, suggesting a need for strategies to address the broad structural factors related to direct and indirect discrimination (European Commission 2009a, 2011a, 2011b, 2012a). It is affected by the way that pay is set in collective agreements, job classification systems, and in individually negotiated pay and performance related pay. Pay and grading systems may also under-value female occupations and skills or reward higher bonuses or benefits to male occupations. Further inequalities arise because of the unequal balance of paid and unpaid work carried out by women and men. A lack of flexible working arrangements reduces the chances to balance work with care responsibilities and particularly affects women. Although women generally work fewer hours in the paid labour market than men, when women's paid and unpaid work is taken into account women work an average of 64 hours per week, compared to 53 hours worked by men – on average women spend 26 hours a week on care activities, compared to nine hours spent by men (Eurofound 2013). The European Institute for Gender Equality (EIGE) Gender Equality Index, moreover, shows that under the domain of 'time' significant gender differences exist in the division of time spent on care and social activities. With a score of an average of 38.8 (out of 100) across the EU, this represents the lowest gender equality score of the eight domains of gender equality (EIGE 2013).

A combination of care responsibilities and the structure of the labour market mean that women are over-represented in low paid, casual and part-time work. A key factor structuring gender pay inequalities is occupational segregation, resulting in the clustering of women into separate low paid occupations and sectors that under-value their skills, which is reinforced by assumptions about the value of women's work in traditional female jobs. Women experience a 'wage penalty' when they take leave from the labour market and return to work from maternity leave (Eurofound 2012b). Working part-time not only reduces women's earnings, but affects their long-term earnings potential and pensions.

The gender pay gap and earnings inequalities

There has been a systematic rise in earnings inequalities across Europe, which is the highest in the UK, but is also evident in Denmark, Sweden and the Netherlands, Belgium, Germany, France and Ireland (OECD 2012, Greg 2013, Vaughan-Whitehead 2012). The decline of collective wage bargaining has contributed to a rise of wage inequality (Reegård 2011), but is not the only explanation (Hacker 2011). European Commission data shows that between 2008 and 2012 income distribution inequality grew in Ireland, Greece, Spain and Portugal, resulting from pay cuts in the public and private sectors, and a growth of in-work poverty due to the cutting or freezing of minimum wages (European Parliament 2013b and 2014). For example, the proportion of people at risk of poverty or social exclusion has risen to 26% in Portugal and to 15% in Ireland. Assessments of rising earnings inequality across Europe have also pointed to the need for reforms to strengthen trade unions and collective bargaining in reducing inequality, which according to the ETUC (2013) requires the ETUC and affiliated unions to adopt greater coordination of collective bargaining.

Earnings inequality between the highest and lowest income earners has profound implications for the gender pay gap. For example, in Germany rising wage inequalities for both men and women between 2001 and 2006 was largely driven by a combination of real wage increases at the top of the wage distribution, but most significantly by real wage losses below the median (Antonczyk et al. 2010, Busch and Holst 2011). This is explained by a reduction of collective bargaining coverage at sectoral and company levels in Germany, significant wage differences within and between different industries and personal characteristics of workers.

1.3 THE ROLE OF COLLECTIVE BARGAINING IN REDUCING PAY INEQUALITIES BETWEEN WOMEN AND MEN

The gender pay gap is lowest in countries where overall equality is higher (OECD 2013) and in countries where collective bargaining coverage is high and in companies that are bound to a collective agreement (Eurofound 2010, ILO 2011a, ILO 2011b, Hayter and Weinberg 2011). Estimates suggest that 1% increase in social dialogue 'coverage' reduces the gender pay by 0.16% (European Commission 2009b) and the higher the degree of coordination in wage formation, the more equal the distribution of pay (ETUC 2012, Tilly 2013). According to Reegård (2013) "coordinated wage bargaining from the centre reduces wage disparity and contributes to a more equal society".

SECTION 1

SECTION 2

SECTION 3

SECTION 4

SECTION 5

SECTION 6

APPENDIX 1

APPENDIX 2

APPENDIX 3

An overwhelming finding from the ETUC study is the undoubted actual and potential beneficial role of collective agreements in reducing pay inequalities. Some unions speak about the potential that collective bargaining has to transform gender relations and structural gender inequalities. In **Norway**, for example, there has been a progressive narrowing of the gender wage gap since 2008, which is in part attributed to the role of collective agreements. This has been achieved largely through increases in pay for women in female dominated sectors, resulting in a 1% reduction in the pay gap between 2010 and 2011. In 2003 1 in 4 workers (24%) were low paid, this reduced to 1 in 5 (19%) in 2012.

A similar benefit was reported by the **Committee on Equal Opportunities for Women and Men** in the Czech-Moravian Confederation of Trade Unions **CMKOS**. The confederation has analysed the impact that collective agreements have had on the development of average wages for women and men. It found that in 2012 average wages and salaries at the median level in companies with a collective agreement were significantly more favourable than wages in companies where the collective agreement had not been concluded. The confederation argues that the existence of collective agreements in companies in times of crisis, even more than in times of growth, positively affects the earnings of employees, mainly by increasing wages in low and middle income groups where there are a considerable number of women. In **Finland**, the National **Equal Pay Programme** has led to a 1% reduction in the gender pay gap, which was achieved as a result of collective agreements on equal pay.

The ETUC survey shows that collective bargaining across Europe is complex and varied. However, it is clear that national sectoral level bargaining has been important in agenda setting on gender equality across the economy and establishing wages across sectors, which has been particularly beneficial for women's pay and gender equality. However, it is also evident that company level bargaining has an important role to play in setting equality objectives for companies particularly where these have been established in legislation, for example, in negotiating workplace pay audits/surveys, flexible working time and reconciliation of work and family life. The best gender equality outcomes are found where sectoral and company bargaining co-exist. However, the ETUC survey found that in some countries the general shift towards company level bargaining has taken place at the expense of sectoral level bargaining, leading to greater fragmentation. In other countries, particularly in central and eastern Europe, the weak collective bargaining structures that emerged after the ending of communism left many countries with fragmented bargaining and low bargaining coverage, principally company level. This situation is different from the gradual trend of bargaining to company levels, for example, that has taken place in Germany and the UK over the last two decades.

In Germany, for example, there has been a constant decline in collective bargaining coverage due to employers' unwillingness to conclude sectoral or regional agreements since the reunification process. This has exacerbated the trend towards company level bargaining. German Trade unions have sought to reverse this trend in the light of the forthcoming minimum wage, legislation on which is due to come into force in 2017.

Notwithstanding the importance of sectoral bargaining to gender equality, the survey also shows that unions attach importance to robust legislation obliging companies to negotiate on equality, for example, to reduce the gender pay gap, implement wage transparency and carry out pay audits/surveys.

Variations in the level and coverage of bargaining

There are significant variations across Europe in the scope and level of collective bargaining, on the legal recognition and enforcement of bargaining rights, and collective bargaining coverage. The ETUC 'Bargaining for Equality' survey found that countries with a focus on centralised bargaining (sectoral and cross-sectoral) and the highest collective bargaining coverage tended to have been more successful in integrating gender equality issues into collective bargaining. Overall the ETUC survey also outlined that the economic crisis has exacerbated the already strong tendency towards decentralised bargaining. **Table 3** shows the level of collective bargaining coverage across the EU-27 and Norway as well as the key level of collective bargaining. In the EU, around two-thirds of employees (62%) are covered by collective bargaining (the highest levels are in France, Belgium, Austria, Portugal, Finland and Slovenia, and the lowest in Bulgaria, Poland and Lithuania). In the Nordic countries, for example, collective agreements have wide coverage, compared to the UK and some countries in central and eastern Europe, where collective bargaining coverage is low and collective agreements predominate at company level. Only a small number of countries, for example, in Belgium, Italy and some Nordic countries, have national level agreements, which set the guidelines for negotiations for other levels of bargaining.

Table 3: Collective bargaining coverage and levels

Country	Coverage (%)	Key level of collective bargaining
France	98%	Sectoral and company
Belgium	96%	National (sets framework)
Austria	95%	Sectoral
Portugal	92%	Sectoral
Finland	91%	Sectoral – much left to company negotiations
Slovenia	90%	Sectoral
Sweden	88%	Sectoral – much left to company negotiations
Netherlands	81%	Sectoral (also some company)
Denmark	80%	Sectoral – much left to company negotiations
Italy	80%	Sectoral
Norway	70%	National and sectoral
Spain	70%	Sectoral – new law gives precedence to company agreements
Greece	65%	Sectoral - crisis led to greater role to company negotiations
Croatia	61%	Sectoral and company
Malta	61%	Company
Germany	59%	Sectoral
Cyprus	52%	Sectoral and company
Luxembourg	50%	Sectoral and company (varies with sector)
Ireland	44%	Company
Czech Republic	38%	Company
Romania	36%	Sectoral and company
Slovakia	35%	Sectoral and company
Latvia	34%	Company
Estonia	33%	Company
Hungary	33%	Company
Bulgaria	30%	Company
UK	29%	Company
Poland	25%	Company
Lithuania	15%	Company
EU average (including Norway)	62%	

Source: ETUC 'Bargaining for Equality' survey and ETUI (worker-participation.eu)

The ETUC 'Bargaining for Equality' survey also found that 85% of unions is engaged in company level bargaining, 72% in sectoral bargaining and 32% in national level bargaining. Often there are multiple bargaining levels, with 30% reporting bargaining at company and sectoral levels and 28% at company, sectoral and national levels. Smaller numbers were involved in company only (2%), sectoral only (6%) and national only (2%). The countries with collective bargaining coverage of around 80% or higher are typified by high union density and/or a strong legal framework regulating collective bargaining. For example, in Austria, all employers belong to the negotiators on the employers' side (Chambers of Commerce and Industry), resulting in collective agreements covering 95% of workers. In Belgium, high coverage exists because agreements signed at industry level automatically extend to all workers employed in that industry. In France, the extension of agreements by the government to non-signatory employers, combined with the legal obligation on employers to negotiate on equality at company level, and in some cases at industry level, provide a high level of coverage. Germany, Greece, Luxembourg, Norway and Spain all have collective bargaining coverage of between 60% and 75%, including extensive sectoral bargaining, although the economic crisis has largely ended this in Greece and Spain.

Sectoral national level bargaining set the framework for bargaining at company and territorial levels in Sweden, Denmark, Norway and Italy. In Italy, sectoral level bargaining has in the past provided for pay increases to keep in line with inflation. However, new bargaining arrangements give greater weight to company level bargaining, including bargaining on equality. Recent legislation in Spain has given company agreements precedence over agreements signed at all other levels, whereas in other countries sectoral bargaining in the private sector has largely been replaced by company level negotiations. Different bargaining arrangements can exist across a single sector, which can impact on the coordination of collective bargaining. This situation is evident in the UK, where the National Union of Teachers (NUT) reported in the ETUC survey on different bargaining arrangements for teachers in different levels of secondary education. The NUT has sought to maintain parity between nationally agreed pay and conditions with secondary school providers that exist outside of the local authority or in the private sector.

European Trade Union Federations

Some European Trade Union Federations have developed policies on the gender pay gap. In particular, the European Public Service Union (EPSU) has carried out the most extensive work in this area, based on its 2009 Congress EPSU resolution on equal pay, which drew attention to some of the reasons why women earned less than men and reaffirmed a target for its affiliates "of reducing the gender pay

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APPENDIX 1

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gap by, at least, 5% by 2014". In addition, EPSU equal pay surveys (EPSU 2007 and 2010) show that many affiliates do not understand the gender pay gap and, with the exception of affiliates in the UK and the Nordic countries, are unable to provide data for their sectors. A recent study (EPSU 2013) has shown continued data gaps across the public services.³ The European social dialogue committee for Central Government Administration has adopted a common statement 'Towards Equal Pay Between Women and Men' (EPSU 2011) and in 2008 the social dialogue committee for Local and Regional Government adopted guidelines on drawing up equality action plans (CEMR/EPSU 2008). EPSU has also been a party to negotiations to secure a European agreement on equality at GDF-Suez. The latest talks in 2011 focused on work-life balance, parental leave and sexual harassment.

1.4 ETUC POLICY ON PAY INEQUALITIES BETWEEN WOMEN AND MEN ACROSS EUROPE

The ETUC has a longstanding commitment to eliminating the gender pay gap. In 2008 the ETUC Executive Committee passed a Resolution on reducing the gender pay gap (ETUC 2008a). The ETUC (2011) Strategy and Action Programme 2011-2015, adopted at the Athens Congress identified the pay gap between women and men as a priority of its work. The ETUC committed to:

...support members' initiatives to tackle the structural problems of pay inequality and the tendency for pay (for both men and women) to be lower in sectors dominated by women than in sectors dominated by men. Many occupations that are mainly carried out by women need to be revalued and the ETUC intends to assist affiliates in exchanging information on achieving this through collective bargaining and/or through using legislation.

This led the Executive Committee to adopt the ETUC Action Programme on Gender Equality (ETUC 2012a), identifying several key actions including campaigning for stronger legislation to close the gender pay gap under the Recast Directive (2006/54/EC). The ETUC (2008b 2012c and 2013) has argued for a strengthened EU legal framework under the European Commission's Communication 'Tackling the pay gap between men and women', including a full review of the legislation, particularly in addressing the under-val-

uing of women's work, gender specific data and transparency in pay setting, mandatory pay audits, extending legal representation to class actions by trade unions, and the promotion of collective bargaining at all levels.

Country Specific Recommendations and the European Semester

The ETUC (2013a and 2013b) has been particularly critical of the European Commission's recommendations on the decentralisation of collective bargaining, which have been made in Country Specific Recommendations (to eight Member States and the four Member States already subject to the Troika programme). Recommendations under the EU's economic governance and Semester process (European Commission 2013) are viewed by the ETUC to interfere with the autonomy of the social partners in wage formation, which impacts on wage setting mechanisms, collective bargaining coverage and also the gender pay gap. Interventions have ranged from cuts in minimum wages in some countries, downwards wage flexibility, to marginalisation or downgrading collective bargaining systems and the role of collectively bargained wages.

Allied to this is the threat to the automatic indexation systems that exists for example in Luxembourg and Belgium. The European Commission and the European Central Bank have both argued that automatic indexation mechanisms should be abolished and that nominal wages should be in line with productivity only. The ETUC argues that this process breaches ILO conventions and the European Charter of Fundamental Rights. The ETUC proposes more effective coordination amongst affiliates to enhance and defend collective bargaining. National social partners, in their full autonomy, the ETUC argues, have to be involved in all steps of government decisions concerning National Reform Programmes and Country Specific Recommendations. This has also been reiterated in a Declaration by the European Social Partners on European economic governance (ETUC et al. 2013).

Although since 2011 some Country Specific Recommendations have addressed women's employment issues, the gender pay gap is only included in the recommendations made to Austria, despite the fact that all EU Member States have a gender pay gap. The ETUC has questioned this logic, particularly where the gender pay gap is higher than 20% (in Estonia, Czech Republic, Germany, Austria and Greece) and argues that, "all Member States registering a gender pay gap should be addressed recommendations in order to undertake meaningful measures to eliminate it". (ETUC 2013c:3)

³ For further information about EPSU's work on equal pay see: <http://www.epsu.org/r/28>; EPSU's 2011 survey on Equal Pay: http://www.epsu.org/IMG/pdf/EPSU_Gender_Pay_Gap_Report_2010_2_-2.pdf; and EPSU's (2013) report on the Gender Pay Gap in Public Services <http://www.epsu.org/a/10142>

1.5 CONCLUSION

This section shows that there is wide range of challenges currently facing unions. These are affected by a more hostile climate for and threats to the autonomy of collective bargaining, alongside the persistence of the gender pay gap, structural gender inequalities and occupational segregation. Significant variations exist across Europe regarding levels of trade union membership, and levels and coverage of collective bargaining, all of which impact on the extent to which unions have the political and economic leverage to influence negotiations to reduce pay inequalities between women and men.

The next section, Section 2, of this report examines evidence from the ETUC survey on the impact of the economic crisis on union efforts to reduce pay inequalities between women and men. This is followed by a discussion, in Section 3, of legislation, social partner agreements and other provisions introduced on pay data and pay transparency between women and men. Section 4 presents the findings from the survey on the type, scope and content of collective agreements and union actions implemented to reduce pay inequalities between women and men. This is followed in Section 5 by a discussion of union strategies and other broader measures introduced to support collective bargaining to reduce pay inequalities between women and men. Finally, Section 6 presents the overall conclusions and recommendations from the study.

SECTION 2: THE IMPACT OF THE ECONOMIC CRISIS ON UNION EFFORTS TO REDUCE PAY INEQUALITIES BETWEEN WOMEN AND MEN

"In the context of the crisis there are concerns about growing inequalities across Europe between the rich and poor and between different groups of workers. The economic crisis has led to reduction in the gender pay gap, but it has been on the basis of a 'downward spiral'. Official data does not reflect reality; the decrease from 18% to 16.5% of the gender pay gap exists not because of less inequalities between men and women, but because the crisis is affecting a lot of male dominated work. Overall the trend is equalisation to the bottom. The ETUC wants to have an upward harmonisation and a better quality of work".

Claudia Menne (ETUC Confederal Secretary) speaking at the ETUC Bargaining for Equality Seminar in Sofia, 17 April 2013

2.1 INTRODUCTION

The economic crisis has brought new challenges for trade unions in collective bargaining and their efforts to reduce pay inequalities between women and men. All unions responding to the ETUC 'Bargaining for Equality' survey stated that the economic crisis had to varying degrees damaged women's wages and rights at work. Nevertheless, a sizeable number of unions stated that the economic crisis has reinforced their resolve to address the gender impacts of the crisis and to continue to address the longstanding gender inequalities that existed before the crisis took effect.

The effect of the crisis on women has been exacerbated by women's employment insecurity, lower working hours, part-time work, and occupational segregation, which have often been neglected in assessments of the crisis (ETUC 2011, Advisory Committee on Equal Opportunities for Women and Men 2009, Maier 2011, European Women's Lobby 2009, TUC 2009). The ETUC's (2011b, 2012 and 2013a) Annual 8th March surveys have documented the sizeable impact of the crisis on female employment, showing evidence that the crisis has affected women and men in different ways. Evidence also shows that new working time arrangements introduced by companies in response to the crisis are often not gender-neutral, where companies often disproportionately target women with job losses (Smith 2009). In addition, there have been limited assessments of the gender impact of National Reform Programmes, showing low commitments to gender mainstreaming (Villa and Smith 2014, European Parliament 2012) and to the impact on women of government austerity and reform measures (EPSU 2013, Villa and Smith 2010, Leschke and Jepsen 2011). There are similar concerns that gender has been

neglected in EU-level responses to the crisis (European Commission 2013a, European Commission Advisory Group on Equal Opportunities for Women and Men 2009). This is relevant because gender sensitive monitoring of the labour market is needed to address the medium and long-term risks for gender inequality (Eurofound 2013).

Leschke and Jepsen's (2011) analysis of the crisis in Germany, the UK and Denmark argues that "...policy responses to the crisis reveals a strong bias towards supporting male rather than female-dominated sectors and favouring employment policy measures that tend to be picked up by relatively more men than women (e.g. short-time working)" (p.58). They argue that the absence of gender assessment of policies implemented in response to the crisis and the lack of measures to address the unequal situation of women and men in the labour market and in welfare provision "constitute worrying developments".

Since the onset of the economic crisis in 2008 there has been a significant leveling down of gender gaps in employment and unemployment, pay and poverty across Europe (Karamessini and Rubery 2013, European Commission 2013a, European Parliament 2012). As mentioned in Section 1, the gender pay gap has narrowed slightly across the EU, but this is largely a result of the leveling down of men's pay levels, rather than an upward trend in women's pay. This is of particular concern as the gender pay gap has had a profound impact on women's lifetime earnings, resulting in a pension pay gap in later life (European Commission 2013).

The impact of the crisis on gender equality has been particularly acute in the countries hit hardest by the economic crisis, resulting from rising unemployment, growing precariousness of work and governments imposed austerity measures. Evidence of discrimination includes the curtailment of rights to maternity leave and benefits, women returning from maternity leave and being the first either to be made redundant, as well as limitations on collectively negotiated agreements on reconciliation and flexible working hours. Moreover, it is likely that the economic crisis could lead to widening gender inequalities, resulting from the more recent cuts in women’s wages in the public sector and a pressure to freeze statutory and collectively agreed minimum wages, the impact of which is likely to significantly affect women (Eurofound 2013, Rubery and Grimshaw 2011).

2.2 FINDINGS FROM THE ETUC ‘BARGAINING FOR EQUALITY’ SURVEY

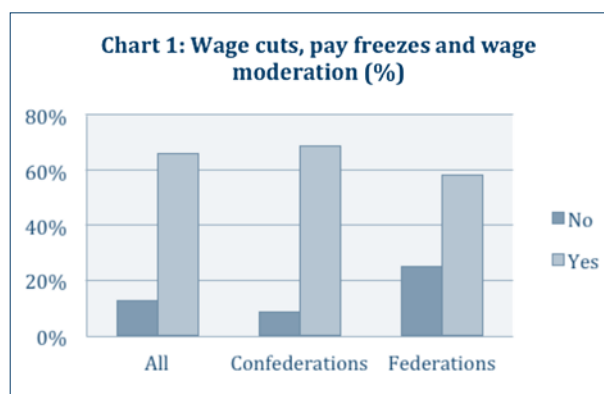
The impact of the crisis on women’s pay and employment

The ETUC ‘Bargaining for Equality’ survey examined the impact of the economic crisis on union efforts to reduce pay inequalities between women and men. **Appendix 2** provides country specific information on the impact of the economic crisis reported by unions in the ETUC survey. This shows a systematic pattern of reductions in pay, conditions of employment and job losses reported by unions in Croatia, Cyprus, Ireland, Portugal, Spain, Italy, Estonia, Hungary, Latvia, Lithuania, Poland and Romania. The countries that were hit the hardest from the economic crisis have had the greatest difficulties in protecting women’s pay. Union confederations from Norway, Austria and Germany and some federations from Belgium, Norway and Sweden stated that they had not been affected directly, although there were some impacts resulting from the recession affecting all countries. Collective bargaining has also proved to be important in protecting workers from unemployment and severe pay cuts. In **Austria**, for example, the **ÖGB** argues that collective agreements on wage transparency and company income reports have shielded workers from the potential of wage moderation. In other cases, unions have prevented pay cuts from taking place or have managed to negotiate agreements on wage moderation as an alternative to pay cuts. In particular, unions have played a vitally important role in some countries in securing short-time working agreements as alternatives to lay-offs.

The survey also found that as employment insecurity has risen and pay levels have been cut, a large number of women workers are forced to accept involuntary part-time, short-term working and poorer conditions of employment in order to hold onto their jobs.

An additional concern noted by some unions is that few governments have implemented gender mainstreaming and/or carried out gender impact assessments on how the economic crisis has affected women and men.

Overall, Chart 1 shows that of the unions responding to the survey **66% reported pay cuts, wage freezes or wage moderation**. In particular, the survey findings suggest that all these measures principally, but not exclusively, affects women in the public sector.



Source: ETUC Survey 2013

The survey found evidence of:

- ▶ Significant pay cuts in the public sector of around 25% in Romania, 15% in Ireland, 10% in the Czech Republic and Estonia, 9% in Hungary. In the education sector teachers have had pay cuts of as much as 40% in Latvia and in excess of 25% for new entrants into teaching in Ireland. In addition, cuts in public sector bonuses and special allowances are reported in Portugal and Ireland, and pay freezes in the public sector in the UK.
- ▶ Severe pay cuts in the private sector amounting to as much as 50% in some companies and the financial sector in Cyprus to around 10% in Estonia.
- ▶ Freezing of minimum wages in France and Spain, and difficulties experienced by unions seeking to negotiate to increase minimum wages through collective bargaining.

Although some unions reported that the crisis had not affected the gender pay gap or in some cases there was a small narrowing of the gender pay gap, this reflected a leveling down of wages. The loss of women’s jobs, including full-time jobs, the increase in atypical and precarious work and a growth of involuntary part-time work was reported by unions in Austria, Bulgaria, Ireland, Portugal, Romania, Spain Italy, Poland and the Czech Republic. Specific examples were given of the adverse impact on women in traditionally female dominated sectors, particularly in the public sector, in Hungary, Romania, Ireland, Portugal, Spain, Latvia and Bulgaria.

A significant increase in women's roles as primary breadwinners was reported in Lithuania and Germany, and this is likely to be the case in other Member States.

In Italy, the gender pay gap increased over the first two years of the crisis, suggesting that more women than men have incomes below the poverty line (Veraschchangina and Capparucci 2014). In Spain, pay cuts averaging 5% for public sector workers were introduced in May 2010, with higher wage earners receiving larger cuts than lower paid workers. It is likely that this has contributed to the reduction in the gender pay gap, but at the same time it "constitutes a significantly regressive measure from a gender perspective, since women are more affected due to their higher participation in public employment" (Gonzales Gago & Kirzner 2014). In Greece, between 2010 and 2011 cuts in public sector pay led to 15% reduction pay for civil servants and 25% for workers in public utilities, agencies and undertakings. Further pay cuts of up to 20% were imposed in November 2011 as part of a reform of public sector salaries (Karamessini 2014). Collectively agreed national minimum wages were reduced by the Greek government by 22% in February 2012 (32% for young people under 25 years) and from April 2013 the minimum wage will no longer be set by the social partners, but by the government. Cuts in minimum wages and the premiums for short part-time work in the private sector have disproportionately hit women and young people, who are more concentrated in low paid occupations.

The impact of shifting gender relations in the home was highlighted by several unions, on the basis that assumptions are often built into austerity measures about women's roles as carers. For example, the Swedish LO and the Italian unions argue that it is crucial that the wider context of women's unpaid care work is taken into account, particularly because austerity measures have had a direct impact on social policy interventions to support women's unpaid care roles. In this context the lack of visibility given to the linkage between women's unpaid care work and paid work by employers, unions and governments, has led to further disadvantages for women. By bringing these issues into the centre of collective bargaining, unions in Sweden and Italy have been at the forefront of debates about the interconnections between women's unpaid care work and how it can be redistributed to enable women to have equal access to decent work opportunities. Some unions drew attention to a general climate of austerity measures that resulted in regressive equality policies, for example, resulting from significant cuts to Equality Bodies, as reported in Ireland. In addition, several unions noted the significant impact of austerity measures on women resulting in declining living standards, for example, which had taken effect in Portugal and Romania because of cuts in welfare, state provision of childcare, and rising rates of VAT.

Impact of the crisis on bargaining for equality

In summary, the survey found that most significant features of the more hostile environment to bargaining resulting from the crisis include:

- ▶ Decentralisation of bargaining, resulting in weakened bargaining structures and coverage;
- ▶ Fragmentation and individualisation of bargaining;
- ▶ Additional problems in integrating specific gender considerations in collective negotiations and specifically into pay bargaining;
- ▶ Additional difficulties in implementing legislation requiring collective agreements/negotiations on equality.

Government responses to economic crisis, often imposed through Troika led bail-out terms, have by-passed the social dialogue and led to significant restructuring of employment, worsening pay and conditions, and weakened collective bargaining structures. The ETUC survey found that, in trying to keep their jobs, workers are less likely to make complaints about unequal and discriminatory pay, and their unions often argue that other priorities have had to take precedence. The survey also found that in some countries the economic crisis has led to a climate that is favourable to privatisation, sub-contracting and commercialisation of public services, with several unions reporting this as an area of major concern, particularly as women predominate in many of the services affected. The shift from public to private sector employment has often led to lower pay and poorer conditions of employment. The European Parliament (2014) has also drawn attention to the warnings from the ILO, the Council of Europe and trade unions organisations "that the new pay-scale, grading and dismissals system in the public sector will have a gender gap impact" (2014, para 19). It recommends that wage inequalities and the falling female employment rate need to "receive greater attention in the Member States undergoing adjustment" (2014, para 21).

One significant concern reported by a number of trade unions is the serious attempt by governments to reduce the scope and autonomy of collective bargaining, on the basis that internal flexibility rather than collective dismissals will increase company competitiveness. The ETUC (2014b) has argued vociferously that austerity is not working and that a new path for Europe is urgently needed. The Troika programme has meant that the European Commission has "actively assisted in these breaches against major principles of the European Social Acquis" and that "full respect of Treaty provisions is a necessary guarantee to design policies that actually work" (ETUC 2014b: 9).

The survey found that fragmentation and weakening of bargaining, often the result of government imposition of trade union bargaining reforms, was a direct result of the crisis. The Troika programmes in Ireland, Greece, Portugal and Spain have led to a significant undermining of collective bargaining, allowing companies to opt out of collective bargaining agreements and for governments to review and limit the scope of sectoral wage agreements (ETUC 2014a, European Parliament 2014). In Greece and in Spain legislation introduced as part of crisis management has resulted in employers being permitted to negotiate terms and conditions of employment at company levels that are lower than those set in national or sectoral agreements. In addition, this trend towards decentralisation of bargaining to company level has particular dangers for equal pay, as this facilitates the negotiation of individual contracts and makes it difficult to find comparators, particularly in sectors that are dominated by women (ETUC 2012c).

In **Ireland**, the imposition of austerity measures resulting in employment and pay cuts in the public sector, marked the ending of national agreements; prior to the crisis national level bargaining set pay increases for company level bargaining, which had often benefitted women in low paid sectors. In **Portugal**, the economic crisis has ended the extension of agreements to employers who were not signatories, thereby reducing the number of employees covered by collective bargaining. The Constitutional Court has annulled certain legislative measures in Portugal. In **Greece**, collective bargaining in state-owned enterprises has been abolished; collective agreements on pay are now binding only to signatories and not extended by the Minister of Labour as was previously the case; derogations to all provisions of sector agreements by company-level agreements are not allowed and the scope of arbitration is limited to basic wages and only with employers' consent (Karamessini 2014). The ILO Committee of Experts has requested that the social dialogue be re-established in Greece. In **Spain**, employers can suspend collective agreements on economic grounds (defined as current or expected losses during two consecutive quarters). Collective agreements at company level are given priority over other levels (provincial, sectoral and national). Accordingly "the reform entails an unbalanced transformation of labour relations in favour of the employers, as workers are given little room for manoeuvre. Employers are now entitled to substantially modify working conditions without any significant possibility of reply by workers" (Gonzales Gago and Segales Kirzner 2014: 244). This is likely to impact negatively on the rights of women since a lack of protection for mothers and fathers, ultimately affects female participation in the labour market.

In other countries there is a worsened climate for collective bargaining. For example, in Romania legislation passed in 2011 has weakened the framework for collective bargaining, which abolished national level bargaining and had set minimum pay and conditions for the whole economy. A number of countries have been forced to negotiate defensive agreements. For example, in Finland, in 2011 and again in 2013, the social partners negotiated defensive framework agreements in order to align wage increases with productivity developments in order to boost external competitiveness of the country. A hostile environment for bargaining was reported in **Cyprus and the Czech Republic**. A trend to more individualization of bargaining was reported by union in **Estonia, Norway, Sweden and Spain**. In some cases the economic crisis had led to companies refusing to sign agreements, as reported in **Belgium, Estonia and Romania**, or refusing to renew agreements in **Turkey and Bulgaria**. The negative effects of the crisis have, according to the **ABVV-FGTB in Belgium**, led to undermining the autonomy of national collective bargaining and social dialogue structures, and a lower priority for gender equality amongst employers who cite the crisis at all levels of negotiation.

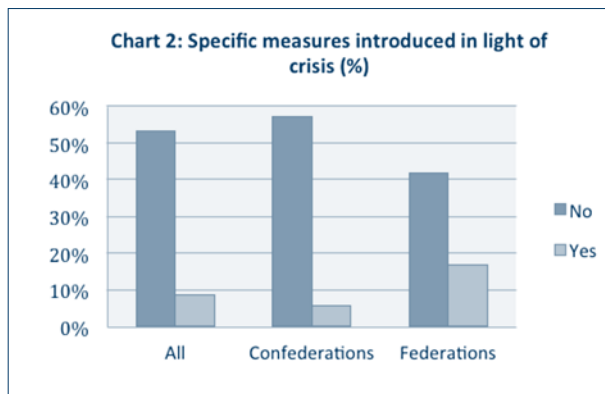
2.3. SPECIFIC MEASURES INTRODUCED IN THE LIGHT OF THE ECONOMIC CRISIS

Evidence was also collected in the survey of unions playing a role in minimising the impact of pay cuts through negotiations, including:

- ▶ Temporary short-time working arrangements, resulting in pay cuts, negotiated by unions to save jobs in seven countries, and temporary pay cuts in the manufacturing sector in Croatia and in some sectors in Cyprus negotiated as an alternative to job losses.
- ▶ Wage freezes, negotiated as an alternative to pay cuts, in companies affected by the crisis in the metalworking sector in France, and temporary wage moderation as an alternative to pay cuts negotiated by unions in Austria and in sectors covered by collective agreements in Estonia. Wage freezes in the public sector in Portugal, Poland, France and Belgium, although union intervention in Belgium managed to persuade the government to agree that this would not impact on the gender pay gap.
- ▶ Protection of lowest paid workers from pay cuts in Iceland or staggered pay cuts that lowered the impact on low paid workers in Ireland.

A substantial number of unions reported that they had difficulties in keeping the issue of pay inequalities between women and men on negotiating agendas. As Chart 2 shows, few unions had introduced specific measures to address

pay inequalities between women and men in the light of the economic crisis (with only 9% reporting that they had put in place specific measures, compared to just over half of unions reporting that no specific measures had been put in place). The most common reason given for this is that the gender pay gap had narrowed during the economic crisis (downwards) and men's wages had been most affected. However, many unions stated that they were still trying to keep a lens on gender equality issues and pay inequalities between women and men – in some cases there are notable success stories.



Source: ETUC Survey 2013

Some unions reported that despite the economic crisis they have continued to prioritise gender equality issues. This is the case in **Austria**, where unions have been actively involved in implementing wage transparency through company income reports, in promoting women's participation in bargaining teams and on works councils, and in the production of guidelines on gender equality in collective bargaining. Unions in **Sweden, Norway and Finland**, similarly have been instrumental in keeping gender equality issues on bargaining agendas, particularly in negotiating new parental leave entitlements and higher pay increases for workers in female dominated sectors.

In some cases unions have played an active role in persuading governments to reverse their austerity budgets and plan for growth. For example, in **Ireland ICTU** and affiliated unions have been active in campaigning for a change in government strategies in response to the crisis. Analysis from the trade union funded Nevin Economic Research Institute (NERI 2013) show a 3% fall in personal consumption in 2013, the biggest fall in any quarter since the start of the recession. NERI has recently outlined an alternative budgetary approach for the coming years that would save jobs and boost domestic demand. The national public sector pay agreement in 2013, led to a reduction in pay only for those on salaries of €65,000 and greater, which to some extent has protected women's lower paid jobs in the civil

and public services. However, one of the attractions to women of working in the public service has been the availability of flexible working arrangements that appear to be undermined. The agreement contains proposals to updating these and some unions, for example, the public service union **IMPACT** and the nurses/midwives union **INMO**, have secured protection for their members with regard to work-sharing and flexible working arrangements.

The role of agreements negotiated by the **Icelandic Confederation of Labour** during the economic crisis is an interesting example of how low paid workers were protected during the crisis and how pay inequalities were subsequently reduced. In Iceland pay increases for low paid workers were negotiated in collective agreements in 2008 and 2010, with an additional payment for low paid workers, mainly in female dominated groups in unskilled or semi-skilled jobs in the health and care sector. Studies have shown that during and after the financial crisis in Iceland the real wages of low paid workers did not decrease, and unions were able to maintain or preserve the same real wages during this time. In Iceland, the gender pay gap fell during the crisis but increased again during the recovery. It fell sharply in the private sector in 2009 and rose sharply after 2010-2011, whereas the fall in the public sector was not so pronounced. According to the 2012 annual survey of the Union of Public Servants the gender pay gap in the public sector fell from 27% in 2008 to 21.4% in 2009, before rising again to 23.7% in 2009 and 24% in 2010 and 2011. However, there have been some differences between occupation groups in the public sector with four female dominated occupations (nurses, occupational therapists, physiotherapists and development therapists) losing out in pay rises, pointing to gender bias in wage developments (Thorsdottir 2014).

2.4 CONCLUSION

Overall, unions responding to the ETUC survey reported that the impact of the crisis on bargaining and pay levels had a negative impact on gender equality; and all unions responding to the survey believed that bargaining had been adversely affected by the crisis. The economic crisis has also exacerbated structural gender inequalities that pre-dated the crisis. This is having profound consequences on collective bargaining on gender equality and seeks to threaten the achievement of EU objectives to achieve growth and increase employment rates amongst women. There is clear evidence from the ETUC 'Bargaining for Equality' survey of a more hostile environment for collective bargaining across Europe.

This has affected collective bargaining coverage and in some cases results in unwillingness by some employers to

extend existing agreements. The countries most affected by the economic crisis have experienced the greatest deterioration of collective bargaining. The economic crisis has refocused attention away from equality bargaining, and in most countries no gender impact assessment has been carried out of austerity measures and wage cuts, which have often taken place without engagement with trade unions. Nevertheless, unions responding to the survey remain committed to achieving gender equality, albeit in a more hostile climate. This has important implications for bargaining strategies and the greater emphasis that is needed on gender mainstreaming and the gender impact assessment of the crisis on women.

The next section examines in more detail the specific issues raised by unions on pay transparency and gender disaggregated data, as a basis for negotiations on gender pay inequalities.

SECTION 3: PAY TRANSPARENCY, PAY DATA AND THE GENDER PAY GAP

3.1 INTRODUCTION

A lack of access to gender-disaggregated data and a lack of pay transparency are significant barriers to removing pay inequalities between women and men. This has been highlighted by the ETUC as a core equality issue; the absence of objective and disaggregated workplace and sectoral data on pay gaps seriously hinders bargaining to reduce gender pay differences (ETUC 2008b, 2012b). Even where data is available it may not be comparable by gender, working hours or type of contract. Pay transparency is essential in enabling unions to identify if there is a gender pay gap and in informing the content and scope of pay negotiations and collective agreements.

The Danfoss case in the Court of Justice of the European Union found that a lack of transparency in pay systems can result in sex discrimination if a woman can show that gender related discrimination is relevant; this will require the employer to carry the burden of proof that a pay system is not discriminatory.⁴ The issue of pay transparency has been highlighted in a number of EU policies and debates, including two resolutions of the European Parliament on pay transparency as a key objective of progressing equal pay for work of equal value (2008 and 2012b). The European Council (2010) conclusions identified the lack of pay transparency as one of the main causes underlying the gender pay gap. Under the European Commission's (2010) Strategy for equality between men and women 2010-2015, one of the priorities is to promote equal pay for work of equal value in the EU. It states that the Commission will, "...with the social partners, explore possible ways to improve the transparency of pay".

Pressure has been mounting to revise the equal pay provisions under the Recast Directive (2006/54/EC), which in the area of pay transparency goes no further than encouraging employers to provide information on the basis that "...employers shall be encouraged to provide at appropriate regular intervals employees and/or their representatives with appropriate information on equal treatment for men and women in the undertaking on position of women and men at different levels of the organisation and on pay differentials".

A European Parliament (2013b) Resolution recommended that the Commission apply wage transparency in the application of the principle of equal pay for male and female workers for equal work or work of equal value in the revision of the Recast Directive. Recommendations were made to improve the analysis and transparency of pay and in ensuring that data is collected, shared and analysed by the social partners. It also recommended that job evaluation and job classification systems should be gender-neutral based on common pay scales across organisations and sectors. Specific suggestions were made to improve the provision of guidance and expertise on equality-based job evaluation methods, and to enhance the capacity of the social partners in determining equal pay for work of equal value.

The ETUC (2008a and 2012b) has lobbied the European Commission to strengthen this Directive, with provisions that would enforce employers to reveal gender disaggregated pay information. This would overcome one of the barriers to achieving pay transparency through the use of 'secrecy clauses', which have been used in some countries to prevent openness about pay differentials (European Parliament 2013). In the UK, for example, the Equality Act makes it unlawful for an employer to prevent or restrict workers having information about their pay where the purpose of disclosure is to identify possible discrimination in pay.

Despite the calls of the ETUC and a number of civil society organisations for a strengthened Recast Directive, in March 2014 the European Commission issued a non-binding **Recommendation on improving pay transparency** as a tool to close the gender pay gap, with requirements for Member States to report to the Commission by the end of 2015 on progress achieved. According to European Commission (2014) "Increased wage transparency could improve the situation of individual victims of pay discrimination who would be able to compare themselves more easily to workers of the other sex". The Recommendation proposes that Member States implement at least **one** of **four** proposed measures to address pay transparency.

- First, to allow employees to request information on all aspects of pay that is disaggregated by gender, with reference to equal pay for equal work and of work of equal value.

⁴ Handels og Kontorfunktionærernes Forbund i Danmark v Dansk Arbejdsgiverforening (acting for Danfoss) [1989] IRLR 532, [1991] ICR 74.

- ▶ Second, large and medium sized companies are encouraged to report regularly on average pay by gender.
- ▶ Third, pay audits should be carried out in large companies, in cooperation with the social partners, and to include job evaluation systems used in the company.
- ▶ Fourth, the inclusion of equal pay issues and pay audits in collective bargaining.

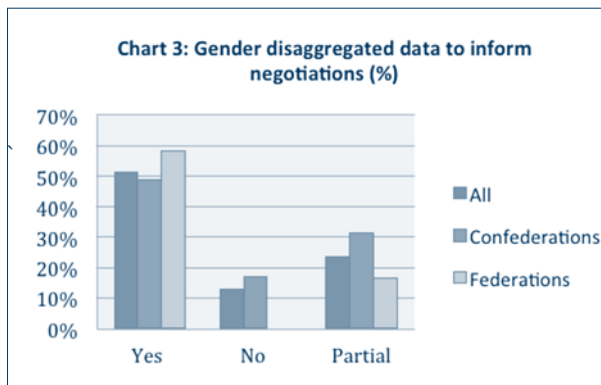
3.2 FINDINGS FROM THE ETUC 'BARGAINING FOR EQUALITY' SURVEY

The survey found that lack of access to transparent data on women's and men's pay is a major barrier to bargaining. In many cases workers and unions do not have access to pay information to enable them to ask questions about the gender pay gap and to have data to influence negotiations to reduce pay inequalities between women and men. Despite these problems, the ETUC 'Bargaining for Equality' survey reveals a number of good practices, including evidence that the quality of data improves when discussed and analysed jointly between the social partners. Legislation providing rights for unions to have access to gender disaggregated workplace data has been important to improving the quality and accessibility of workplace data, reported by unions in Austria, Belgium, Denmark and France.

Unions across Europe have approached pay transparency in different ways by taking account of three different types of data. First, is a calculation based on the difference between the average (median) hourly earnings of men and women. Second, is to go further by comparing pay data by grade and job type, which also takes into account the demands of the job. Third, is to take account of the difference between men's and women's starting salaries by showing an awareness of gender pay issues.

Access to gender disaggregated data to inform negotiations

Having access to gender disaggregated data is an important pre-condition for collective bargaining to reduce pay inequalities between women and men. **Just over half of unions responding to the survey stated that they had access to gender disaggregated data.** This is illustrated in Chart 3, with 49% confederations and 58% federations reporting that they had access to gender disaggregated data. However, even where this data is available, many unions reported that the quality of the data was low, incomplete or too general, with 23% reporting that they only have access to partial data.



Source: ETUC Survey 2013

A large number of unions report that there are significant barriers in gaining access to gender disaggregated data. In **Romania**, for example, companies rarely provide gender disaggregated data. In response the BNS confederation has taken active step to collect data from the Romanian Statistical Institute and through the **BNS Observatory for Labour Market and Job Quality**. The union has been active in providing this information to its affiliates through its Women's Committee and Network of Gender Committees. Similarly, the **Estonian Trade Union Confederation** states that unions face significant difficulties in gaining access to pay data from employers. Because most agreements are concluded at company level, national data is inadequate and not sector specific. The **Latvian Education and Science Employees' Trade Union** also mirrors these difficulties in gaining access to data; however, they argue that there is a very low level priority given to gender equality issues both within the union and across the economy. In **Liechtenstein** the **LANV** reports that there are no useful sources of pay data available to trade unions and government data is only provided for average pay rates at sectoral level, rather than by occupation. Nevertheless, the union has drawn on data for Switzerland and companies have been urged to use the **Swiss Logib system** to carry out self-evaluations in determining if there is a gender pay gap.

One way to overcome this obstacle is for unions to play an active role in monitoring and analysing data. In **Spain** the **CCOO** confederation has carried out periodic exercises to monitor statistics on gender-based wage inequalities, the results of which are made widely available to union negotiators, "so that they may be aware of the reasons for wage discrimination and of the means to eliminate them". This had enabled negotiators to be familiar with the criteria used in **company Equality Plans** and to inform equality measures in sectoral and enterprise agreements.

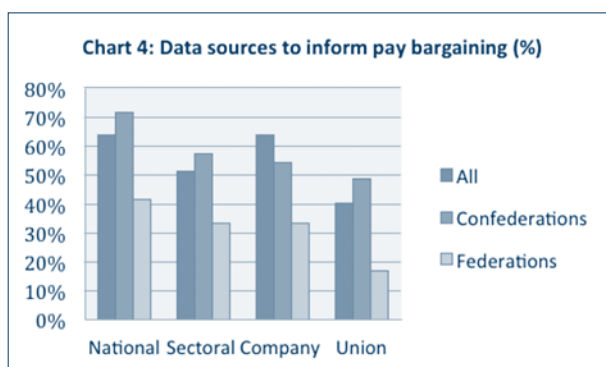
In Finland, Norway and Sweden unions have access to transparent data on the gender pay gap, and unions have the right to this information under their collective agreements, although this works better in the public sector than the private sector. In the public sector, according to EPSU:

Including the right to detailed information on the gender pay gap in collective agreements clearly offers significant benefits, as it makes the issue one that is subject to joint regulation rather than a decision by the employer or the national statistical office. It should also ensure that the information provided matches the area covered by collective bargaining, and helps unions assess whether the actions they are taking are effective. (2013: 12)

Types of data used by trade unions

The variations in the quality and quantity of gender disaggregated data available was identified as a particular problem when unions were seeking to integrate gender equality issues into pay bargaining at a sectoral level or within specific occupation groups. In particular, the survey found that **over half of unions responding to the survey had access to national data, compared to 45% who had access to sectoral data and 40% who had access to company level data.**

Chart 4 shows the main sources of data to inform pay bargaining. A much greater use is made of national and company data (64% national data, 64% company, 51% sectoral, and 40% union data and surveys). Overall confederations reported higher levels of use of all data sources, compared to federations.



Source: ETUC Survey 2013

Unions responding to the survey reported that data in the public sector was generally of a higher quality, although in some countries this data was partial or non-existent across specific areas of the public sector. This is confirmed in a recent study of the gender pay gap in the public services by EPSU (EPSU 2013).

Although the majority of unions responding to the EPSU survey had access to data on the gender pay gap, many did not have access to quality data, either because data was incomplete or not sufficiently detailed to enable unions to negotiate effectively. In **Germany**, for example, **Ver.di** stated that official statistics in the utilities and health do not distinguish between the private and public sector, and in Ireland the civil service union (**CPSU**) and the nurses/midwifery union (**INMO**) reported on an absence of data for the public sector as a whole and in the sectors in which they organise. This is in contrast to the Nordic countries and Slovakia, where national statistical offices give information on pay across different levels of government. In Spain the public service union **CCOO FSC** stated that although some limited data was available in central administration, this was not the case for the autonomous regions or municipalities. In some cases data is made available to trade unions from employers sources, which is the case for pay in central government in the UK and in France pay data is contained in the annual reports on the civil service. In other cases pay data is compiled from other sources. For example, three utilities companies in France collected data on the gender pay gap (EDF, GDF-SUEZ and AREVA). In GDF-Suez and EDF, **equality surveys** were carried out on the request of the **Equality Commissions** of the central works councils.

Unions that reported good access to gender disaggregated data commented on the vital role that this has played in their diagnosis of gender pay inequalities, providing evidence that can be used to persuade employers to take action and conclude agreements to reduce pay inequalities. For example, in **Sweden**, **IF Metall** negotiates agreements in the metalworking sector at sectoral and company levels. Access to gender segregated data at company and sectoral level enables the union to identify and act on unwarranted and unjustified differences in pay between men and women in similar jobs prior to the conclusion of pay agreements. Specific agreements have been negotiated on **workplace pay surveys**, which include provisions on access to data on pay inequalities between women and men, and on negotiated additional pay increases (in crowns rather than percentages) for low-paid female dominated jobs.

In **Austria** unions have relatively good access to company level gender segregated pay data to inform collective bargaining. The **ÖGB** states that the quality of wage data depends on the level of agreement. At a sectoral level data provided by government statistical sources is not always up to date. However, since the introduction of **income reports at company** level income transparency has improved and works councils can access data to enable them to assess the potential inequalities in the wage system. Unfortunately, works councils are not established in each company and women are rare in these bodies.

In **Belgium** the **ABVV-FGTB** reports on the value of the **annual report on the gender pay gap**, published since 2007 by the Belgian Institute for Equality between women and men. This has been hugely important in keeping a national lens on collective bargaining on equal pay, and is valuable because it also takes account of part-time work. The lack of pay data at company level led to union pressure on the government to introduce legislation, which was enacted on 22 April 2012 (as described in Section 2), with requirements that at the sectoral level the social partners should negotiate measures to reduce the gender pay gap and introduce gender neutral job classifications. At the company level, legislation is currently being implemented and covers the role of company boards in reporting on the wage structure, including pension schemes, every two years. In addition, an action plan on gender equality has to be drawn up. Employers have tried to oppose the measure on the basis that this imposes an excessive administrative burden. The unions have argued that the legislation, while being important, remains too narrow and does not include non-basic pay benefits such as company cars.

In **Iceland**, the Act of Equal Status and Equal Rights of Women and Men No. 10/2008 (as amended by Act No. 162/2010 and No. 126/2011)⁵ states that the social partners “shall work deliberately to bring women and men on an equal footing on the labour market”. Provisions are made to ensure that gender-neutral criteria are used in wage setting and that workers should be permitted to ‘disclose their wage terms’. The **special protocol on gender equality** negotiated between the social partners has been important in improving the quality of data at sectoral and company level, which the Icelandic Confederation of Labour is confident will lead to more and better pay data in the future.

Barriers to bargaining

Unions that reported an absence or limited gender disaggregated data stated that this was a major barrier to collective bargaining. For example, in Croatia where agreements in the metal sector are only concluded at company level, the UATUC affiliated Metalworkers’ Trade Union states that bargaining on pay inequalities between women and men is impeded by the lack of gender disaggregated data and no agreements have been concluded in this area. The Labour Act and the Discrimination Act, does however, stipulates a ban on pay inequalities between women and men. The Democratic Labour Federation of Cyprus (DEOK) states there is only partial access to gender disaggregated data at sectoral and company levels. This is relevant because women’s pay in female dominated occupations is low and the labour market is typified by significant occupational segregation.

Negotiating teams make use of any available data to argue for and negotiate to reduce pay inequalities between women and men, although this data tends to be very general.

Union roles in collecting and analysing gender disaggregated data

The ETUC ‘Bargaining for Equality’ survey found that some unions have played an active role in collecting and analysing gender disaggregated pay data themselves. For example, the Austrian manufacturing union **PRO-GE** reported on the value of the legislation in Austria, which has enabled the union to collect pay data, provided by works council members involved in income reports. Pay data from these surveys is gathered in branch-specific statistical overviews and used as basic data for collective bargaining in the different branches and subsectors. The income reports are now drafted in compliance with the new amendment to income transparency and have shown that company level pay inequalities are often caused by discriminatory job classification. The union argues that the income reports have become a valuable tool for works council members to demand and achieve equal job classification for female workers in individual companies.

The **Swiss confederation USS** has a tripartite project (2011-2014) ‘Dialogue on equal pay’, which provides companies with information to check on whether wage discrimination exists in their pay system. However, data is still limited and there has been a low impact on collective bargaining.⁶ The Czech-Moravian Confederation of Trade Unions **CMKOS** reports that access to transparent data is vital to concluding effective collective agreements at company and sectoral levels. Bargaining coverage is low and the economic crisis has led to a significant change for the worse in collective bargaining. The union has access to some gender disaggregated data at national, sectoral and company levels, and also collects its own data. National pay data (of Ministry of Labour and Social Affairs) and sectoral pay data are available on the Czech Statistical Office website. Union data are collected by sectoral trade unions.

Several unions have aimed to improve wage transparency and the quality of gender disaggregated data for collective bargaining by preparing their own data and studies. For example, in **Portugal CGTP-IN** has put in place strategies to improve the quality of data used by company level and sectoral bargaining teams, since much administrative data is incomplete and is not always gender disaggregated at sectoral and company level. The union’s project to improve statistical data (“Quadros de Pessoal”) to support trade unions negotiators, includes a plan is to build a database with more relevant indicators at enterprise level regarding gender equality and the gender pay gap.

5 See: http://eng.velferdarraduneyti.is/media/acrobat-enskar_sidur/Act-on-equal-status-and-equal-rights-of-women-and-men_no-10-2008.pdf

6 See: <http://www.dialogue-egalite-salaires.ch>

In respect of pay data, the **UK National Union of Teachers** (NUT) has made use of various sources of data including union surveys of members, official national level statistics, and surveys/reports published by independent sources. The data gathered has, at times, proved useful in helping the union promote its objectives in respect of better pay and conditions for all teachers, including women teachers, and in improving wage transparency.

Improving wage transparency has been a priority for unions in Germany where the gender pay gap is an average of 23%. The **DGB** reports that unions have implemented a number of measures to address this disparity by improving the quality of data available for collective bargaining teams. One example is the '**wage-indicator**' system, developed by the DGB's research institute (WIS) and Hans-Böckler-Stiftung.⁷ It provides a web platform containing a large data set covering 374 occupations which enable individual pay comparisons to be made to check if pay discrimination exists within the context of the Equal Treatment Act and European law on equal pay. The data is accessible to by employers, workers, works councils' representatives, collective bargaining teams and the government.

The Polish confederation **NSZZ Solidarnosc**, like other unions in Central and Eastern Europe continue to faces a hostile bargaining climate and a low level of collective bargaining coverage, with agreements predominantly taking place at company level. The union points to inconsistencies in data about wage levels between the Government Statistics office and data provided by the 'web indicator' webpage wynagrodzenia.pl. The lack of data on gender pay inequalities across the wage distribution has led employers to propose higher pay to men and lower pay to women on the same position, despite the provisions that exist on equal pay for the work of equal value and prohibition of discrimination in the Labour Code. Conversely the Labour Code puts the responsibility for preventing the discrimination in the workplace on the shoulders of employers; the effect is that "both sides - employers and workers think that this is not a matter for social partners to negotiate".

Box 1: Wage Indicator data

In the ETUC survey several unions referred to the usefulness of pay data provided through the WageIndicator Foundation. The WageIndicator Foundation, established by the Amsterdam Institute for Advanced Labour Studies (AIAS), University of Amsterdam, provides transparent data on pay and employment for workers and employers. Established in the Netherlands, the initiative now covers over 70 countries. The WageIndicator Foundation collects, compares and shares pay and employment information through surveys and desk research. It serves as an online library for wage information, labour law and career advice. In several countries WageIndicator projects have been established in partnership with trade union organisations.

Countries covered by WageIndicator data and surveys include: Austria, Belgium, Cyprus, Czech Republic, Denmark, Estonia, Germany, Finland, France, Hungary, Netherlands, Poland, Slovakia, Slovenia, Italy, Latvia, Lithuania, Luxembourg, Spain, Turkey, UK.

For further information on individual countries see:
<http://www.wageindicator.org/main/Wageindicatorfoundation/wageindicatorcountries>

⁷ For further information see: <http://www.eg-check.de>. See also WageIndicator data on women's pay: www.lohnspiegel.de/main/frauenlohnspiegel

The role of collective agreements on pay transparency

In addition to the examples given above, unions have prioritised pay transparency in negotiations. For example, the French metalworkers union **FO METAUX** reports on the importance of the national joint body (APEC), which carries out an analysis of data on wage gaps between women and men every three years. The data is compiled from companies where a legal framework sets out the data companies need to collect.

Unions in the Nordic countries report on the highest levels of transparency in pay data, which is often regulated through collective agreements setting out the type and content of national and sector-wide data. **Collectively negotiated data in Norway, Sweden, Finland and Iceland** has enabled unions to have good access to gender disaggregated data which has been important to their collective bargaining efforts to reduce pay inequalities between women and men. For example, in Sweden the LO reports that unions have access to good quality gender disaggregated data at all levels. In some cases the parties to the collective agreement have agreed on joint approaches to data collection in sectors covered by the collective agreements, and a commitment on the part of employers to provide disaggregated data on wages and working conditions. Since 2001 the national Mediation Institute has published **annual data on wage differentials from a gender perspective**.⁸

In **Norway** (see Box 2) data is prepared for coordination of collective bargaining rounds under the **tri-partite Technical Calculation Committee**, which includes a focus on gender pay inequalities and the gender pay gap across the economy and different sectors.

Box 2: Norway Technical Calculation Committee

In Norway the disclosure of data on wages is regulated by collective bargaining. Norway has a coordinated system for wage formation, agreed through bargaining rounds between the LO trade union confederation and the NHO employers federation. Industries in the manufacturing sector set the norm for other sectors, which results in a system of 'pace-setting' for the whole economy. Once an agreement has been reached bargaining commences in the public sector. LO plays a specific role in coordinating wage bargaining regardless of whether agreements take place centrally, in national branch organisations or sectorally. However, it is possible for wage increases to be agreed outside of the central unions /employers. Agreements normally last for two years, although provisions exist to adjust wage levels in line with inflation during the second year.

The **tri-partite Technical Calculation Committee** (TBU) on income settlements prepares detailed data for bargaining rounds, including gender wage developments, for different bargaining areas and levels. The Committee was created in 1967 and is a tripartite body made up of Statistics Norway, employer and union representatives and representatives from government ministries. The role of the Committee is to build and secure a common understanding of the economic situation to inform collective bargaining, while also reducing the possibility of conflicts. It creates a common ground for data and pay setting. Data is published in an annual report, which enables the parties to have a common understanding of the economic situation. There is a section on women's and men's pay and data sets out trends in pay. This enables strategies to be set out about closing the gender pay gap. For example, a strategy in central wage has been to priorities increases for low paid workers.

Distribution of local wage increases shows trends in the gender pay gap in specific industries. For example, between 2011 and 2012 there was a decline in the gender pay gap for blue collar workers, largely a result of 2010 pay increases in the fishing industry benefited women workers. In the retail sector data on the gender pay gap is explained by the entry of younger women coming in at lower rates of pay.

8 See Medlingsinstitutet (2013) Vad säger den officiella lönestatistiken om löneskillnaden mellan kvinnor och män 2012? Also available in English: http://www.mi.se/files/PDF-er/ar_foreign/eng_wage_differentials_2012.pdf

3.3 CONCLUSION

This section has shown that good practices exist in relation to union efforts to improve wage transparency, but problems exist in many countries. Good quality, gender specific data is vitally important for union negotiators. Some unions have been highly successful in concluding agreements and building capacity in sourcing and analysing gender disaggregated data as a basis for collective bargaining. Without access to this data, unions are often unable to challenge occupation segregation or the under-valuing of women's work.

Unions have suggested that collective negotiations for wage transparency should be enhanced by national and EU legislation, as recommended in the European Parliament's Resolutions (2008 and 2012b). A joint union-employer approach to transparent disaggregated pay data can build the quality of data collected; where this is underpinned by legislation employers can be forced to address pay transparency at workplace level. Several unions highlighted the importance of improving union capacity, for example, through guidelines and training, on how to collect and analyse transparent gender segregated wage data as a basis for negotiations.

The ETUC 'Bargaining for Equality' survey found that, in addition to provisions in collective agreements that specify wage transparency, unions had used three main types of negotiations to improve wage transparency, which are discussed in more detail in the next section. These include:

- ▶ Gender-neutral job classification systems, so that the system itself is transparent;
- ▶ Job evaluation, a tool to address gender pay discrimination based on the undervaluation of women's work that can result in better pay transparency;
- ▶ Equal pay surveys/income reports to identify and address pay gaps at workplace level.

The survey findings show a number of examples of agreements that have been negotiated on pay transparency. Finally, ETUC affiliates have identified a range of principles that should underpin transparency in pay systems. Although an individual's pay is confidential, these principles stress the importance of clear and accessible criteria about how pay is calculated and the level of the overall gender pay gaps. Box 3 identifies the main criteria that should underpin transparency in pay systems.

Box 3: Criteria underpinning transparency and non-discrimination in pay systems

- ▶ Pay systems are visible and clearly understood by workers and their trade unions.
- ▶ Clear information is provided about how pay is calculated. All components of pay (basic and non-basic pay) are clearly set out, with information about how each element of pay contributes to total earnings.
- ▶ Non-basic pay components are identified, e.g. overtime, allowances, discretionary payments, bonuses and other benefits in kind.
- ▶ Transparent gender-sensitive criteria are used when individualised pay rises or awards for performance related pay are made.
- ▶ Clear information is provided about the position of women and men within and across different grades or pay bands, and that a gender profile is given of part-time workers and where they are located across different grades or pay bands.
- ▶ Information is provided about the difference in overall average (median) pay by gender, as well as within each grade/pay band.
- ▶ Information is provided about differences in men's and women's starting salaries on entry, on promotion, performance related pay.
- ▶ Information is provided about grade and job type, by showing the differences between average basic pay and total average earnings of men and women by grade and job type.

SECTION 4: COLLECTIVE AGREEMENTS TO REDUCE PAY INEQUALITIES

4.1 INTRODUCTION

Collective agreements have been the main mechanism promoted by unions to reduce pay inequalities between women and men. The ETUC 'Bargaining for Equality' survey, however, shows that a strong regulatory framework on gender equality is important in providing a backdrop to collective bargaining. Notwithstanding the importance that unions attribute to autonomous collective bargaining, robust legislation on gender equality and more specifically requiring bargaining to reduce pay inequalities, has gained in importance in trade union action to reduce pay inequalities, and in particular in forcing employers to act jointly with trade unions in reducing gender pay inequalities.

However, it must be noted that the survey shows the contradictory role that legislation can play. On the one hand, legislation may provide strong incentives or requirements for the social partners to negotiate on gender equality issues at sectoral or company level. On the other hand, legislation may also seriously compromise the autonomy and influence of trade unions, as is evidenced in some countries that have been affected by the economic crisis. Section 2 documented the impact of the crisis and the attempts at EU, government and employer level to undermine autonomous collective bargaining.

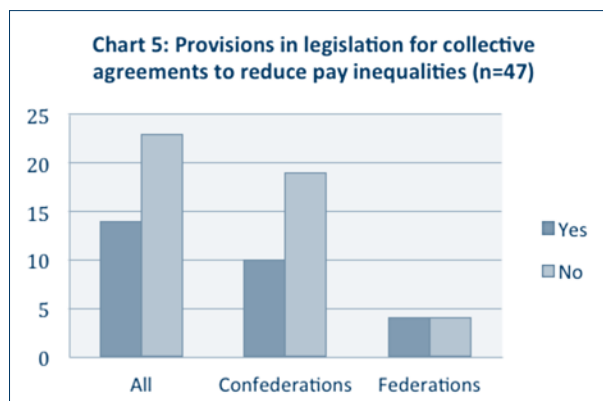
Some of the problems arise from the individualistic nature of European and national equality legislation, rooted in principles of individual rights, compared to the collectivist nature of collective bargaining which has the objective to set pay rates and progress equality across the economy and on the basis of 'class action'. Even where legislation has been introduced on social partner involvement, for example, through company equality plans or other related initiatives, unions report that this often takes place in a climate of decentralisation of bargaining and an undermining of trade union influence across the economy.

A consistent finding from the survey is that centralised and sectoral bargaining, which has an impact across the whole economy, is the most effective way that unions can implement actions to reduce pay inequalities between women and men. However, the survey also shows that significant progress can be made through company level bargaining in addressing core workplace equality issues that can be addressed, for example, through agreements for company pay audits/surveys and reconciliation measures of work and family life.

4.2 THE ROLE OF LEGISLATION IN PROMOTING EQUALITY BARGAINING

In several EU Member States legislation has been enacted to require the social partners to address inequalities in pay between women and men. As well as promoting a role in agenda-setting in collective bargaining (Briskin and Muller 2011), unions in some countries have actively campaigned for strengthened legislation in order to give legitimacy to and to require employers to negotiate workplace equality issues. In this context, many unions have campaigned for legislation as it has the potential to strengthen collective bargaining on gender equality issues. As Chart 5 shows around **one-quarter of unions responding to the survey stated that provisions existed in legislation for collective agreements to reduce pay inequalities.**

In general terms, most unions reported having provisions in Labour Codes and equality/anti-discrimination legislation on non-discrimination covering collective agreements, which is a common provision in equal pay legislation. Equal pay legislation, for example, in Cyprus, Ireland and the UK, contains specific provisions aimed at prohibiting discriminatory job classification systems and collective agreements. In Cyprus, **DEOK** reports that equal pay legislation is wide-ranging, with provisions that require collective agreements to have no direct or indirect pay/benefits that result in discrimination. The law gives a mandate to the Department of Labour in the Ministry of Labour and Social Insurance to monitor the implementation of the law and can request information from the social partners about gender inequalities in collective agreements.



Source: ETUC Survey 2013

SECTION 1

SECTION 2

SECTION 3

SECTION 4

SECTION 5

SECTION 6

APPENDIX 1

APPENDIX 2

APPENDIX 3

Some unions report that legislation has specified that the social partners should integrate gender equality into their negotiations, as is the case in France, which has helped to bolster collective bargaining on equality. In Finland, employers with 30 or more employees are required to draw up a plan to address pay inequalities, job classification and other conditions of employment in cooperation with trade unions. In Germany, the Works Constitution Act (Betriebsverfassungsgesetz) contains provisions stating that the promotion of gender mainstreaming is part of works councils' general remit. In many of these cases unions view legislation as being important in stimulating a climate of equality awareness within the social dialogue, and in persuading reluctant employers to take gender equality issues seriously. More specifically a number of countries have provisions in legislation requiring the social partners to negotiate to reduce pay inequalities, for example, through company level equality plans and income reports, and transparency in company wage systems. Examples of this, which are discussed in more detail below, includes equality bargaining in French, Spanish and Italian companies; company income reports in Austria; and equal pay surveys in Sweden.

Equality bargaining in French companies

French legislation⁹ requires the social partners to carry out negotiations to reduce the gender pay gap. Legislation passed in 2006 and amended in 2010, introduced compulsory bargaining on equality with a requirement to define and plan the steps needed to eliminate the pay gap between women and men. This requires that companies with 50 employees or more to produce an action plan, address the gender pay gap in enterprise agreements and report annually on measures taken to reduce the gender pay gap. Companies that have fewer than 300 employees must draw up agreements or action plans that include measures to address at least two of eight topics required for negotiations, and at least three topics for companies with more than 300 workers. The topics cover recruitment, training, promotion, qualifications and grading, working conditions, actual remuneration, work–life balance, and dialogue with the administrative authority to which the agreement or action plan must be forwarded to check with its legal compliance.

⁹ Legislation first introduced in 2001 'Genisson' law, and subsequently amended in 2006 and 2010, provides for the inclusion of equality into annual negotiations on matters of pay, training and work organisation, and in 2006 legislation (Act No. 2006-340) was extended to cover negotiations to reduce the gender pay gap. However, targets were not met and in 2010 legislation was introduced with some sanctions for employers not drawing up an equality plan (equivalent to 1% of the salary bill). The Labour Code provides for mandatory annual wage negotiations in companies, which must define and address the gender pay gap (Article L.2242-7). Branch collective agreements must include a clause on removing the gender pay gap (Act No. 2006-340).

The Review of Collective Bargaining, published by the Ministry of Labour in 2010 found some evidence of progress and of trade union involvement in company negotiations and in drawing up company action plans; however, unions in France report that few companies have implemented these requirements. Since 2013, the absence of provisions to reduce the gender wage gap in an agreement may lead the government to apply financial sanctions of 1% of the wages bill. In 2013 for the first time warnings were issued to 500 companies and fines imposed on five companies. The FO confederation stated that unions have been the driver in getting inter-professional level negotiations onto the policy agenda as part of an integrated approach to negotiations for 'quality of life at work'. However, there is a trend towards fragmentation and local bargaining, which the FO has opposed. These issues have become much more difficult to negotiate in the current economic crisis and there is poor enforcement of the legislation requiring sectoral and company level bargaining on equality, and often agreements lack substance.

Company equality plans in Spain

The 2007 Gender Equality Act (Ley Orgánica 3/2007, de 22 de marzo, para la igualdad efectiva de mujeres y hombres) puts a legal obligation on companies with more than 250 employees to adopt gender equality plans with a focus on access to employment, job classification, promotion, training, pay, working time, the reconciliation of work and family, and sexual harassment. The state gender equality body, Instituto de la Mujer, has drawn up a guide to help companies adopt gender equality plans, with a particular focus on tackling gender pay inequalities. However, the majority of companies fall outside of the scope of the legislation, since companies with less than ten employees account for 38% of all employment.

The two main trade union confederations in Spain, CCOO and UGT, have played a very active role in promoting gender equality and gender mainstreaming through dedicated gender equality departments, policy commitments and by giving a focus to pay inequalities in collective bargaining. Although collective bargaining principally focuses on working time and pay, unions have also attempted to get issues such as sexual harassment onto the agenda. Since 2007 unions have played a specific role with regards to company equality plans. According to the CCOO, equality plans at sectoral and company levels vary in the extent to which they address all indicators that lead to pay inequalities, the majority of which have been negotiated and signed in the private sector. The CCOO stresses the importance of sectoral collective bargaining agreements to address pay inequalities between women and men, the conclusion of which has led to some important gender equality gains.

Continuing problems, however, exist with regards to eradicating gender inequalities in specific job categories or to uncovering discrimination in wage setting across professional wage categories. Despite these problems, the social partners have a legal obligation to negotiate Plans for Equality and in cases where this is mandated for in the sectoral Collective Bargaining agreement. The CCOO argues that companies will not be profitable if they “keep 40% of the workforce in a discriminatory situation if the purpose is to maintain in-house talent. Equality ultimately brings about certain financial advantage to companies, such as access to fair hiring mechanisms and better social recognition”.

The Spanish MCA-UGT metal, building and related sectoral union reports that the legislation has given the social partners a new role in formulating company equality plans, including the creation of equal opportunities committees between the employer and trade unions to negotiate the plan. The union is positive that trade unions will play active roles in the future in the committees that will be responsible for the final agreement of the plan. MCA-UGT has also promoted the negotiation of equality plans in all enterprises regardless of their size. The union monitors the pay conditions of workers through periodical reports and controls the pay system (wages, premiums, bonuses etc.). In addition, the union monitors career development in the company in order to check whether women have achieved positions of responsibility. MCA-UGT is currently checking the first reports of equality plans that have been completed. However, they appear not to have led to any significant reductions in pay inequalities. Good results are evident in actions against gender violence, sexual harassment and on the reconciliation of work and family life.

Trade unions are playing active roles in negotiating equality plans across a variety of sectors, with a specific focus on combatting direct or indirect pay discrimination. However, getting companies to comply with the findings of an equality plan is a challenge. One example is the department store El Corte Inglés, which employs large number of female workers in low paid and low level positions. The company has a wide gender pay gap and has been repeatedly served with notices of violation by the Labour Inspection services and has been issued rulings from the National Appeal Court for non-compliance with provisions set out in the Equality Plan.

Legal framework on equal opportunities bargaining in Italy

Legislation (Legislative Decree 198/2006) evolved from a strong tradition of social dialogue and tripartite agreements, which in turn has provided a backdrop to collective agreements on gender equality. It obliges employers with more than 100 employees to produce a report focused on gender equality. A fund exists to promote equal opportunities (Law no. 248 /2006).

The framework on positive action has resulted in a range of national and company agreements that have aimed to improve women’s qualifications, working conditions, access to under-represented areas of employment and reconciliation of work and family life. Many national and company agreements now contain clauses on gender equality and positive action, including the establishment of a bipartite Equality Commissions at regional and company level which have the role of implementing the legislation on positive action (Schiek 2012). A specific focus has been given to reconciliation measures, for example, in giving women and men the right to request flexible or part-time hours. A database of collective agreements has been established by the National Council for the Economy and Labour (CNEL).

The three Italian confederations, CGIL , CISL, and UIL report that despite a positive legislative framework on equal opportunities and positive action, collective bargaining at the national, sectoral level and company level is the best way to promote best practice and to implement the legislative framework on equal opportunities. However, the unions report that the economic crisis has seriously compromised collective bargaining, especially in the public sector, making it harder to negotiate workplace conditions that benefit women’s part-time work and flexible working time.

Company income reports in Austria

In **Austria** the 2011 amendment to the Equal Treatment Act introduced provisions to tackle the gender pay gap and achieve transparency in workplace pay systems. This was highlighted as a priority in the 2008 national action plan for Equality between Women and Men in the Labour Market. This is an important issue as Austria has one of the highest gender pay gaps in the EU, which stood at 23.7% in 2011. Since 2011, companies with more than 1000 employees have been required to produce an income report every two years, which aims to make pay transparent and to make adjustments to close the gender pay gap. This was extended to companies with more than 500 employees in 2012, companies with more than 250 employees in 2013, and with more than 150 employees in 2014. The Austrian Trade Union Federation (ÖGB) and the Chamber of Labour actively participated in the development of these measures to improve the transparency of pay. The income report for each company has to be forwarded to the works council and in companies that do not have a works council the report has to be made available to all employees. The income reports are based on the occupational groups set out in collective agreements for each company. Given that collective agreements cover 95% of all employees, this applies to most companies. In the absence of a collective agreement, the income report must cover the pay levels set out in the company’s salary structure. In the event that no salary structure exists, the employer is required to set out the occupational groups in the company.

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The **Ombudsman for Equality** has the role of providing income data, building capacity and assisting companies in making their pay data transparent. The Austrian Ministry for Women's Affairs, in partnership with the social partners and the Ombud for Equality has produced a number of resources including a manual setting out how the income report should be drafted and how data should be calculated. A leaflet and guidance for works councils and information seminars for employers have also been introduced. A wage calculator¹⁰ has been developed to help employers draw up income reports, enabling them to calculate the appropriate pay level by qualification, occupation and other factors. It can also be used by employees so that they know what the correct pay levels should be in their current jobs or when attending a job interview. The calculator takes into account education, work experience and the type of work carried out. From this data it is possible to identify the differences in women's and men's pay for equal work or work of an equal value. Both tools offer the potential for greater transparency in pay systems. They are intended to raise awareness amongst employers and employees about the causes of and solutions to closing the gender pay gap. However, there are no sanctions to enforce companies to address the pay inequalities identified in the income reports. Despite this, by the end of 2011 around two thirds of companies had carried out income reports within the required timeframe.

In addition in Austria, the Works Constitution Act requires the social partners to address equal opportunities in collective agreements, and includes provisions for works councils to establish equal opportunities committee and to conclude agreements at company level. The GPA-DJP and VIDA trade unions have expressed support for the idea of having a **special round of collective bargaining to address the persistently large gender pay gap in Austria**. The GPA-DJP has suggested that special negotiations could take place three times over a 10-year period, where employers and trade unions discuss detailed pay figures for their sector and come up with concrete measures to reduce pay inequality between men and women.

Equal pay surveys in Sweden

The pattern of wage setting in **Sweden** is based on autonomy from the state, which means that the social partners regulate and agree on wages and working conditions. **Equal pay surveys** were introduced under the **Equal Opportunities Act in 1994**, and were widely seen as a departure from the Swedish pay bargaining model.

¹⁰ For more information about the wage calculator see: http://ec.europa.eu/justice/gender-equality/files/exchange_of_good_practice_de/discussion_paper_austria_de_2011_en.pdf

In 2001, amended legislation was introduced, with specific instructions on how pay differentials were to be surveyed and analysed, and required employers to draw up action plans to remedy those that could not be justified. The law requires that employers provide transparent data on women's and men's pay and terms and conditions of employment in order to identify differences in pay at workplace level. The legislation applies to the wording of collective agreements, fringe benefits and criteria for assessing performance of workers, and puts responsibility on the social partners to incorporate the pay survey provisions into the negotiation of collective agreements.

Changes introduced in 2009, which were criticised by unions at the time, resulted in the scope of the legislation narrowing, a measure the government argued was necessary to reduce the administrative and time costs on employers. Since 2009 pay surveys are required only every three years, with action plans only applying to employers with 25 employees or more (previously ten employees or more), and with a requirement to only update action plans at least every three years. Provisions include analysis of pay differentials between women and men carrying out equal or similar work, with the aim of showing differences in wage spread and wage growth across a company, as well as a requirement to carry out an analysis of equal pay for work of equal value in lower paid work that is dominated by women and higher paid work that is dominated by men. Any differences in pay that are identified have to be justified on an objective basis; any differences that cannot be justified have to be addressed in the action plan.

According to the National Mediation Office (2008) the law accords the social partners an important role in negotiating agreements on equal treatment, equal pay and workplace pay surveys. Clauses in union agreements that give priority to female dominated jobs have been instrumental in leveling out pay differentials between women and men. Employers are required to cooperate with workers and their unions in establishing, analysing and disseminating findings from pay surveys, and unions are allowed access to company pay data for this purpose. Unions have actively cooperated in the formulation and implementation of pay surveys. The Act specifies that pay data should be provided to employees to enable comparison to be made on the basis of equal work and work of equal value. Overall, collective agreements have resulted in better pay transparency and improved social partner understanding about the use of objective principles in determining equal pay.

In Sweden, the **Equality Ombudsman** has a responsibility to support and monitor pay surveys. Between 2001-2008 pay surveys covered one-quarter of all employees in the Swedish labour market. Positive impacts of the pay surveys include pay adjustments for women in female dominated occupations.

A further survey of 600 employers found that 60% of employers had adjusted pay or introduced other measures to achieve equal pay for work of equal value. Pay adjustments covered 5,800 employees, 90% of which were women; and one third of employers had introduced other steps to achieve equal pay including professional development, training in pay setting for managers and measures to enable more women to gain senior positions. Sweden has one of the most gender-segregated labour markets in the world and unions argue that jobs dominated by women continue to be systematically under-valued, even though women on average are better educated than men.

4.3 MAIN FEATURES OF COLLECTIVE AGREEMENTS TO REDUCE PAY INEQUALITIES BETWEEN WOMEN AND MEN

Three general themes emerge from the ETUC 'Bargaining for Equality' survey regarding the scope and type of agreements that have been negotiated by trade unions to reduce pay inequalities between women and men.

First, is that all respondents to the ETUC survey showed an awareness of and attached significant importance to the goal of gender equality. This is attributed to a much greater awareness and understanding of gender inequalities, including occupational segregation. Different elements of this progress include:

- ▶ Increasing feminization of unions (where women make about 45% of ETUC membership);
- ▶ Evidence of a greater priority in union decision-making structures of the need for union policies and strategies focused on gender equality;
- ▶ The important influence of EU gender equality legislation;
- ▶ The strong commitment from the ETUC on gender equality;
- ▶ Some key EU social dialogue achievements, such as the European Social Partners' Framework of Actions on Gender Equality (ETUC et al. 2005) and the CEMR/EPSU (2007) Guidelines on drawing up gender equality plans in local and regional government.

Many unions that had not negotiated agreements to reduce pay inequalities stated that this related to lack of collective bargaining coverage and low employer engagement, rather than a lack of commitment to the goal of gender equality.

Second, is that there are differences across unions in relation to their negotiating strategies.

Unions representing workers in countries with a high gender pay gap (principally in northern and western European countries) have inevitably put more influence on the structural causes of pay inequalities, such as the under-valuing of women's work, occupational segregation and women's low pay. In contrast, unions representing workers in countries with a low gender pay gap (principally countries in eastern and central Europe) have different strategies, often primarily focused on low pay, increasing minimum wages across the whole economy, and implementing policies on reconciliation of work and family life. In many cases the social dialogue at the national level is a mechanism to negotiate sectoral minimum wages, particularly where bargaining coverage is low. Legislative provisions on equality bargaining and the coverage and level of collective bargaining were also identified as important factors influencing capacity to bargain for equality.

Third, is that a significant number of unions have taken a broad-based approach to reducing pay inequalities between women and men, in some cases reflecting awareness that the structural causes of gender pay inequalities require a multi-faceted approach. The survey found that agreements on reconciliation and training/career development represent the most common issues negotiated with employers, as these are issues that are often provided for in national legislation and/or have been given a high profile in national and EU policy. It could also be argued that reconciliation of work/family life and training/career development for women represent relatively 'soft' areas of bargaining that employers are willing to engage with, in comparison to reducing pay inequalities directly through pay bargaining structures. It also reflects evidence that employers are often willing to negotiate on workplace innovations, including training and career development for women, when they are seen to have an impact on the competitiveness of the company (Wolf and Heinze 2007, Eurofound 2012a, 2012b).

The ETUC 'Bargaining for Equality' survey found that **more than half of unions had negotiated agreements specifically focussed on reducing pay inequalities between women and men.** A larger number stated that they had attempted to integrate aspects of gender equality into their main agreements, or that agreements were non-discriminatory and benefitted women and men equally. In some cases specific **gender mainstreaming strategies** had been put in place to ensure that agreements were gender-sensitive, and some unions, for example, in Spain and Finland, have monitored agreements in this regard.

The survey collected over 100 examples of national, sectoral and company level collective agreements that had an explicit objective to reduce gender inequalities in pay between women and men.

Appendix 3 gives a summary of the agreements collected, which cover a range of issues, including agreements on gender disaggregated data, increases in pay for low paid workers, negotiating increases in minimum wages, pay increases workers in female dominated industries, job evaluation/job classification free from gender bias, reconciliation of work and family life, and career development and training. Some of the agreements cover specific/single issues such as pay audits/company surveys, job evaluation/job classification, reconciliation, training or career development. Others cover a wide spectrum of equality issues that impact on pay inequalities.

The survey asked unions to report on the types of agreements that they had negotiated in order to reduce pay inequalities between women and men. **As Table 4 shows agreements on reconciliation of work/family life were reported by nearly half of all unions responding to the survey**, followed by 38% who had negotiated agreements on training and career development for women. Fewer unions had introduced measures that directly impacted on pay bargaining, for example, by integrating gender pay inequalities into existing negotiations or pay agreements.

In this context, the most commonly reported agreements were those that awarded **pay increases to lower paid workers** (reported by 30% of unions) and additional **'equality' allowances awarded to low paid workers in female dominated sectors** (19% of unions). Just over a quarter of unions had negotiated agreements to improve the **transparency of pay systems/job classification systems** and 23% had negotiated agreements concerning workplace **pay audits/pay surveys**.

Agreements on **job evaluation to address the low value of women's work** were reported by 21% of unions, while a small number (4%) had negotiated agreements on **performance related pay**. Just over one-fifth of unions stated that they had addressed pay inequalities through other types of agreements. For example, in Germany, the DGB reported that the transposition of the EU Directive on Temporary Agency Work (2008/104/EC) had led unions to conclude agreements to increase the wages of agency workers, many of whom are women, principally through agreements for agency staff negotiated for 2013-2017.

Table 4: Collective agreements to reduce pay inequalities between women and men

	Confederations	Federations	All
Reconciliation of work/family life	51% (18)	42% (5)	49% (23)
Training and career development	43% (15)	25% (3)	38% (18)
Pay increase low paid workers	34% (12)	17% (2)	30% (14)
Low pay of women in female dominated sectors	26% (9)	0%	26% (9)
Transparency in pay systems/job classification	26% (9)	25% (3)	26% (12)
Pay surveys/pay audit	23% (8)	25% (3)	23% (11)
Job evaluation/low value of women's work	20% (7)	25% (3)	21% (10)
Gender sensitivity in performance related pay	6% (2)	0%	4% (2)
Other	6% (2)	25% (3)	11% (5)

Source: ETUC Survey 2013

A large number of unions have negotiated on a broad-based approach, which is evident in company equality agreements in France. The **Confederation of Unions for Professional and Managerial Staff in Finland, AKAVA**, negotiates agreements at sectoral and national levels. With access to relatively good levels of gender disaggregated data the union states that this provides negotiators with tools to point out

gender biased wage groups, which it then prioritises in negotiating wage increases. Agreements have covered a wide range of topics, including pay increases for low paid workers and for workers in female dominated jobs, transparency in pay systems, job evaluation free from gender bias, workplace pay surveys, and working time policies.

The survey similarly found that labour inspectors will have a new role in identifying infringements under gender equality legislation in Lithuania, Latvia and Cyprus. In Latvia, the LBAS reported on an agreement with the state’s labour inspectorate, which is being implemented in five centres and with the support of a labour law consultant.

Challenges faced by unions in collective bargaining

Table 5 sets out the main challenges that unions are currently experiencing in addressing pay inequalities between women and men.

The table is based on questions that asked unions to rate whether they felt the challenges in each area were low, average or high.

Overall, unions report a larger number of high challenges in all areas, compared to low or average challenges. The highest challenge is the lack of pay data on women’s and men’s pay at sectoral or company level, followed by the trend towards the individualisation of bargaining and an increase in low wage sectors. Many unions reported that low and deteriorating levels of collective bargaining coverage and the impact of the economic crisis underpinned many of these problems, as discussed in Section 2 on the economic crisis.

Table 5: Challenges identified by unions in negotiating to reduce pay inequalities between women and men

Ranking of the main challenges identified by unions (%)	Low challenge	Average challenge	High challenge
Lack of awareness on gender equality by union negotiators	31%	34%	35%
No union strategy or commitment to address the gender pay gap in collective bargaining	43%	23%	34%
Low level of collective bargaining coverage	26%	15%	59%
Lack of government or employer commitment to promote the social dialogue	19%	18%	63%
Trend to individualisation of pay (individually negotiated)	15%	12%	73%
Economic crisis has led to a lower priority being given to gender equality	18%	19%	63%
An increase of low-wage sectors	10%	17%	73%
Lack of transparency in pay and grading systems	20%	15%	65%
Lack of pay data on women’s and men’s pay at sectoral or company level	12%	8%	80%

Source: ETUC Survey 2013

Even in the countries with the most extensive bargaining coverage, challenges still remain. Women workers in the private sector, in non-unionised workplaces and particularly women migrant workers and domestic workers, were often out of the reach of collective bargaining. Several unions made reference to low and sometimes exploitative levels of pay of migrant women workers and domestic workers and underlined the importance of governments ratifying the **ILO Convention 189 on decent work for domestic workers**.

In Turkey, the main problem is that many women work in the informal sector and are not protected by either legislation or collective agreements. **LO-Norway** reported that in some private services that employ large numbers of women there is low collective bargaining coverage, making it difficult to keep up wages. This is in part related to the fight against social dumping, where migrant women workers often receive lower rates of pay and poorer conditions of employment. At the same time high-wage earners, mostly men, have a higher degree of individualised pay outside the reach of collective wage bargaining.

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However, LO-Norway's collective bargaining strategy to increase the pay rates of low paid women workers has largely been successful with the "degree of low paid women still decreasing in Norway". In **Luxembourg**, the Labour Code (Article 162-12) specifies that equal pay for men and women must be included in collective bargaining agreements. An analysis of collective agreements by Ecker (2007) shows equality tends to be treated in a general way in agreements, with many containing general clauses that go no further than making reference to equal treatment between men and women and/or that the collective agreement will apply the principle of equal pay. The most recent collective agreement in the banking sector in Luxembourg, however, stipulates that the banks will give access to career breaks and parental leave and make a commitment to carry out an Equality Plan (Diallo and Plasman 2011).

Low collective bargaining coverage is a particular challenge for some unions in eastern and central Europe in concluding agreements on equality. For example, in **Estonia**, the main challenge is low trade union density and collective bargaining coverage, which makes it very difficult for unions to have an impact on gender equality. Despite this at the confederal level, training has been carried out for member organisations on gender issues and the gender pay gap. In 2011 a handbook was drawn up on collective agreements and how to negotiate on gender equality. The confederation reports that collective bargaining takes place mainly at enterprise level, which is insufficient to address the problems associated with women's low pay. At company level there have been less than 200 agreements. Large numbers of workers (97%) work in SMEs, where there is no trade union and no agreement. In health care the main issue is wages and ensuring that agreements are extended to all workers. Only two sectors – road transport and health – have concluded agreements which have extended minimum wages, which the union argues has benefited women workers.

Lack of engagement with and commitment by employers to negotiate on gender equality issues is another major challenge, which according to one union response, "let the unions off the hook". In **Hungary**, the Democratic League of Independent Trade Unions LIGA and the Autonomous Trade Union Confederation VDSZ both report that low pay and basic livelihood problems are the main subjects of collective bargaining. These issues have not been looked at specifically in relation to gender equality and the gender pay gap and there have been no agreements specifically dealing with inequalities in pay between women and men. The unions argue that low level of collective bargaining coverage and limited access to gender disaggregated data makes it more difficult to bring the issue onto negotiating agendas. The Cypriot confederation **SEK** similarly reports that it has not concluded pay agreements specifically designed to reduce pay inequalities between women and men, although agreements on reconciliation measures have

been concluded. One of the challenges since the economic crisis is that "equality issues are not considered a priority". However, the issue of equal pay for work of equal value has been discussed in the framework of social dialogue in Cyprus and the social partners are committed to introduce measures to reduce the gender pay gap. SEK has suggested that a **memorandum of understanding between the social partners** should be agreed to show the obligation by employers to apply equal pay legislation as well as a Code of Conduct to analyse wages and improve wage transparency, which should be accepted by the Ministry of Labour and Social Insurance.

Some of the most significant challenges are experienced by unions in Turkey. The confederation, **HAK-İŞ**, reports that although trade union rights are guaranteed under labour law, in practice there are serious obstacles to their effective implementation. Unregulated and unrecorded unemployment is a serious issue affecting around 50% of workers; in some sectors, such as textiles this rises to 80%. In the last years, there have been large layoffs of workers and workers have limited job security. Collective agreements only apply at enterprise level where specific thresholds have been established, including a condition to have more than 50% union membership (40% in companies with more than one workplace) before a union can engage in a collective agreement. Another problem is that only members of trade unions benefit from collective agreements. The union reports that there is a low level of participation of women in collective bargaining teams and men lack the awareness to negotiate on women's work issues. The union cites evidence of men being paid higher rates of pay than women in comparable jobs, even though women are better educated.

4.4 RECONCILIATION OF WORK, FAMILY AND PRIVATE LIFE

Many unions reported on the challenges arising from significant social, economic and demographic changes in Europe and many have prioritised policies on reconciliation of work and family life, including provision of childcare. In some cases unions have been instrumental in pushing for legal rights to request to work flexible hours exist (as is the case in Germany, the Netherlands and the UK) and in concluding agreements at national, sectoral and company levels that take account of working time over the lifecycle (Fagan, Hegewisch and Pillinger 2006; Anxo et al. 2013) and in promoting gender equality (Eurofound 2006, 2010 and 2012b). Evidence from previous ETUC studies (Pillinger 2006 and 2010) shows that social partnership can forge innovative approaches to working time through joint problem-solving and joint solutions.

Reconciliation of work and family life is increasingly recognised to be a fundamental principle of gender equality, progress towards the achievement of which has been embodied in a wide range of EU policy measures, including the European Commission's Strategy for Equality between Women and Men 2010-2015 which reinforces the commitment to promote non-discriminatory gender roles and reconciliation of work and family life. The EU has played a very important role in shaping policies for work/care reconciliation policies through the EU social partner agreements, including the 1996 Directive on Parental Leave and the revised 2010 Directive on Parental Leave¹¹ and the 1997 Directive on Equal Treatment for Part-Time Workers.¹² Other relevant measures are the 1993 Directive on Working Time¹³ and the 2002 Barcelona Council targets on childcare.¹⁴

Closing the gender pay gap and particularly the pension pay gap is inextricably linked to reconciliation policies that enable women to enter and stay in employment (Eurofound 2010 and 2013). This requires integrated policy approaches as suggested by the Commission of, "A reconciliation policy mix comprising flexible work arrangements, a system of family leave, including strong incentives for fathers to take on more family responsibility and the provision of affordable and quality care" (European Commission 2013: 12). The Barcelona objectives on childcare and implementation of sustainable care policies for the future are crucial if EU and Member States' policies are to promote sustainable and equal growth and achieve the 75% employment target in the context of the Europe 2020 strategy and the European Strategy for Growth and Employment. Even though persistent gender gaps exist across all indicators, reconciliation policies have contributed to increasing employment rates of women. However, evidence shows that labour market participation of mothers has had a limited effect on the rate of child poverty, where households without children have made larger income gains (OECD 2011) and that women with children experience a 'wage penalty', resulting in a wider gender pay gap (Eurofound 2012b). The ETUC has been calling for a comprehensive strategy covering all policy areas, from investments in childcare and elderly care facilities to introduction of new family leave Directives, such an entitlement for paternity leave at EU level (ETUC 2006 and 2007).

11 Council Directive 96/34/EC of 3 June 1996 on the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC and Council Directive 2010/18/EU of 8 March 2010 implementing the revised Framework Agreement on parental leave concluded by BUSINESSEUROPE, UEAPME, CEEP and ETUC and repealing Directive 96/34/EC

12 Council Directive 97/81/EC of 15 December 1997 concerning the Framework Agreement on part-time working concluded by UNICE, CEEP and the ETUC.

13 Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time

14 See: http://ec.europa.eu/invest-in-research/pdf/download_en/barcelona_european_council.pdf

Collective agreements and social partner negotiations have achieved flexible working arrangements to promote parental leave and shared family time, and shorter working hours to enable workers to have greater control over the use of their time (Plantenga and Remery 2006, Eurofound 2012, Pillinger 2006 and 2010). For example, policy and legislation in the Netherlands has encouraged both men and women to reduce working hours and take up longer part-time work. The ETUC 'Bargaining for Equality' survey shows that unions increasingly recognise the importance of the greater participation of fathers in childcare, which requires better legal provisions, embedded and extended in collective agreements, to compensate parental leave and in ensuring that flexible working hours and workplace organisation are conducive to supporting parents' care responsibilities, and particularly to encourage men to take leave. The transposition of the revised social partner framework Directive on Parental Leave (Directive 2010/18/EU) will, therefore, be important in extending the length of parental leave for working parents to four months, with the provision to incentivise fathers to take leave (whereby at least one of the four months cannot be transferred to the other parent). The Directive also acknowledges the level of income as one factor that influences the take up by parents, especially by fathers and is important given the low take up of parental leave by men (European Commission 2012b). However, significant barriers remain in many Member States where legal entitlements to parental leave continue to be unpaid. In the ETUC survey unions in some countries reported that women's shorter working hours and difficulties in reconciling work and family life were the biggest barriers to gender equality.

As Table 5 above shows **the highest number of agreements were concluded on reconciliation of work and family life**. Overall, 49% of unions responding to the survey had concluded agreements in this area (51% of confederations and 42% of federations). They cover three broad areas:

- ▶ Reconciliation measures implemented as either stand-alone collective agreements or as part of broader collective agreements on equality, working time and/or pay;
- ▶ Agreements that specifically regulate working hours, flexibility in working time, rights of part-time workers and rights for workers with parental responsibilities to increase or decrease their working time and leave arrangements for parents, including additional rights for fathers to enable them to participate in family life;
- ▶ Agreements that have been instrumental in extending rights to reconciliation, for example, under parental leave or maternity arrangements, beyond the provisions that exist in national legislation.

In **Bulgaria**, the **CITUB** and **Podkrepa** argue that negotiations for agreements on work-life balance for women workers is an area that employers have been willing to engage in order to retain qualified women workers. Collective agreements on pay have had little impact on reducing pay inequalities between women and men which has led trade unions to focus on agreements to increase minimum wages, improve social benefits, women's maternity benefits, and enhance the reconciliation of work and family life. Podkrepa argues that "We are convinced that collective bargaining has a key role to play in addressing gender equality issues, including pay gaps. For that reason we are insisting on the negotiation of benefits 'packages', which can impact on indirect discrimination". Significant gender inequalities exist in Bulgaria and unions have strong focus on protecting women workers, promoting women's equality and rights to maternity protection. In particular, concerns about demographic change and low fertility rates have led some companies to introduce measures to support working mothers in the workplace. Two examples of agreements negotiated by Podkrepa, which have extended annual paid leave for mothers are summarised below:

- ▶ A Sectorial Collective Agreement was concluded on 27 October 2011 between the company Irrigation Systems Plc and Podkrepa trade union federation. It provides for enhanced annual leave for working mothers (additional three days paid annual leave for mothers with two children under the age of 18 years; extended to five additional days for mothers with three or more children under the age of 18 years). Leave may be taken when the employee requests it and cannot be compensated for in cash, except in case of termination of the employment relationship.
- ▶ An agreement between the Bulgartransgaz EAD, a Bulgarian state-owned joint stock company and the Podkrepa trade union, led to mothers with children under 18 years being entitled to additional paid annual leave for each calendar year (additional four days paid annual leave for mothers with two or more children, which has been extended to six days paid annual leave).

In **Turkey** **HAK-İŞ** highlights the absence of childcare as a major barrier to women's participation in the labour market. The confederation has been involved in a project on improving working conditions for women through the social dialogue. The legislation states that if there are more than 150 workers in a workplace an employer has to provide a crèche; however, the confederations states that employers get round this by employing 149 workers. The project has focused on smaller workplaces through the provision of a pilot day care centre. In the light of difficulties in concluding agreements in this area, it is a good example of a result that the union has achieved outside of the scope of collective bargaining.

In some cases agreements have been negotiated and extended at company level as a result of enabling legislation. This is the case in **Italy** where the framework of gender equality legislation and good levels of bargaining coverage has resulted in a discrete number of company-level agreements on reconciliation of work and family life. In **Norway**, unions have also addressed structural inequalities related to part-time work and leave; for example, in the metalworking sector in 2012, an agreement secured two weeks leave with pay for fathers (as exists in public sector).

LO-Sweden argues that, in addition to parental leave as a key union strategy, the role of social security, welfare and access to affordable childcare are key issues; however, these tend to be dealt with at a political level. Speaking at the ETUC's Stockholm seminar one The confederation argues that if men and women have equal earnings men would be more likely to take parental leave, as a result the confederation has put in place a number of measures. An agreement between **LO-Sweden** and the **Confederation of Swedish Employers**, as part of the 2013 round of negotiations, led to the introduction of a parental supplement based on a new collectively agreed insurance scheme. The agreement was particularly targeted to the negotiating areas that are dominated by women and led to an increase parental leave from 150 days to 180 days, with the additional provision for all parents to have the right to visit the maternity clinic twice during working hours. The national parental leave insurance compensates for some 80% of the wage reduction up to a wage of about SEK 37 000 a month. The insurance is jointly funded in the form of a fixed premium contributed by all employers covered by the agreement. The agreement replaces the payments for parental leave introduced under previous agreements and effectively doubles the length of time during which employees receive additional payments from the employer on top of state-provided parental leave pay. The unions see that increasing payments for parental leave will encourage more men to take parental leave.

Another approach taken in negotiations is to give recognition to parental leave as qualifying periods that should be taken into account in pay increases in collective agreements. This has been the approach taken, for example, by unions in Austria and Sweden. The **PRO-GE** union in **Austria** states that this has been "an important step towards reducing pay inequalities between men and women [and gives] recognition of the unpaid leave taken by parents in collective agreements". In this context the union reports that taking into account qualifying periods for wage increases in collective agreements will continue to be a priority in the future. Some agreements have also specified that pension contributions should be maintained during parental leave, as is the case for example with agreements in Bulgaria.

In **Luxembourg** a 2005 agreement in the banking sector included provisions for the terms of parental leave to count as employment when decisions are made about promotion. In **Denmark**, the HK union reports that collective agreements in the public and private sectors now contain clauses on securing pension contributions for parents on maternity or parental leave. The union has prioritised the equal sharing of parental leave by women and men to be an important focus of future collective agreements.

Unions in **Italy** have put a high priority on sectoral and company agreements on reconciliation of work and family life, as part of the objective to change the social and cultural environment, and gender stereotypes. For example, the vision of the manufacturing union, **FILCTEM** (CGIL), is to achieve broad **social, economic and cultural change** through the empowerment of women in the workforce and across society (see Box 4 below). One of the issues facing women in Italy is that welfare cuts introduced through austerity measures has impacted on women's participation in the workforce. **CISL**, for example, argues that corporate welfare, with a focus on reconciliation of work and family life, is not only central to gender equality but also to business success. One of CGIL's demands is to invest in the welfare system and provide equal and universal rights for women on the basis that women can have more control over their lives. **A Memorandum of Understanding for the promotion of positive action to facilitate the reconciliation of work and family life** was signed in 2014 in the Marche Region between the unions **ANCI, UPI, CGIL, CISL, UIL** and the main employers' associations. This has been very important to affirming the need for the sharing of family responsibilities between men and women to be promoted through second-level collective agreements, with a particular focus on flexible work schedules and work organisation that promote the reconciliation of work and life. The unions are of the view that negotiating agreements in this area is vital in defending women's jobs.

CGIL, CISL and UIL have negotiated a number of successful agreements with large companies such as ENEL, Nestle/San Pellegrino and Bitron. For example, an agreement with the energy company under the corporate welfare agreement '**People Care in ENEL**', covers wellbeing and health, family care, flexible working time, and women's progression into managerial positions. The agreement has a specific focus on flexible working, including teleworking and parental leave. An agreement with **Nestle/San Pellegrino** has been concluded on teleworking and parental leave, including increasing parental leave and compensation for men. Agreements since the 1990s have been negotiated with the electronics company **Bitron** on flexible working time and the rights of part-time workers, where one of the first enterprise agreements on flexible working hours was agreed in 2009.

Box 4: FILCTEM negotiations in the manufacturing sector for a 'social gender equality' company model

The Italian manufacturing union, FILCTEM, has promoted a change in negotiations models and a shift in culture to take account of gender inequalities in negotiations in second-level bargaining. Examples of areas where gender equality has been integrated in agreements include childcare, maternity benefits, flexible working time and working time shifts that are relevant to the age of children and family responsibilities, rights of workers with parental responsibilities to shift between part-time and full-time work, teleworking, and training for women returning from maternity leave. In some large companies additional family and welfare measures have been negotiated in areas such as childcare, support for families with care responsibilities for older people. This has been particularly important in the textile sector where 62% of workers are women.

The union's strategic priority is to achieve cultural change by integrating a gender perspective in defending women's jobs and negotiating sectoral and company agreements. The focus is on changing the organisation of work and occupational segregation. This is particularly important as women's jobs are increasingly insecure and temporary. The starting point is that bargaining and collective agreements are not gender neutral, particularly in the context of the crisis. If bargaining meets the needs of women, it has a multiplier effect that benefits everyone. FILCTEM, together with the other main sectoral unions, has negotiated a large number of company agreements with employers in the manufacturing sector (textiles, chemicals, rubber/plastics and the utilities), where women represent 40% of all workers. Sectoral agreements have been assessed for their gender impact, enabling the union to integrate gender equality concerns into the negotiation and renewal of 30 national sectoral agreements and a range of company agreements. Agreements have been negotiated with many of the large manufacturing companies, including multinational companies including Bridgestone, Gucci, Luxottica, L'Oreal and ITC Farma. Agreements at company level have a specific focus on reconciliation measures addressing the broader context of women's social roles.

This 'social gender equality model' has involved an analysis of how gender equality had been

addressed in sectoral and company agreements across five domains: 1) flexible working hours; 2) training; 3) support measures to supplement the family economy; 4) working time, the reconciliation of work and family life, and childcare; and 5) the organisation of work. The union has carried out gender impact assessments of agreements in the manufacturing sector and cites 40 good practice agreements that have integrated gender issues across these domains. Practical tools and checklists for companies have been drawn up on how to integrate gender considerations and reconciliation measures into agreements. The union believes that gender equality can only be achieved if negotiators take account of the broader social context of women's public and private lives.

Speaking at the ETUC 'Bargaining for Equality' conference in Vilnius in 2013, Delia Nardone, National Secretary from FILCTEM said that: "The objective has been to address gender stereotypes and suggest a different cultural model, by carrying out an analysis of agreements we have been able to show no collective agreement is gender neutral". She went on to argue that "by promoting a different social and organisation model for bargaining we have persuaded employers that women are a resource for employers. Gender equality is an objective that we must all reach".

A recent survey by **IG Metall** in Germany as part of its 'Act Now' campaign showed that women wanted more time to balance work and family life. In recent years in Germany, the unions have been more focused on reconciliation of work and family life. IG Metall has negotiated agreements to extend parental leave across the metal and electronics industries (Knüttel 2013). In a survey carried out by IG Metall two-thirds of works councils state that this was an important issue, although to date only 15% of agreements concluded by works councils had contained measures on reconciliation. IG Metall has made a commitment to prioritising reconciliation of work and family life as an objective for the union for the 2015 round of negotiations. In addition, the union has negotiated many agreements with companies on flexible working time and working-time accounts. The union argues that agreements leading to reduced working time of 35 hours a week have been beneficial for parents.

4.5 MINIMUM WAGES AND PAY INCREASES FOR LOW PAID WORKERS

Unions have long argued that increasing the pay of low paid workers and introducing minimum wages can have a significant impact on reducing the gender pay gap. Minimum wage setting takes place in three broad areas: 1) **statutory minimum wages** determined by legislation; 2) **extended minimum wages** set through collective agreements for a region, industry or professional group; 3) and **collectively agreed minimum wages** negotiated with employers based on an employers' minimum ability to pay. The latter has predominated in countries with no statutory minimum wage, for example, in Germany and the Nordic countries.

Although the type of minimum wage setting varies from country to country evidence shows increasing minimum wages has the potential to reduce the gender pay gap (Grimshaw et al. 2013, Rubery and Grimshaw 2011, Eurofound 2013). Countries that collectively agreed minimum wages have a smaller low-pay segment and greater protection exists for part-time and temporary workers (Eurofound 2013 and 2014). Research from **Belgium**, for example, shows that when minimum wages go up earnings inequality and the gender pay gap decreases (Vandekerckhove 2012). Some unions, however, argue that alone this is too general a strategy to address the structural causes of the pay gap.

The increase in the **risk of in-work poverty** across Europe disproportionately affects women workers (European Commission 2010, European Commission 2014b). Nearly one-third of the working age population is defined as being working poor, many of whom are women (European Commission 2014b). More than 8% of European workers live on salaries that are below the European poverty threshold, which particularly affects countries with an uneven earnings distribution and low minimum wages (European Commission 2012c). In some countries low statutory minimum wages has led many unions to prioritise campaigns for living minimum wages. In **Bulgaria**, for example, 42.6% of women, compared to 37.4% of men, are low-paid. In this context, the minimum wage can play a role to improve women's income situation (ILO 2012). In **Romania**, up to 2011, the national minimum wage was set in consultation with the social partners and formed the starting point for wage bargaining, which has now ended. According to trade unions in Romania, the minimum wage remains below the subsistence minimum, where minimum wages are one-fourth of the average wage, compared to half the average wage in Ireland.

Part-time workers who are predominantly women earn significantly lower hourly wages than full-time workers. Low minimum wages and a failure of some countries to increase wages for the lowest paid workers, perpetuates the gender pay gap (Eurofound 2010). The growing risks of in-work poverty led to a European Parliament Resolution (2010) on the role of minimum wages in promoting an inclusive society and a proposal in 2012 by the European Commission to introduce minimum wages across Europe and to raise them where possible in order to reduce the social dumping and the ‘race to the bottom in the cost of labour’.

Nearly three-quarters of EU Member States have some form of statutory national minimum wage, in the remainder of countries sectoral collective agreements have set minimum pay rates, as exists in Austria, Denmark, Finland, Germany, Italy, Sweden, Norway and Cyprus. However, the coverage rates of agreed minimum wages in low-paid industries, which predominantly employ women, are much lower in Germany and Norway. In Norway, for example, 68% of workers in retail and 50% of workers in the hotel/restaurant sector are covered by minimum wages in collective agreements. In Germany coverage is lower, with around 50% coverage in textiles/clothing, 55% in retail and only 36% in personal services (including hairdressing). In several countries, including Norway, Germany, Italy and Finland, collective agreements can extend minimum wages to non-organised employers. However, the European Commission has recommended that countries with relatively high minimum wages should lower them; as recommended in Greece as part of the Troika programme.

As Table 5 above shows **nearly one-third of unions had negotiated agreements on minimum wages and to increase the pay of low paid workers**. Examples of union negotiations for minimum wages that unions reported would have a significant impact on women’s low pay include:

- ▶ The **ÖGB and its affiliated unions in Austria** have a long-standing demand for a gross monthly minimum wage of €1,500 in collective agreements concluded by the social partners, corresponding to an hourly gross rate of €8.70. If introduced this would benefit around 600,000 employees, half of whom would be part-time workers and about 70% of them women. Unions had negotiated a minimum wage standard of €1,000 in all sectoral collective agreements in 2008.
- ▶ Some unions have negotiated occupation or sector specific agreements to guarantee minimum wages for women low paid workers. For example, in **Ireland the services union SIPTU** negotiated an employment regulation order for contract cleaners, protecting the minimum rate of pay of €9.50. The agreement has been

critical to taking wages out of competition and to avoid placing unionised contractors in an uncompetitive situation. The constitutional status of the Registered Employment Agreement (REA) structure, which legally protects the pay rates and conditions of employment of tens of thousands of workers throughout Ireland, is now in doubt following a Supreme Court judgment, delivered in May 2013, declaring REAs as unconstitutional.

- ▶ The **DGB and affiliated unions in Germany** have campaigned for many years for mandatory minimum wages, which has been a focus in negotiations to increase the wages of low paid workers. For example, the services union **Ver.di** negotiated sector-specific minimum wages in low-wage sectors in 2008 (e.g. in the care and waste sectors). However, employers have been reluctant to implement agreements. The union also included a flat rate element in its public sector pay negotiations for national and local government workers, in addition to the percentage increase, which resulted in higher percentage increases for low-paid workers. In the first year this led to a pay increase of €50 plus 3.1%, which was worth 7.11% for employees at the bottom of the scale, compared to a 4.02% for workers at the top of the scale. The current target rate for the DGB and its affiliates is €8.50 an hour. The mandatory minimum wage is due to be introduced by 2017, on the basis of legislation currently being discussed in the German parliament.
- ▶ In **Lithuania the Solidarumas confederation** report that bargaining at the national level through the Tripartite Council has been an important mechanism for minimum wage setting. After a longer period of negotiation the monthly minimum wage increased by 18%, following a five-year pay freeze. The union has begun to negotiate at a sectoral level, but there have been some backward moves as employers failed to recognise the negotiations.
- ▶ In **France, the CGT** reports that an annual tri-partite meeting is held to discuss the minimum wage level, based on indexing to purchasing power and average wages. Negotiations on minimum wages also take place at sectoral and company levels. However, the recommendation of the European semester to freeze pay and reduce minimum wages is, according to the CGT, a breach of tri-partitism and threatens to widen the gender pay gap.
- ▶ **NSZZ Solidarnosc in Poland** has negotiated with the government to increase the minimum wage to the level of 50% of average earning. One key role that the union has played is to intervene in courts to ensure that unpaid wages are paid, since the economic crisis has led to a considerable increase in unpaid wages and wage rises not being honoured.

- ▶ In the **UK**, union pressure led to the introduction of a national minimum wage in 1999, with a positive impact on women low paid workers. Recent union campaigns for a Living Wage have emphasised the impact that this would have on women workers. It is calculated on the basis of the amount households need in order to have a minimum acceptable standard of living, currently £7.65 (€9.10) nationally and £8.80 (€10.50) in London. According to EPSU (2013) member UNISON, as a result of their campaign, at least 34 Local Authorities in England and Wales have implemented the Living Wage.
- ▶ In **Spain**, trade unions have had a long-standing objective to raising minimum wage levels by increasing pay in the **Minimum Interprofessional Wage** tables set annually by the government. This has led to the introduction of specific targets in sectoral collective and company-based bargaining on the regulation of minimum wage levels, in addition to defending equality in job categories and wages, promoting the reduction of occupational segregation, and seeking improved access for women to training and promotion.

Unions in **Belgium, Austria, Sweden and Italy** have negotiated agreements to protect the rights of domestic workers (ETUC 2011). In **Belgium**, for example, an agreement between the social partners led to a commitment to negotiate on wages and working conditions of domestic workers. In **Italy**, the first collective agreement on domestic workers dates back to 1974 and has been revised every four years. It covers a broad range of issues related to pay and conditions of employment of migrant workers. The **Swiss** ETUC affiliate **SGB/USS**, negotiated a national “standard work contract”, setting out minimum wages and working conditions for domestic workers. In **Spain**, the **CCOO** confederation reported that in 2012 a proposal was put forward to improve the minimum pay and negotiations on the new regulation for domestic workers after their recent incorporation to the general Social Security system. The union has promoted this as a target for some time and this has resulted in major improvements in the working conditions and social protection rights of domestic workers. CCOO and UGT demand nominal annual increases above purchasing power indicators in order to set a mid-term scenario.

4.6 INCREASING THE WAGES OF WORKERS IN FEMALE DOMINATED SECTORS

Occupation segregation is widely regarded by many unions to be a major cause of the gender pay gap. Some unions have addressed the problems associated with occupational segregation and the undervaluing of women’s work by targeting additional wage increases for workers in female dominated sectors.

In this approach workers in female dominated sectors are awarded above average pay rises, on the basis that this is needed to redress the historical under-valuing of women’s work, occupational segregation and collective bargaining strategies that traditionally awarded higher average pay rises to male workers.

As the Table 5 above shows **26% of unions responding to the ETUC survey stated that they had negotiated specific wage increases for women in female dominated sectors**. These have been exclusively negotiated by union confederations and have been designed to ‘raise the floor’ by increasing the pay for low paid workers in the sectors and occupations that are female dominated. In some cases, unions have targeted low paid women’s sectors for additional pay increases. The **Icelandic Confederation of Labour** had prioritised additional pay increases for low paid workers in their negotiations for collective agreements both in 2008 and 2010. Additional payments for low paid workers were negotiated, mainly in female dominated groups in unskilled or semi-skilled jobs in the health and care sector. During the economic crisis the Confederation of Labour sought to protect these groups from further pay cuts.

This approach has been taken by public sector unions in **Bulgaria, Denmark, Germany, Norway, and the UK**, on the basis that improving the pay of low paid women’s workers had a significant impact on reducing pay inequalities (EPSU 2013). This has ranged from strategies to delete the lowest grades in the public sector in Denmark and in local government in the UK, to negotiation flat rate pay increases for low paid public sector workers in Germany. In the UK, the wage settlement for local government workers led to a deletion of the lowest pay grades, resulting in a 2.3% increase for workers who moved up to the next grade. The NIPSA public service union in Northern Ireland negotiated an equal pay agreement in 2010, which led to workers in three main grades moving to a new pay structure, resulting in higher wages for predominantly female workers. In Bulgaria, improvements in the pay of women in female dominated jobs were achieved in the health sector in 2011. In the health sector, where salaries of nurses are very low, the KNSB health service federation negotiated additional pay increases for nurses.

In Norway, following pay increases for low paid workers in the public sector, the **Norwegian Gender Equality Commission** recommended targeted pay increases for female-dominated occupations in the public sector. However, the public sector unions **Ver.di in Germany** and **Kommunal in Sweden** state that in recent years employers have been reluctant to increase the pay of low paid workers through flat rate increases. In other sectors pay increases for low paid workers have been negotiated.

In **Ireland**, **MANDATE** retail workers trade union has negotiated agreements for improved pay and decent work for workers in the predominantly female-dominated, low paid and part-time retail sector. An agreement in 2013 was reached for a 3% pay rise for workers in the department store Dunnes Stores, who are predominantly women. The union is seeking a similar increase for the 4000 workers in the Penney's retail chain.

The development of special funds – **'Equality Allowances'** – is one approach taken to addressing pay inequalities, whereby an additional equality budget is negotiated in a collective agreement. Examples of agreements in Finland, Sweden and Norway targeting workers in female dominated jobs through equality allowances are given below.

- ▶ **In Finland 'Equality allowances'** have been introduced to improve the pay of female-dominated and low-wage sectors. The size of the equality allowance depends on the extent to which jobs are female-dominated or low-paid. 'Equality allowances' were first introduced in the 1988-2005 collective bargaining rounds for specific sector agreements. An equality allowance of 2% was awarded for employees in female-dominated occupations in the public sector, of which 1.5% is allocated to low-paid employees. The 2007-2010 collective agreement for the municipal pay sector included equality allowances for female dominated jobs and low-paid jobs. In the government agreement for 2007-2010, 0.2% of the government payroll was used to reduce the gender pay gap. In the government sector a 0.2 % equal pay allowance was calculated on the basis of an equal pay index, which measured the pay of women and men in specific departments or agencies. This approach has continued in the most recent bargaining round, with sectoral agreements awarding 0.5 % of total wage costs to reduce pay inequalities between women and men (2012-2014).
- ▶ **LO-Sweden** has also negotiated an **'Equality allowance'** for female dominated occupations. This has been a core element of the framework of LO-Sweden's wage coordination where national unions coordinate their demands ahead of the national union negotiations at sectoral level. The most successful approach to reducing pay inequalities has been in adjusting wage differences between sectors dominated by women and men. This began in the 2007 wage negotiation round where an 'equality fund' was established to equalise wages in addition to the general demands for wage increases. The size of the fund was decided in each negotiating sector depending on the number of women who earned less than SEK 20 000. The negotiations at national union level resulted in agreements of three years' duration, during which time the largest negotiated wage increases were achieved in the retail and municipal sectors, both of which are dominated by women. In the 2013 round of negotiation, the LO national unions' coordinated demands continued this focus on the lowest wage earners in the big negotiating areas dominated by women.

The 2013 agreement specifies that in all national agreement areas that have lower average wages than SEK 25 000 a month, will have a minimum increase in crowns instead of percentages. LO see the introduction of flat-rate increases as another way to reduce the percentage difference between low-paid female-dominated jobs and other male-dominated jobs.

- ▶ **In Norway**, unions have negotiated higher pay increases for women in female dominated sectors in the public and private sectors. In the 2012 pay negotiations in manufacturing, the LO reports that the employers side attacked the increases for low paid workers. An agreement negotiated by the State Mediator resulted in the conclusion of agreements for additional pay for low paid workers in female dominated sectors. The General Collective Agreement of the State has a chapter on local agreements on the basis that, "Where documented salary differences cannot be explained by other than sex, the employer shall, in consultation with the unions fix wage differences according to the Equality Act".

4.7 ACHIEVING TRANSPARENCY OF PAY

The ETUC survey found that agreements in relation to **pay surveys/income reports were reported by nearly one quarter of unions**. Examples of company level agreements to carry out pay surveys/company reports were cited in **Austria, Denmark, Sweden, Finland and the UK**. In those countries where pay surveys/income reports are required in legislation, for example, Austria, Sweden and Finland, it has been easier to conclude collective agreements with employers on equal pay (as described in Section 4.2). For example, in Sweden, trade unions play an active and cooperative role in designing and implementing workplace pay surveys, provisions for which are now frequently included in collective agreements.

In **Austria**, legislation requiring companies to undertake income reports has been progressed through sectoral agreements, which have specified the type of data that should be analysed and presented. Of relevance is that the quality of the wage data is dependent on the level of the agreement (sectoral or company level). Trade unions have played an active role in integrating income report provisions into collective agreements and in training and supporting members to analyse data from the income reports. Important learning from the Austrian experience is that works council members, who have gained experience in analysing income reports and in identifying potential inequalities in the wage-system, are in many cases not automatically members of bargaining teams.

The implementation of **Danish** law on equal pay led to the negotiation of some important agreements in 2010. For example, the **DK** union has negotiated a number of agreements with municipalities in carrying out equal pay surveys in municipalities. One example is the 2010 collective agreement for the municipalities, which negotiated provisions and criteria prior to carrying out pay surveys.

4.8 GENDER-NEUTRAL JOB CLASSIFICATIONS AND JOB EVALUATION

Agreements on pay transparency concluded on **gender-neutral job classifications and job evaluation schemes were reported in just over a quarter of unions** responding to the ETUC 'Bargaining for Equality' survey. Good practice examples of agreements on gender-neutral job classification and job evaluation were cited in **Belgium, Iceland and Finland**. EPSU (2013) has also documented examples in the public sector, including the Dutch job evaluation system in the health service, which has contributed to securing higher pay for care workers.

Some unions, for example in **Belgium, France, Sweden and the UK**, have implemented job evaluation using objective criteria and analytical criteria (based on the factors of skill, effort, responsibility and working conditions), including guidelines for negotiators. In **Cyprus** specific training has been provided for Labour Inspectors and the social partners on **job evaluation free from gender bias**, under an EU funded project on equal pay.

One approach taken by trade unions is to use collective bargaining to end discriminatory pay systems by introducing **gender-neutral criteria**. For example, in **Finland** the new **transparent pay system** introduced in 2008 contained gender-neutral criteria on job-evaluation and performance-based pay. Some unions have drawn up guidance on how to ensure neutrality in job classification systems and job evaluation schemes. The **Belgian** unions cite the important role played by the Institute for Gender Equality in this regard, which has recently included union involvement in drawing up **gender neutral job classification systems** (see Box 5 below). In the UK, the introduction of new pay and grading systems, under the **Agenda for Change** health sector agreement and the **Single Status Agreements** in local government, used gender-neutral job evaluation to address the under-valuing of women's work and to remove unfair or discriminatory payment structures. In **Germany**, negotiations and strike action by workers in municipal social and child care services resulted in an agreement for a new pay and grading system and negotiations are to commence in 2014 with the aim to remove remaining discrimination in the system.

Box 5: Negotiations for gender-neutral job classification in Belgium

The law of 10 May 2007 to fight against the discrimination between men and women sets out a strong legal framework on gender equality. It obliges the intersectoral, sectoral and company social partners to take action to address the gender pay gap. According to unions in Belgium this has provided a legal framework for agreements on job evaluation free from gender bias and undervaluation of women's work. Since 1999 the social partners have been committed to equal pay for work of equal value through gender-neutral job classification. Legislation on equal pay passed on 22 April 2012 introduced the "Obligation to negotiate measures against the wage gap at the sectoral level." Provisions in the legislation include:

- ▶ Companies to provide a breakdown wage data and for companies with more than 50 employees an action plan is required; companies are required to appoint company mediators;
- ▶ Collective agreements are to be entered into at company level to provide non-discriminatory classification systems;
- ▶ At sectoral level, comparisons of labour costs with neighbouring countries will also require a report on the gender pay gap;
- ▶ At sector level collective agreements must be concluded if it is not already the case, and joint committees are required to draw up gender-neutral and non-discriminatory job classifications.

The Belgium unions report that requirements to introduce job classification have been poorly implemented; part of the problem is that job classification is very complicated and there has been difficulty in reaching agreement on the criteria that should be used. The unions argue that there is a need for better indicators and **gender-neutral criteria** in order to carry out equal value comparisons.

In this light a set of guidelines on '**Gender neutrality in job evaluation and classification**' has been drawn up by experts from the unions for the Institute for the Equality of Women and Men in Belgium (Pardon and Biard 2013). It contains explanations and checklists on gender-neutral job classification systems, with a scoring system to ensure that gender neutrality is achieved. Detailed guid-

ance is provided on introducing a job evaluation project, preparing job evaluation, describing jobs, evaluating jobs using objective criteria, and developing a gender-neutral job classification system. Six broad criteria (with sub-criteria) have been drawn up for carrying out gender-neutral job analysis based on an analytical method (knowledge and qualifications, problem solving, responsibilities, communication, team work and team management, and the working environment).

Of importance is all jobs are based on the same criteria, which have been important in addressing overlooked areas of women’s skills in traditional female sectors. This approach will be important in the future to raising the value of women’s work and in ensuring that women’s skills are not disregarded. The unions in Belgium are of the view that collective agreements will be vital in the future to implementing gender-neutral job evaluation, particularly at a sectoral level. Additional guidelines draw up by the unions have had a specific focus on preparing negotiators for the implementation of the legislation.

Increasing the value of women’s work has been a key strategy for trade unions in France. In 2004 a **job evaluation grid for assessing the equivalence of women’s and men’s work** was drawn up. Trade unions were motivated to increase wages, but employers saw it as an opportunity to reduce wages. This led the FO to question the strategy because it had been formulated with the potential to reduce wages for women. The FO argued that in the absence of gender-neutral criteria there is a danger that women’s pay could deteriorate. Because there was a fixed pay budget, employers argued that increases in women’s wages would have to come from a reduction in men’s wages. However, FO argues it is important to have corrective measures to address women’s low pay, but not at the cost of men’s pay. FO has drawn up a checklist of issues that are relevant to mitigating the gender pay gap – the question they pose is how to translate the tool into reality? This raises some important questions about how the grids evolved and how qualifications are rated in pay grids. In this context, French unions argue that it is important to have objective criteria that address the under-valuing and the overlooking of women’s skills (such as problem solving tasks, emotional-care skills, multitasking, extension of technology in administrative work, time management etc.). The French confederation **CFDT** has similarly suggested that gender-neutral criteria need to set out job classification grids in order to avoid widening pay inequalities.

The CFDT reported that plans have been put in place to test out new criteria, and a guide to gender-neutral criteria has been drawn up by experts in cooperation with unions to identify a methodology for detecting discriminatory criteria in job classifications.

However, the ETUC survey found that in some countries unions have had difficulties in applying the principle of ‘work of equal value’ because of the absence of a legal definition and/or difficulties in implementing equal value. In some cases this was explained because there were no specific tools in place to carry out gender-neutral job evaluation, in others cases union argued that decentralised bargaining may make it difficult to identify a comparator in making a comparison between two jobs based on equal pay for work of equal value. Occupational segregation, increased outsourcing (which has particularly affected women’s jobs) and difficulties in accessing information on the comparator, were identified as major barriers. Lack of wage transparency, particularly in the private sector, has made it difficult to identify unequal pay for work of equal value. In some countries legislation does not refer to prohibition of discriminatory job classification systems, which under a separate survey of affiliates carried out by the ETUC (2012a) found that four countries (Belgium, Spain, Lithuania and Sweden) had no definition of “work of equal value” in the legislation. Unions in these countries stated that this leaves the concept vulnerable to differing interpretations and uncertainty and is a barrier to establishing equal pay for work of equal value. The unwillingness of employers to address equal pay for work of equal value issues was highlighted by a number of unions, and in some cases labour market conditions are used as a basis for unequal pay.

A **lack of instruments or agreed methods** to carry out gender-neutral job evaluation was highlighted by a number of unions. In the Czech Republic the Labour Court has suggested that there needs to be a guide to job evaluation and a catalogue of jobs with descriptions, based on different criteria and classes of job. Overall, unions believe that **job evaluation free from gender bias** is very important and trade unions need to have access to pay and job information from employers so that it is possible to write wage rates for every job into collective agreements. Many unions stressed the need for clear guidance, including precise legal definitions, on gender-neutral job evaluation tools and methods in order to address the under-valuing of women’s work.

4.9 PERFORMANCE RELATED PAY

The trend towards the individualisation of pay is expressed as a concern by many trade unions, who point to the lack of transparency in awards made for performance. For example, in **Germany Ver.di** has been opposed to performance related pay and some agreements in the public sector have eliminated them. Performance related pay has become more commonplace in the **public sector in the UK**, particularly in higher paid, professional jobs. In **Estonia**, the large gender pay gap is in part explained by the individualisation of pay and linking pay to productivity, in addition to the low bargaining power of unions.

Making visible the criteria behind an award of performance related pay has become an important subject of trade union negotiations in some countries. Smith (1996) found that performance related pay could amount to 6% of the gender pay gap. However, some unions have argued that greater transparency in performance criteria and their application can have important benefits for women's pay, particularly in some professional job categories.

LO-Sweden's position is to avoid the individualisation of wages and considers collective methods through central level agreements to be the best for wage setting. This is on the basis that lower paid workers do not benefit from individualised approaches, in contrast to higher paid worker. LO argues that a class perspective is important, as women lack strong negotiating powers, which has led the LO to prioritise the leveling out of wages through higher pay rises for lower paid workers. However, some unions in Sweden question whether this strategy may potentially disadvantage women in higher-paid public sector jobs.

The Swedish local government union **Vision** concluded a four-year pay agreement in 2012, providing general pay increases of at least 2.6% in the first two years, to be followed with individualised pay increases in the final two years of the agreement. The union believes that individual increases will enable workers to secure higher pay increases, which will be a fairer system that will reduce the gender pay gap. The agreement requires that the employer makes awards based on a transparent assessment of the competencies and performance in the work carried out and the pay received. It is planned that guidance and tools will be developed to enable employers and unions to evaluate jobs in this regard.

A similar approach has been taken by **SACO**, the confederation representing professional employees in Sweden. The union has established a goal to reduce the gender pay gap through a greater focus on transparency in the individualisation of wages. This has included the development of a wage search tool for university staff, which provides an assessment of qualifications and wage levels, drawn up on the basis of information provided by members and employers.¹⁵ It sets out average wages and the spread within

professions, enabling the union to see what people earn and whether they get the market rate for the job carried out. The union argues that this forms the basis for good agreements, but it is up to individuals to negotiate their wages. Pensions and holidays are also part of the package and there are options for workers to change a wage increase for more holiday time, according to an individual's needs. SACO sees the individual wage development as being positive for women. The union pressed for this transparency in pay on the basis that individually negotiated pay rises, which predominate in this sector, varied widely, tended to benefit men, and were not transparent or based on clear criteria.

4.10 HOW AGREEMENTS WERE NEGOTIATED

The ETUC 'Bargaining for Equality' survey asked unions to report on how agreements were negotiated and how the case was made to employers about the need to address pay inequalities between women and men. Many unions stated that this was the result of many years of lobbying and campaigning, both internally within the union and externally with employers to take gender issues seriously. Several unions reiterated the importance of the European Social Partners "Framework of Action on Gender Equality" (2005), which established the political objective of collective bargaining as a tool for gender equality, while others highlighted the importance of equal pay and gender equality legislation in setting out a legal framework as backdrop for collective bargaining.

Most unions stated that the first steps to negotiating agreements on the gender pay gap were made as a result of policy decisions on gender equality in union decision-making bodies and union Congresses, which were key to creating a broad base of union support. Many unions stated that they had had **long-standing campaigns and lobbying**, which were important to formulating the case with employers. In Iceland, for example, the two agreements signed by the employers, resulted from research and data collection by the **Icelandic Labour Confederation**. This led to a dialogue with the Employers' confederation where data on gender pay inequalities was presented, with the outcome that employers were persuaded to conclude agreements on pay inequalities between women and men. Having a strong evidence base was also reported to be crucial in persuading employers to take gender equality seriously in agreements, as the **CGT in France** also states. The unions in France have based their arguments on a detailed analysis of company reports on women's and men's pay, working hours, training, hiring, career development, job qualification and classification. On this basis they have been able to define where discrimination and inequality exists, which in turn becomes the evidence base for their claims.

¹⁵ See: <http://www.jusek.se/About-Jusek/>

In **Austria**, gender mainstreaming was included as a policy priority in the union's work plan adopted by the Joint National Committee in 2008. This led unions to cooperate with national Equality Bodies and NGOs in concluding a national agreement with the government, which remains in force today. **LO-Sweden** has raised the issue of the structural causes of unequal pay and the unequal valuing of women's and men's work within the union and with employers. In a country with a highly gender segregated labour market these issues have taken priority in discussions with the employers. LO-Sweden has, for example, also pointed to the fact that the legitimacy of the whole system of collective agreements partly rests on the fact that the social partners can alter antiquated wage relation systems that are considered profoundly unjust by most wage groups.

In some cases unions have had to make a strong case to and provide guidelines and training for **union negotiators**, and then to use this to persuade employers about the importance of reducing pay inequalities between women and men. For example, a **Belgium study** by CSC / Hiva / FTU (2010) on "The gender perspective in the social dialogue at sectoral level" specified the importance of a gender perspective in general and across sectors. It set out the main areas for action, recommendations for collective bargaining and this was followed by a awareness raising campaign, publication of brochures and factsheets for negotiators. The **ACV/CSC** reports that good progress has been made in implementing the recommendations. Another example from the **Belgium union CNE** is a report setting out a range of proposals for negotiations and a paper "Equality, unfinished mission: proposals for the 2013-2014 negotiations in sectors and companies" providing objectives and guidance on how to negotiate on equality (CNE 2013).

4.11 CONCLUSION

This section has pointed to the importance of collective agreements in reducing pay inequalities between women and men. It has discussed a range of approaches taken in union negotiation, including women's low pay and occupational segregation, the unequal valuing of women's work, the unequal sharing of work and family responsibilities, and the need for the mainstreaming of gender equality into all collective agreements. During the course of the 'Bargaining for Equality' project over 100 examples of agreements were collected from ETUC affiliates, and in the ETUC survey agreements on reconciliation of work/family life were reported by nearly half of all unions, followed by over one-third reporting on agreements to progress training and career development for women. A sizeable number had introduced measures that directly impacted on pay bargaining, for example, by negotiating for an extension of minimum wages or by integrating gender pay inequalities into existing negotiations or pay agreements. This has led some unions to negotiate additional pay increases for low paid workers or 'equality' allowances awarded to low paid workers in female dominated sectors.

One of the key issues raised through the 'Bargaining for Equality' study is the importance of transparency in pay and gender disaggregated pay data, with a large number of unions identifying this as a high priority for future negotiations. This, along with gender-neutral criteria in job classification and job evaluation systems, and the need to address low pay in female-dominated sectors, reflects a concern that the structural causes of women's unequal pay and the under-valuing of women's work need to be tackled in more systematic ways. Of relevance also is that wage setting, increasingly typified by individualised and performance-related pay setting, requires unions to challenge the gender-related impact of these pay setting systems, with tools that promote wage transparency and gender-neutral criteria.

The next sections looks in more detail at trade union strategies and policies to promote bargaining to reduce pay inequalities between women and men.

SECTION 5: TRADE UNION STRATEGIES, POLICIES AND ACTIONS TO REDUCE PAY INEQUALITIES BETWEEN WOMEN AND MEN

The whole society needs to address this problem of inequality in pay, all institutions in society have a responsibility to get equality in pay, unequal pay is one of the ugliest forms of discrimination... Unions need to fight to have more women in managerial positions and actions that focus on public-private-political-social lives and equal rights.

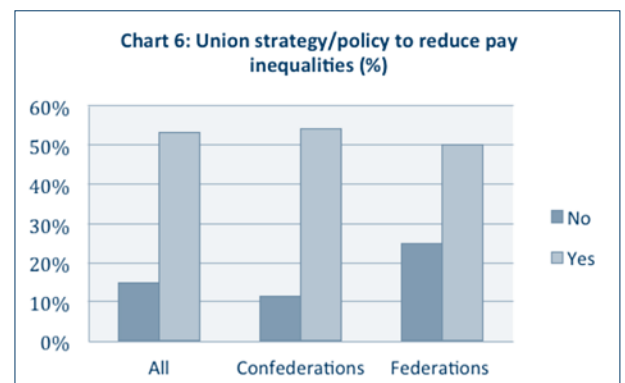
Ekaterina Yordanova (CITUB / Member of ETUC Women's Committee Presidium), speaking at the ETUC "Bargaining for Equality" seminar in Sofia, 17 April 2013

5.1 INTRODUCTION

This final section discusses the range of union actions, strategies and policies that have been introduced to raise awareness and promote gender equality bargaining. These draw on internal union policies and strategies, as well as union actions and campaigns to influence national policy debates. A large number of unions have put in place concrete measures, including coherent strategies and strong policy positions that have led to changes in the way that unions negotiate. As the last section showed, collective bargaining is under serious pressure; however, many unions are taking new and innovative approaches in collective bargaining to address gender inequalities in pay. Much of this work has been embedded in union strategies and policy positions and campaigns, which have increased the visibility of gender pay inequalities and in many cases show a much greater awareness of the complex and multi-faceted causes of the gender pay gap and structural gender inequalities. However, in a more hostile environment, including threats to the autonomy of collective bargaining and gender equality gains, unions are under even greater pressure to keep gender equality on collective bargaining and national government policy agendas. As a result many of the examples given in this section are responses to the current challenges facing union negotiations to reduce pay inequalities between women and men.

5.2 TRADE UNION STRATEGIES AND POLICIES

In relation to trade union strategies and policies to reduce pay inequalities between women and men, Chart 6 shows that **over half of unions responding to the ETUC survey stated that they had put in place a strategy or policy to reduce pay inequalities between women and men** (54% in confederations, 50% in federations). Of those unions that had put in place strategies and policies in this area there is a fairly even balance of strategies and policies that focus specifically on equal pay for work of equal value and those that address other areas impacting on pay inequalities (such as reconciliation policies, training and career development). Many of the strategies and policy positions on gender equality have evolved from unions based in northern and western Europe, where the gender pay gap and occupational segregation have been persistently wide. In contrast, trade unions in eastern and central Europe have introduced fewer actions to reduce pay inequalities between women and men. In these countries, which tend to be typified by a low gender pay gap, union strategies have been more concerned with low pay of all workers, rather than a specific policy focus on gender pay inequalities.



Source: ETUC Survey 2013

Examples of strategies and policies reported by trade unions in the ETUC ‘Bargaining for Equality’ survey show that pay inequalities are frequently viewed as being multi-causal, requiring multifaceted strategies. Several unions report that their strategic focus has been influenced by the recommendations contained in the **ETUC Resolution** “Reducing the gender pay gap” and the priorities established under **the EU Social Partners’ Framework of Actions on gender equality** (2005). For example, the **BNS in Romania** has used the latter a basis for its negotiating and awareness raising work, and this has led to training for negotiators to get the issue onto collective bargaining agendas across different sectors

Some unions have specific strategies on equal pay and pay inequalities between women and men. For example, in 2013 the **Finnish AKAVA** trade union approved a strategy on equal pay and an equal pay policy. The union reports that there has been growing interest in gender equality issues in recent years and the AKAVA equality working group was recently re-launched, with active participation from affiliates. Guidelines and training on equal pay have also been put in place for collective bargaining teams, carried out as part of the union’s commitment to gender mainstreaming. In Austria, the **ÖGB** has a policy on equal pay for work of equal value, and a specific priority to address the areas that impact on pay inequalities between women and men, through reconciliation policies, training and career development of women, measures to address the undervaluing of women’s work and gender segregation. A report “Der Kollektivvertrag – Instrument zur Chancengleichheit” (collective bargaining agreements – instrument for gender equality) sets out these priorities and provides guidelines for negotiators.

In most cases strategic policy directions have been established at union Congresses. For example, in **Portugal the CGTP-IN** 6th Conference on Equality between women and men was held in 2013 and approved an Action Plan 2013-2017 and a list of priority claims (“Carta Reivindicativa Imediata”). At the last Congress of the **Union of Education in Norway** a decision was made to give priority to equal pay, “The union will work for real equality and a society where women and men have equal conditions and values. The principle of equal pay must be the basis for our work, and female-dominated occupational groups should have the same salaries as male-dominated professions with similar education, skills and responsibilities.”

There are also examples of joint strategic priorities being developed amongst trade union confederations at the national level. In **Belgium**, for example, the three national confederations (ACV/CSC, ABVV/FGTB and ACLVB/CGSLB) signed a **Charter for equality of women and men in the trade unions** in 2004. The Charter aims to assist unions in integrating gender into collective bargaining; it included the

adoption of a declaration on the principle of gender mainstreaming and a commitment to give more attention to gender issues, starting with the representation of women in their own organisations.

The **DGB in Germany** has developed a range of strategies to address pay inequalities between women in men, including a union **Equal Pay Network** (Netzwerk Entgeltgleichheit), awareness raising across bargaining committees about collective bargaining and wage policies that impact on pay inequalities between women and men, and through the adoption of gender mainstreaming policies.

LO-Sweden has established a number of policy priorities to encourage a more equal distribution of parental leave between women and men, which the union argues is an important prerequisite for women to be valued equally in the labour market. Similarly, the union believes that publicly financed child care is vital to ensure that parents, and particularly women, are not forced to reduce their working hours or accept poorer conditions. In addition, the LO is committed to working to end gender segregation and to even out pay differences regardless of which gender is dominating in a profession or a sector. Another priority in LO’s work to reduce the gender pay gap by reducing part-time work and fixed-term work in the sectors covered by LO unions’ collective agreements.

Several unions in central and eastern Europe stated that they had not introduced specific union policies or strategies to reduce pay inequalities between women and men. For example, the Polish confederation **NSZZ Solidarnosc** reports that the union’s Constitution states that “the organisation will represent each and every member equally” and as a result find it difficult to take specific measures in response to the situation of women. In Bulgaria, **Podkrepa** reports that the union has no specific strategy on reducing pay inequalities. However, the confederation is participating in European Social Fund project ‘Podkrepa for decent work’ which has helped the union to integrate a number of gender actions in organising new members, changing the culture of negotiations, and in implementing social and labour legislation. In Bulgaria, women’s low paid work continues to be the biggest challenge and a major priority for the unions.

Joint strategies on equal pay between the social partners

In some cases strategies to address gender pay inequalities have been jointly developed between the social partners, which has been possible in countries where good structures for the social dialogue exist.

In **Icelandic Confederation of Labour** has a comprehensive strategy and commitment to address the gender pay gap in collective bargaining. A major achievement for the confederation was the agreement of a **Protocol between the social partners** as part of the 2008 and 2010 collective agreements, which included a commitment to promote of gender equality and the introduction of a certification system for companies on gender equality and equal pay for work of equal value. The Protocol also agreed that there would be cooperation with Statistics Iceland to improve gender transparent data so that the social partners could analyse data and identify the gender pay gap, while also promoting information and education on gender equality for workers and companies.

This joint approach has also been achieved in **Finland**, which is one of few countries to have a national strategy on equal pay, developed and implemented in partnership with the social partners. The **Finnish tripartite 'Equal Pay Programme' 2006-2011** addressed collective bargaining, measures to remove gender-based occupational segregation, support for women's career development and female leadership, and the development of wage systems and parental leave to promote work-family balance. An objective was set to reduce the gender pay gap by 15% by 2015. Even though the programme has not been fully implemented, and unions have been critical of the content and coverage of pay surveys, the gender pay gap decreased by 1% as a result of collective agreements on equal pay and the introduction of new analytical pay systems, equality planning and pay surveys, and career development for women (Meulders et al 2011, Khoreva 2012, Webster 2013).

The German **IG Metall** has put in place a range of actions to help business actors in the implementation of gender equality policies. IG Metall's project **'Let's go - fair pay for women'** (Auf geht's – faires Entgelt für Frauen) is designed to bring pay equality to the centre of works council activities and advocacy work. 16 Various tools and resources, including a tool to calculate the gender wage gap, have been developed under the project.

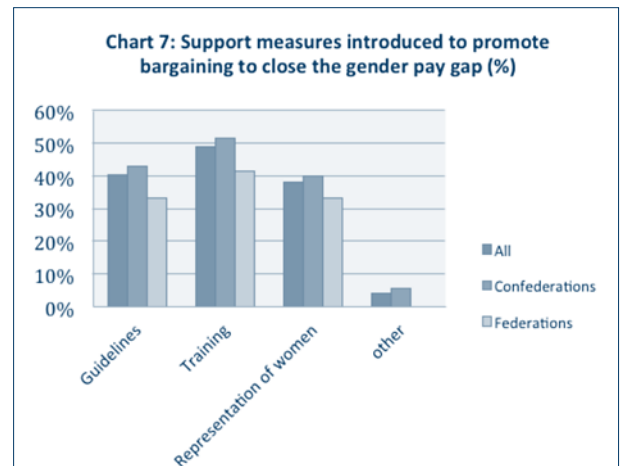
The downloadable leaflet setting out the objectives of "Equality at Work? - We support you" aims to work with works councils and shop steward to improve working conditions for women and men. The union argues that demographic change and the increasing shortage of skilled workers make equality between women and men in the economy, politics and society a "hot topic".

16 For further information see: <http://www.igmetall.de/SID-00030880-7C5CE3C8/fares-entgelt-fuer-frauen-11300.htm>

5.3 SUPPORT MEASURES INTRODUCED BY UNIONS TO PROMOTE EQUALITY BARGAINING

One of the biggest challenges facing unions is ensuring that gender equality issues are mainstreaming across trade union decision-making structure and collective bargaining. This is a longstanding commitment of ETUC and its members. The increasing feminization of unions and the increasing voice and influence of women in promoting gender equality has gradually led many unions to address these issues in collective bargaining. Chart 7 shows the main measures and actions introduced by unions in promoting gender equality in collective bargaining. **Nearly one half of unions responding to the survey had introduced gender equality and gender mainstreaming training for bargaining teams, 40% had introduced specific guidelines on how to integrate a gender perspective into collective bargaining, and 38% reported on measures to improve the representation of women in collective bargaining teams.**

A number of 'other' actions were reported on by trade unions, including specific activities to monitor the potential discriminatory content of collective agreements, campaigns on equal pay and pay inequalities, studies and data collection, the development of certification systems, and influencing national legislation and policy.



Source: ETUC Survey 2013

Guidelines for union negotiators

As Chart 7 shows, just over 40% of union confederations and just over 30% of union federations have produced **guidelines on reducing pay inequalities for collective bargaining teams**. They range from general guidelines that aim to raise awareness about gender pay inequalities, to specific and detailed guidelines covering particular topics and sectors, often prepared in advance of collective bargaining rounds.

Examples of guidelines include guidelines emanating from women's structures within unions, with others developed through union collective bargaining structures. For example, the **German services union Verdi** has published a range of guidelines to promote gender equality in collective bargaining, with a specific focus on mainstreaming gender into collective bargaining for affiliated unions and works council through its national collective bargaining structure.

Some unions, for example, in **Belgium, France, Lithuania and the UK**, have prioritised the development of tools and guidelines on gender-neutral criteria for job evaluation. This is an area that many unions responding to the survey identified as a gap in their capacity and awareness, with many suggesting that this is an important area for union action in the future in tackling the under-valuing of women's work.

In **Lithuania, the LPSK confederation** has drawn up a 'model collective agreement' for companies for this purpose. In 2005 the national social partners concluded an agreement for a 'Methodology for the Assessment of Jobs and Positions' based on eight factors (1) education, 2) professional experience, 3) levels of positions and management, 4) scope of decision making and freedom of action, 5) autonomy and creativity at work, 6) responsibility, 7) work complexity, and 8) conditions of work). The social partners view this as an important tool, given the low level of collective bargaining coverage in companies in Lithuania. The agreement was signed by the two Lithuanian employers' organisations and the three national trade confederations.

In **Belgium the ACV/CSC** has produced a gender equality leaflet setting out tools for negotiators on pay, training and part-time workers, amongst other areas. The **ABVV/FGTB** also has a number of tools and policies to promote gender equality in collective bargaining. At the federal level there has been a great deal of work on gender mainstreaming, although the challenge is to ensure that these tools are fully integrated into collective bargaining. A brochure produced by **ACV/CSC** in Belgium 'Act on the gender pay gap in your company' (Agissez sur l'écart salarial dans votre entreprise) sets out guidance for union committees in how to address equality between women and men in companies and institutions. It argues that although legislation is a prerequisite for equality, specific commitments are needed by the social partners and public authorities in order to implement the legislation in practice. It makes suggestions for ways in which union representatives can bring equal pay onto the agenda of works councils with a view to evaluating the wage gap at company levels and in making suggestions of actions to address the causes of the wage gap.¹⁷

¹⁷ See: http://www.csc-en-ligne.be/Images/brochureecart_tcm22-283459.pdf

In **Austria, ÖGB** has introduced a range of support, information and training for bargaining teams and works council members, including negotiating guidelines, checklists and a manual on income reports. Unions have participated in a gender pay gap campaign and the ÖGB holds an annual Equal Pay Day. The ÖGB has also created an online platform with information, tips and useful materials to promote awareness about wage transparency. This includes a checklist how to analyse an income report and a manual for income reporting.¹⁸ Guidelines on gender mainstreaming in collective bargaining have been drawn up by the **Austrian Union of Private Sector Employees, Graphical Workers and Journalists (GPA)** and the **Metalworking and Textiles Union (GMT)**. The GPA has made a commitment to examine all relevant collective agreements in order to identify gender-related discriminatory provisions with the objective of eliminating them in collective bargaining.

Other guidelines reported on include guidelines drawn up in 2004 by the Equality Department of the Cypriot confederation **DEOK's** on equal pay for trade union trainers and affiliates. In **Ireland ICTU** drew up a toolkit for union negotiators, officials and activists in 2004. The toolkit 'Negotiating for Equality – Gender & Pay Toolkit', sets out practical guidelines for union negotiators, officers and activists, and includes a 'model gender clause' for union negotiators.¹⁹ Guidelines for local negotiations produced by the Union of **Education in Norway** include a chapter on equal pay and the Equality Act.

One important strategy is to discuss, agree and prepare gender specific guidelines for union negotiators ahead of each collective bargaining round. This has been an important development in some countries, particularly in ensuring that guidelines are precise and relevant to negotiations. This is the case for example in Sweden, Finland, **Iceland** and Spain. In Iceland, the Confederation of Labour produced guidelines to promote gender mainstreaming in bargaining teams as part of the collective agreements negotiated in 2008 and 2010. This was supported by the confederation's Equality and Family Committee through special training courses on gender mainstreaming in collective bargaining and in empowering of women in decision making within the labour union. In **Spain** the metalworking union **MCA-UGT** prepares annual guidelines on gender issues for collective bargaining teams, and this is supported through annual training courses for young negotiators and officers. In **Belgium** the union CNE produced specific proposals for collective bargaining ahead of the negotiations for 2013-2014.

¹⁸ See: http://www.csc-en-ligne.be/Images/brochureecart_tcm22-283459.pdf

¹⁹ See: <http://www.ictu.ie/publications/fulllist/negotiating-for-equality-gender-and-pay-toolkit/>

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The report **'Equality, unfinished mission proposals for the 2013-2014 negotiations in sectors and companies'**²⁰ put forward specific proposals and practical guidelines for union negotiators in the areas of women's part-time work, occupational segregation, reconciliation of work and family life, the under-valuing of women's work, and gender disaggregated data and wage transparency.

Box 6: Association of Free Trade Unions in Slovenia: The Gender Pay Gap – From Knowledge to Practice

The *Gender Pay Gap – From Knowledge to Practice* project drew up a manual 'Equal Pay for Work of Equal Value: Implementation Guide' with actions to reduce pay inequalities between women and men. This was informed by a study carried out on the gender pay gap in Slovenia, which found that unequal pay resulted from the unequal determination of basic pay; the unequal classification of pay; the provision bonuses, allowances and fringe benefits that benefit men's jobs; and the under-valuing of women's work. The 'implementation guide' identifies strategies for the social partners in implementing equal pay for work of equal value, with a focus on the role of company collective agreements. Solutions set out in the guide include integrating the principle of non-discrimination and gender-neutral criteria into the determination of pay and incentive payments in company collective agreements, gender-neutral job evaluation, and non-discrimination on the grounds of family-related sick leave. These actions were implemented as part of an EU funded project (2012-2013) led by the Association of Free Trade Unions in Slovenia, in partnership with trade union confederations from Austria, Croatia, Serbia, Slovenia and Montenegro.

For further information see: http://www.zsss.si/index.php?option=com_content&view=article&id=1172:gender-pay-gap--from-expertise-to-action&catid=21:opis-projektov&Itemid=26

Bi-partite and tri-partite guidelines

In some cases guidelines have been drawn up through bi-partite and tri-partite initiatives with equality and employment bodies. In the **Netherlands**, the tripartite Labour Foundation (Stichting van de Arbeid, STAR) introduced a

'Checklist on equal pay for payment systems', which is an instrument for social partners to check their payment systems. In some countries, national Equality bodies have played an important role in promoting good practices and in issuing guidelines for the social partners, although some unions have identified the problems for Equality bodies sustaining this work, in the light of austerity measures. Specific guidelines have been produced in those countries that have legislative provisions on equality plans and income reports, often carried out in partnership with employers, Equality Bodies and national ministries. An example of which exists in Austria, where unions were instrumental in agreeing a **practical handbook on how to implement company income reports**. The **handbook** draws on the experiences and outcomes of existing company practices on income transparency and income reports, and provides guidance for unions and employers. The updated handbook was published as a co-operation between ÖGB-Women and the Federal Ministry for Women.²¹

Training and awareness raising of collective bargaining teams

Another area of key importance, and often directly linked to the guidelines discussed above, has been to change perceptions and stereotypes, and raise awareness amongst collective bargaining teams of how gender considerations can be integrated into negotiations. The majority of trade unions have their own education and training departments, and/or are involved in training on different aspects of gender equality. At the national level, **around half of all unions report that they have carried out training on gender pay inequalities**, much of which has been designed to raise awareness amongst collective bargaining teams, union negotiators, officers and members. This ranges from dedicated training courses for union negotiators on equal pay in collective bargaining, as reported by the **Union of Education in Norway**, to more informal awareness raising in local unions as reported by the **Belgium union BTB in the Port of Antwerp**, which has held informal meetings with women workers in order to encourage women's participation in collective bargaining and decision-making structures. The **NUT in the UK** recognises that "collective bargaining is key in the fight for equality for women", and has a commitment to education for change, for example in relation to gender stereotypes. The union has recently developed resources on **'Breaking the Mould'** which aims to change the attitudes and fight gender stereotypes of the next generation.²²

20 See: Egalité, mission inachevée. Propositions pour les négociations 2013-2014 dans les secteurs et les entreprises. Available at: <http://www.cne-gnc.be/cmsfiles/file/FEMMES/13-05-07%20Egalite%20Mission%20Inachevee.pdf>

21 "Einkommensbericht – Praxis-Ratgeber" (Income reporting – a practical guidebook). http://www.oegb.at/servlet/ContentServer?pagename=S06/Page/Index&n=S06_30.1.a&cid=1370420192530

22 See : <https://www.teachers.org.uk/files/stereotypes-stop.pdf>

The **Portuguese** confederation **CGTP-IN** has a strategy that focuses on collective bargaining, trade unions actions at enterprise level, and participation on bodies aiming to promote equality between women and men, for example, the Commission for Equality in Labour and Employment. Part of this work is to carry out awareness-raising campaigns and studies. The union has directly influenced and participated in the initiative '**Acting for Equality**' which began in 2007, with a focus on awareness raising actions for union representatives at sectoral and regional levels. The project had a schooling objective (Acting for Equality in Schools) on equality awareness in teacher training, and it includes a focus on violence in the workplace and in the family. Between 2010 and 2012 CGTP-IN participated in an EU-funded project that aimed to improve work-life balance through working time arrangements in six sectors. This included a study about the impact of working time organisation on work-life balance and a guide on working time organisation. It comprised several activities, including sectoral workshops, newsletters and awareness activities.

A **CGTP-IN** study on gender equality in industry concluded that job segregation is the major cause of the gender pay gap. The union states that this is "our main challenge to the future". Following this study the main industry Federation (Fiequimetal) held a seminar in 2013 to discuss the findings. The seminar agreed that companies should be persuaded to improve their image by incorporating gender equality issues into their Corporate Social Responsibility plans. The seminar raised two challenges, first in dealing with individualised bargaining and discriminatory performance-related pay systems, and also raised the problem of dealing with sexual harassment in the workplace. The seminar concluded that it was important to reinforce union interventions at workplace levels in order to better tackle gender issues.

In some cases trade union training has taken place at the European level through the European Trade Union Institute (ETUI) training department, which has over the last few years organised a number of European training courses and seminars on equal pay and gender pay inequalities as part of its gender mainstreaming action. An example is a training course organised jointly between EPSU and ETUI to share experiences amongst public service unions and develop strategies to promote equal pay in collective bargaining, held in Brussels in 2011.²³

Improving the representation of women in collective bargaining teams

Over the last two decades women have become a growing number of union members, rising to around 45% of union membership in 2013 (ETUC 2013). There are variations in

women's union membership across Europe.²⁴ A higher level of union membership and leadership positions amongst women exists in the Nordic and Baltic countries, than in other European countries. The ETUC's publication **From Membership to Leadership: Advancing the Position of Women in Trade Unions** (ETUC 2010) reiterated the importance of women's roles and voice in union leadership and decision-making and in collective bargaining teams. In particular, having gender balance in collective bargaining teams has been important to shifting union thinking about negotiations for gender equality. Moreover, it enables new perspectives to be integrated into the collective bargaining agenda, which can enrich and promote new approaches to collective bargaining, and change culture and attitudes, by drawing on women's experiences and knowledge.²⁵ The ETUC's 8th March surveys finds that many unions are introducing strategies and policies to improve gender balance, with three-quarters of confederations having a specific policy designed to increase the presence of women in their decision-making bodies (ETUC 2010).

In the ETUC 'Bargaining for Equality' survey a large number of unions highlighted the importance of women's presence in collective bargaining teams as being a pre-requisite for bargaining to reduce pay inequalities between women and men, with many reporting on the introduction of quotas or other mechanisms to improve women's representation in decision making. **Just under 40% of unions responding to survey had put in place policies or strategies to improve the representation of women in collective bargaining teams.**

For example, in **Belgium** Congress resolutions of the **ACV/CSC** started with an internal campaign to improve the number of female trade union activists and to improve the representation of women in the governing bodies. A one-third quota of women in union structures had to be reached by 2006. Gender issues were mainstreamed in the training policy of the union and all member organisations of the confederation had to draw up an action plan on gender equality. A specific national committee and a coordination unit and forum for equal opportunities **ABVV/ FGTB** were established. Although improvements have been made, the

24 Overall, union membership across the EU is an average of 23%, ranging from the highest levels in Finland (74%) and Sweden (70%) to the lowest levels in Estonia and Lithuania (10%) and France (8%). Union membership, however, does not reflect collective bargaining coverage and in France, for example, union membership is low but unions are able to mobilise a large proportion of the workforce. There has been a decline in union membership across Europe, with some of the biggest losses apparent in central and eastern European countries. In Germany, for example, the DGB has lost 48% of its membership since its peak in 1991. There is higher union density in the public sector, compared to the private sector, and women are more likely to be union members in the public sector.

25 ETUC Resource guide « From membership to leadership » is available at: <http://www.etuc.org/publications/membership-leadership-advancing-women-trade-unions-resource-guide#.Uzgcigo90x>

23 See: http://fc.runo.se/~jel/epsuGPG_2011/

one-third quota target for equal representation of women in governing bodies has not been achieved. Women are still under-represented as high-rank paid officials of the union. The union says that there is already evidence of a change in mentality and culture, which is a significant achievement from this recent change in policy. A similar commitment was made by another Belgian confederation **ABVV/FGTB** in 2002. In **Romania** the **BNS** confederation has participated in an EU project entitled 'ESTHR - Strengthening women's role in society'. This has focused on improving gender representation in the union through a gender network, assisting women to startup businesses, and providing assistance to workers, and particularly women, in accessing employment and labour market support. This has led to the establishment of eight equality Centres nationally and to an online support.

Gender impact assessment of collective agreements

Some unions have put an emphasis on checking that collective agreements are gender-neutral and/or are effective in addressing structural inequalities. This is often part of a commitment to gender mainstreaming, for example, by carrying out gender impact assessment of collective agreements prior to them being renegotiated or updated. This was first recommended by unions in 2009 in **Finland** in the **Collective Agreement for Government Employees for 2010-2012**, which specified that gender impact assessments of collective agreements should give a particular focus to the gender impact of pay and working time agreements. Gender impact assessments have also been carried out under the 2010–2011 collective agreement for health services employees, collective agreements in the hotel and catering sector, and the collective agreement of the Employers' Association for Service Enterprises. Another example is a study on 'Equality between men and women in collective labour agreements' undertaken by the Women's Bureau of the **PEO** in **Cyprus**. The study analysed the content of collective agreements, with a view to promoting equality in collective bargaining.

Several unions responding to the ETUC 'Bargaining for Equality' survey stated that they had plans to monitor and analyse collective agreements. This is one way in which promising approaches and interesting solutions can be shared, but also to identify gaps regarding gender equality. The Polish union **NSZZ Solidarnosc** is planning to do this in the near future, and unions in Finland are currently analysing collective agreements for their coverage of gender pay issues. An example of the **UK TUC's equality audits** is given below in Box 7.

Box 7: UK TUC Equality Audits

The TUC's Equality Audits have been carried out every two years since 2003. They have examined union roles in promoting equality, including collective bargaining. A specific focus given to the impact of the crisis in the 2012 Equality Audit (TUC 2012), which found that most unions stated that it was "more difficult to negotiate and make progress on equality issues", which had led their focus to shift to "defending equality and seeking to protect certain groups from particular disadvantages in these difficult times". The Audit showed that many unions were defending gender equality, with half of unions issuing guidance to negotiators on dealing with the equality impact of redundancy or restructuring, and to support campaigns against cuts from an equality perspective. The 2012 Audit, however, also found that unions were still promoting gender equality and continued to defend gender equality issues on the bargaining agenda.

One of the interesting aspects of the TUC's Equality Audits is the focus on multiple grounds of discrimination, which has assessed how equality has impacted on a wide range of groups such as women migrant workers, black and minority ethnic workers, disabled workers, older and younger workers, LGBT workers, etc. Overall, the Audit found that negotiations on women's pay and employment, for example, in gaining agreement from employers to carry out equal pay audits and to address low pay of women in female dominated workplaces, were the most successful bargaining strategies. Half of unions, compared to 30% in 2009, had achieved positive results in collective bargaining in these areas. For example, nine unions stated that they had negotiated equal pay audits with employers in the private sector.²⁶

In **Italy**, a study carried out by the CGIL research institute IRES-CGIL (Leonardi and De Sario 2012) analysed fifty agreements in the private and public sectors. The study showed that collective agreements have been instrumental in establishing joint committees - Commissions for Equal Opportunities - between the social partners to progress negotiations on equal opportunities, women's career development and training, and reconciliation measures.

²⁶ See : <http://www.tuc.org.uk/equality-issues/equality-audit>

The Commissions for Equal Opportunities have the task to monitor the progress of women's employment and to assess possible positive actions to promote equal opportunities (through national observatories). An example is an agreement between a National Commission on Equal Opportunities and the service sector, which led to a plan to analyse equal opportunities, spread good practice and identify initiatives to overcome discrimination in the workplace, and particularly wages and access to vocational training. However, the study found that enterprise bargaining has tended to be more limited in scope than sectoral or territorial bargaining, with evidence that national agreements have been far more instrumental in progressing equality and reconciliation of work and family life. The CGIL study suggests that the decentralisation of bargaining to company 'second-level' bargaining has the potential for negotiation on 'soft' areas of reconciliation of work and family life through company agreements. One of the main challenges highlighted in the CGIL study is that the economic crisis has halted many of the gender equality gains made by trade unions, resulting in a drive for the government for decentralisation and individualisation, and leading to higher levels of precarious work.

Certification systems

A 2008 collective agreement between the **Icelandic Confederation of Labour** and the employers led to the development of a voluntary certification system on equal pay for companies – the **Equal Pay Management System**. It aims provide a system to monitor and measure equal pay and report on the results. The objective is to encourage companies to take measures to continuously improve the performance of their equal pay management systems and to ensure that companies have implemented effective methods for reaching pay decisions. It applies to all companies regardless of their size, field of activity and gender mix among staff. Guidance is provided on job classification / job evaluation and on analysing salaries and salary scales. The criteria established for certification is that all jobs are defined and objective criteria are put in place for job classification. Companies are awarded certification on the basis of their basis of equal pay policy and equal pay plans, and evidence that they have carried out an equal pay audit

Union campaigns

Examples of union campaigns are the running of annual '**Equal Pay Days**' by unions in various countries (such as Austria, Belgium, Germany, the Czech Republic, Denmark and Hungary), the UK's TUC and affiliates campaign for living minimum wages, and other campaigns on gender equality related issues, such as part-time, domestic work and gender based violence. Several unions stated that they had made priorities to campaign for a reduction in precarious work, for example, as reported in Germany and Spain.

The Spanish confederation CCOO states that it has for many years campaigned for improvements in the regulation of part-time work and temporary seasonal employment contracts, which has become all the more urgent in the light of the economic crisis and the growth of precarious work in Spain.

For example, since 2006, the **Belgian** trade union confederations **ABVV/FGTB, ACV/CSC and ACLVB/CGSLB** have organised an 'Equal Pay Day' with the aim of raising awareness of unequal pay. The trade unions use this special event as an opportunity to communicate to the public their demands for equal pay, equal opportunities and equal working conditions.²⁷ The ABVV-FGTB 2012 Equal Pay Day brochure ('On en fait plus, on gagne moins que les hommes'), highlights problems of reconciliation of work and family life and labour flexibility on women's pay, with the aim to promote good practice on work-life balance in companies. In addition, **German trade unions** have organised and have participated in a national annual 'Equal Pay Day' since 2009.²⁸ A recent campaign organised by the **DGB's** department for gender mainstreaming entitled '**I am worth more**', led to events aimed at raising awareness about gender equality.

Many unions play an active role in campaigning for and influencing government legislation on gender equality, collective bargaining and employment. In some cases this is carried out through participation in national tri-partite employment, labour and gender equality bodies. **Nearly one-third of unions responding to the survey stated that they had directly lobbied governments for better legislation on gender equality**, although some unions reported that government departments were often unwilling to take the issues raised seriously. Success stories were given by unions in Belgium, Sweden, Finland and Austria. For example, unions in Finland have been successful in lobbying for revised legislation, to be implemented in 2014, in promoting better implementation of equality plans and job evaluation in the workplace. Other successes include getting changes in national level legislation on parental leave through the social dialogue, to be implemented in 2014.

Union campaigns for stronger legislation on equal pay and gender equality have had a particular focus on the role that social partners can play in reducing pay inequalities through collective bargaining.

²⁷ For further information see: <http://www.vrouwenloonwijzer.be/home> and <http://www.equalpayday.be>

²⁸ See for example: <http://frauen.dgb.de/themen/++co++ccd7daec-93cf-11e3-ba72-52540023ef1a> and <http://www.igmetall.de/equal-pay-day-2014-13372.htm>

In **Germany**, for example, the **DGB** has campaigned for a law on pay equality underpinned by wage transparency, with a unified approach to identifying pay inequalities between women and men in every company and across the civil services. The DGB argues that legislation should cover direct discrimination (when a man earns more money than a woman on the same or on a comparable position) and indirect discrimination (when men's jobs are valued higher than women's jobs).

Campaigns for minimum wages have been carried out by unions in the **UK, Austria and Germany**. For example, the **DGB** has campaigned for a national minimum wage of €8.50 per hour, with should be universally binding in collective agreements as well as for the ending of the so called "mini-jobs. These jobs have been created with a 'special' employment relationship, where the employer pays no taxes and the jobs are not integrated into public health insurance and pension systems. They are predominantly carried out by women and career opportunities are extremely limited. **IG Metall** has campaigned for a new labour market order with the introduction of a minimum wage covering all workers, including temporary workers, with a goal of a minimum wage of €8.50 by 2015. In Germany more than seven million people are employed in the low wage sector; these are largely in 'mini jobs', two-thirds of which are held by women. IG Metall's campaign for equal pay for agency and temporary workers 'Equal Work – Equal Money' has won wide public support. The campaign took place as a result of the increase in temporary work in Germany and IG Metall's concern that temporary work is replacing permanent work.

Several unions stated that they had campaigned for and prioritised issues of gender violence and sexual harassment in companies, as reported for example by unions in France and Belgium. This is an area of great importance given the current proposal, including the ITUC – CSI campaign,²⁹ on the table of the ILO to adopt an **ILO Convention on gender-based violence at work**. Unions in France also highlighted the importance of ratifying the ILO Convention on Domestic Workers.

5.4 CONCLUSION

This section has charted examples of the different gender equality measures that have been promoted by trade unions in their efforts to strengthen collective bargaining in reducing gender pay inequalities. This has led unions to develop initiatives to promote equality bargaining and to provide tools to empower collective bargaining teams to address gender considerations in pay bargaining. Examples have been given of union guidelines, checklists, certification systems and training that have been initiated by unions to progress equality bargaining, as well as specific projects and campaigns that have addressed gender pay inequalities.

29 See: http://www.ituc-csi.org/IMG/pdf/stop_violence_en.pdf

SECTION 6: CONCLUSIONS AND RECOMMENDATIONS

6.1 CONCLUSIONS

The findings from the ETUC 'Bargaining for Equality' survey, and the contributions made by affiliates from across Europe at the seminars held in Paris, Stockholm, Sofia and Brussels, and the European conference held in Vilnius, have shown that collective bargaining is a hugely important mechanism for reducing pay discrimination. However, as this report has shown, despite significant progress in this area, many problems still exist in fully integrating gender pay inequalities into collective bargaining and in taking account of structural gender gaps. Many of these problems both predated the economic downturn and have been further exacerbated since the crisis began in 2008.

Unions can play a key role in eradicating deep-seated and structural gender inequalities, although in the context of the crisis this requires new thinking about how gender can be more effectively integrated into union strategies, policies and representation (Briskin 2014). In addition, there are concerns that the EU's economic governance procedures are undermining collective bargaining, wage setting and gender equality. The recommendations from the European semester and governance process on decentralising collective bargaining, moderation in increases in minimum wages, and linking wages more closely to productivity, will inevitably impact on the autonomy of collective bargaining and the capacity of unions to negotiate to reduce pay inequalities between women and men. As well as opposing this intervention to reduce the autonomy of collective bargaining and wage setting, it will be important in the future that these issues are addressed through gender-sensitive policies that take account of structural gender inequalities and that more attention is given to gender impact assessment of macro-economic policies.

This report has shown that the economic crisis has had a negative effect on gender equality and on women's pay, reducing the capacity unions have to negotiate on gender pay inequalities. The ETUC 'Bargaining for Equality' survey found that:

- ▶ Pay cuts, wage freezes and wage moderation were reported by two thirds of respondents.
- ▶ Wage cuts, pay freezes and wage moderation principally affects the public sector and increasingly impacts on women.

- ▶ The introduction of specific measures to address pay inequalities between women and men in the light of the economic crisis has decreased and unions have had greater difficulties in persuading employers to address gender considerations in negotiations.
- ▶ Despite the unfavorable context, many unions are trying to keep a lens on gender equality issues and the gender pay gap/pay inequalities between women and men.
- ▶ This has been exacerbated by a trend towards greater fragmentation, decentralisation and weakening of bargaining coverage, particularly in the countries adversely affected by the economic crisis.
- ▶ In most countries no gender impact assessment has been carried out of austerity measures and wage cuts – these often taken place without engagement with unions.

The ETUC 'Bargaining for Equality' survey has shown that there has been both good and negative developments in collective bargaining to reduce pay inequalities. As Section 2 on the economic crisis pointed out, the crisis has not only undermined the autonomy of collective bargaining, it has also exacerbated existing inequalities between women and men, with crisis policy interventions often neglecting to analyse or address the disproportionate impact on women of austerity measures and pay cuts. Most importantly many unions report that it is now harder to persuade union negotiators and employers to address gender pay inequalities in negotiations and to implement gender sensitive collective bargaining.

Problems with wage transparency and a lack of access to gender disaggregated data on pay severely impedes the capacity of unions to negotiate on pay inequalities. As Section 3 showed, this limits the role that unions can play in negotiations and in addressing the complex issues associated with the undervaluing of women's work and skills and in identifying criteria to implement equal pay for work of equal value. The survey found significant variations in the quality and quantity of disaggregated data to enable unions to bargaining to reduce pay inequalities between women and men. In some countries (e.g. Austria, Belgium, Denmark and France) gender disaggregated workplace data is required under legislation, while in others (e.g. Norway, Sweden, Finland and Iceland) national and sector-wide disaggregated data is collectively negotiated.

Evidence from the survey shows that the quality of data improves when it is discussed and analysed jointly between the social partners.

A wide range of collective agreements were reported on in Section 4, with the following main findings in the ETUC survey:

- ▶ The most commonly reported agreements cover reconciliation, training and career development, and pay increases for low paid workers.
- ▶ Other areas that have been negotiated include transparency in pay systems/job classification, increasing the pay of women in female dominated sectors, increasing the value of women's work through job evaluation, implementing workplace pay surveys/pay audits and gender sensitivity in performance related pay.
- ▶ Some agreements cover specific/single issues such as pay audits/company surveys, job evaluation/job classification, reconciliation, training or career development.
- ▶ Others cover a wide spectrum of equality issues that indirectly impact on pay inequalities.

Despite the significant number of agreements that have addressed gender pay inequalities, the survey also shows that some countries have not addressed gender pay inequalities in collective agreements, either because of a lack of union commitment or capacity, or because of a negative context and climate for bargaining to reduce pay inequalities between women and men. Furthermore, many collective agreements continue to award higher pay increases to male dominated sectors. This has led some unions to review their strategies and put in place negotiating positions to increase pay in female dominated sectors in an attempt to level out pay differences across sectors and/or to address how structural inequalities and women's unpaid care roles can be factored into new bargaining strategies.

6.2 RECOMMENDATIONS

The recommendations presented below draw on the findings of the various ETUC activities and exchange undertaken throughout the 'Bargaining for Equality' project. This includes the survey; the discussions held at the four seminars (Paris, Stockholm, Sofia and Brussels); and the European conference held in Vilnius, 5-6 November 2013.

National level recommendations

- ▶ The role of collective bargaining in reducing pay inequalities between women and men should be promoted at all levels (national, sectoral and company). Priority should be given to sectoral level bargaining and to avoid decentralisation and fragmentation of bargaining systems. Sectoral agreements should be promoted as they can provide an important framework for gender equality across a sector based on a common understanding. At company level unions should cooperate to formulate common positions in order to persuade employers to take gender equality issues seriously, which may also require more attention to be given to the 'business case for equality' for companies.
- ▶ Unions should persuade governments to carry out gender impact assessment of the crisis and austerity measures introduced, in order to take account of structural gender inequalities, women's more vulnerable position in the labour market and the continued gender pay gap.
- ▶ Unions should develop gender mainstreaming tools and make a commitment to carry out gender impact assessments to test whether bargaining is gender neutral and whether the outcomes of agreements have unintended gender impacts. In this regard, unions should be encouraged to adopt gender mainstreaming strategies and guidelines that set out criteria for carrying out gender impact assessments of collective agreements.
- ▶ In integrating a gender perspective in all negotiations and collective agreements, consideration should be given to:
 - occupational segregation and the under-valuing of women's work;
 - time taken out of the workplace for parents taking parental leave in the award of pay increases or pension entitlements;
 - the rights of part-time workers and women working in precarious jobs;
 - training and career development opportunities for women, particularly for part-time workers and workers with flexible working time arrangements;
 - how women's low pay can be addressed in female dominated sectors and through sector specific minimum wages;
 - gender based violence and sexual harassment in the workplace.
- ▶ Tools and gender-neutral criteria for job evaluation should be drawn up for the social partners, and ideally in cooperation with governments, with specific guidance for trade unions on how to adopt and implement gender-neutral criteria and how to make equal value assessments in collective agreements that address the under-valuing of women's work.

- ▶ Unions should give a strategic priority to addressing occupational segregation by negotiating larger wage increases for lower paid workers, especially in female dominated sectors. This should be based on a strategy to level out pay differences between female-dominated sectors and male-dominated sectors.
- ▶ Unions should put an emphasis on negotiating increases in minimum wages, as evidence shows that in low income sectors this can be one of the most important tools for closing the gender pay gap. Employers should be required to make an analysis of minimum pay on a scale that unions can use in bargaining.
- ▶ Attention should be given to how low wages and the gender pay gap in earnings impacts on pension entitlements. In particular, this is relevant for women working part-time and in 'mini jobs'. Pension contributions and entitlements should be covered during absence from work if a worker is on parental leave.
- ▶ Improved data transparency is needed to enable unions to engage in discussions with their governments and in negotiations with employers. Negotiators should have the right to make specific requests for gender disaggregated data, and to participate in the analysis of data. Employers should be required to provide workers and their trade unions with gender disaggregated data, including data on non-basic pay elements such as bonuses, overtime payments and other benefits. This should form the basis of agreeing gender-neutrality in job classification schemes.
- ▶ Unions should continue to lobby governments and the EU to make pay audits mandatory for companies. Their criteria, content and implementation should be established through union cooperation, and where appropriate through collective agreements at sectoral levels. Gender equality action plans should be put in place to address any unjustified gender pay inequalities, setting out solutions and monitoring of outcomes. Similarly unions should actively encourage employers and governments to implement the recommendations in the European Commission's (2014) Recommendation on pay transparency.
- ▶ Union confederations should examine ways in which they can coordinate their efforts jointly in relation to company and sectoral level bargaining on gender pay inequalities.
- ▶ Unions need to give much greater attention to addressing gender stereotypes and cultural assumptions about women's and men's work, and how they impact on the value of women's work and low pay, which is essential to ending gender segregation. This also requires more emphasis to be given to addressing the impact of women's care responsibilities so that women are not disadvantaged in terms of their pay or careers

Crucial to this is creating a climate where men share family responsibilities equally with women, including parental leave, alongside a commitment to strengthening public services in the provision of childcare and elder care.

- ▶ Unions should run regular training courses for negotiators, members of collective bargaining teams, officials and workplace representatives on gender mainstreaming, gender-neutral criteria for bargaining, what to include in negotiations and how to bargain to reduce inequalities in pay.
- ▶ There is a need for gender balance in collective bargaining teams and unions need to put in strategies and policies to ensure equal or proportional representation of women and men, in line with recommendations made by the ETUC in 2010.

ETUC level recommendations

In the ETUC there is a need for a continued political momentum and effort to fully implement the priorities established for collective bargaining in the ETUC 2008 Resolution on the gender pay gap.

- ▶ Based on this research and its recommendations, and the discussions held during the 'Bargaining for Equality' project, a renewed ETUC Resolution on equal pay and wage transparency should be drawn up and adopted prior to the ETUC congress in 2015. This would provide an update on the 2008 Resolution and be relevant in the light of the economic crisis.
- ▶ Within the ETUC and European Trade Union Federations, affiliates should discuss coherent action plans and strategic cooperation between collective bargaining and gender equality committees. This also applies to the ETUC Collective Bargaining Committee, which should monitor gender pay inequalities in their annual surveys, and to the continuing good cooperation with the Women's Committee in formulating policies and actions to reduce pay inequalities between women and men.
- ▶ The ETUC, with its affiliates, should monitor the implementation of the European Commission's (2014) Recommendation on pay transparency, and make a strong case for the implementation of the four proposed areas for national action,³⁰ with a specific emphasis on the role of collective negotiations and social partner involvement.

³⁰ The four areas are: i) to allow employees to request information on all aspects of pay that is disaggregated by gender, with reference to equal pay for equal work and of work of equal value; ii) large and medium sized companies are encouraged to report regularly on average pay by gender; iii) pay audits should be carried out in large companies, in cooperation with the social partners, and to include job evaluation systems used in the company; and iv) the inclusion of equal pay issues and pay audits in collective bargaining.

- ▶ The ETUC has a key role to play in assisting unions with guidance on how to integrate gender issues into collective bargaining, including guidance on the issues that need to be included in negotiations to reduce pay inequalities, transparency in gender-segregated data, gender-neutral job evaluation and job classification. In this regard the development of good practice guidelines for collective bargaining teams could be drawn up (covering practical tips and strategies on disaggregated data, gender neutral job classification and job evaluation tools, low pay and the undervaluing of women's work).
- ▶ The ETUC Toolkit for Coordination of Collective Bargaining and Wages could include a section on how to address and assess the gender pay gap in the coordination work at EU level and how to develop strategies to reduce the gender pay gap through collective bargaining.
- ▶ Union representatives need to be trained in gender equality awareness to support their roles in promoting equality in collective agreements. This could be further developed through training courses and training materials in the ETUI training department, with a specific focus on training in collective bargaining strategies to reduce gender pay inequalities. ETUI should consider developing a training-the-trainers programme and training materials on collective bargaining and gender pay inequalities.
- ▶ The ETUC should continue to inform its affiliates and lobby the European Commission about the negative interference from the Commission in wage setting and bargaining, for example, through the Country Specific Recommendations addressed to some Member States. In particular, the ETUC should continue to carry out regular assessments of Country Specific Recommendations in relation to their impact on the gender pay gap.
- ▶ The ETUC should make a strong case to the European Commission that Country Specific Recommendations should include targets to reduce the gender pay gap, and that a strong gender dimension is integrated into the implementation of the EU2020 objectives.
- ▶ Recommendations from this report should be presented to the ETUC Executive Committee; this will ensure that the issues will be discussed amongst union leaders and used as a basis for influencing collective bargaining strategies.

APPENDIX 1: Unions responding to the ETUC 'Bargaining for Equality' survey

Trade Union Confederations	
Austria	OGB
Belgium	ABVV/FGTB
Belgium	ACV/CSC
Belgium	ACLVB/CGSLB
Bulgaria	CITUB/KNBS
Bulgaria	PODKREPA
Cyprus	SEK
Cyprus	DEOK
Czech Republic	CMKOS
Denmark	LO-DK
Estonia	EAKL
France	CFDT
France	CGT
France	FO
Finland	AKAVA
Germany	DGB
Hungary	ASZSZ
Hungary	LIGA
Hungary	MSZOSZ
Iceland	ASI
Ireland	ICTU
Italy	UIL
Latvia	LBAS
Liechtenstein	LANV
Lithuania	LTUC
Norway	LO-N
Poland	NSZZ-Solidarnosc
Portugal	CGTP
Romania	BNS
Spain	CCOO
Spain	UGT-E
Sweden	LO-S
Switzerland	SGB-USS
Turkey	HAK-IŞ

Trade Union Federations	
Austria	PRO-GE
Belgium	ABVV/FGTB Dockers
Czech Republic	OS KOVO
Croatia	SMH-IS
Denmark	HK
France	FO Metaux
Latvia	Latvian education union
Norway	NITO
Norway	Union of education
Slovenia	SKEI
Spain	UGT-MCA
Sweden	IF Metall
UK	NUT

European Federations	
ETUCE	
EPSU	

APPENDIX 2: Responses from ETUC 'Bargaining for Equality' survey on the impact of the crisis on collective bargaining to reduce inequalities in pay between women and men

Austria

ÖGB, PRO-GE

Pay cuts, wage moderation and pay freezes

Trade unions in Austria claim to have prevented significant pay cuts. Short-time working agreements negotiated by the social partners entered into force 2009 have principally affected men working in production. During the last three years, the combination of short-time agreements and improved qualification measures for employees has saved many jobs across all sectors. In 2013 public sector pay freezes were introduced for clerks at federal level. Following union negotiations wage moderation, rather than pay freezes, was introduced for some public servants in municipalities. In 2014, further public sector wage moderation, rather than pay freezes, was agreed for the public sector.

Impact on bargaining

The economic crisis impacted negatively on the climate for collective bargaining, with some less well organised branches having to bear temporary wage moderation.

Impact on women

In 2010 the loss of full-time jobs particularly hit women and there was a significant increase in new part-time or atypical jobs, some of which replaced full-time contracts. In 2008, 41.5% of women worked part-time, this increased to 44.9% in 2012. This has had a negative impact on women's incomes. Unions in Austria report that the Social Partner Agreements and the new initiatives by the government may have counteracted the impact of the crises on the gender pay gap. National data shows that the pay gap reduced marginally, from 24% in 2009 to 23.7% in 2010.

<p>Belgium ABVV/FGTB, ACV-CSC, SGSLB</p>	<p>Pay cuts, wage moderation and pay freezes</p> <p>Automatic increases in wages indexed against the cost of living have been undermined through the government’s imposition in 2011 of a wage freeze. Since 1996, Belgium has had a law on wage moderation. For the years 2011-2012 a maximum increase of 0.3% was imposed by the Belgian government, with a freeze on all salaries for the years 2013-2014. The ABVV/FGTB opposed this decision, with the result that the government had to agree that the reduction of the pay gap between men and women will not be impacted by the wage freeze. The trade unions anticipate that they will have great difficulties negotiating this pay rise in relation to gender inequality, due to the salary freeze in the next two years.</p> <p>Impact on bargaining</p> <p>Inter-sectoral agreements are signed every two years in Belgium but in 2011 many large companies did not sign agreements. Generally unions believe that bargaining has been negatively affected by the crisis.</p> <p>Impact on women</p> <p>The small change in the gender pay gap in Belgium is attributed to the fact that men’s jobs were most affected by pay cuts and unemployment in the economic crisis. The unions believe that the legislation of 22 April 2012 (discussed in the Section 3 of the report) will have a noticeable impact on reducing the gender pay gap in the future.</p>
<p>Bulgaria CITUB, PODKREPA</p>	<p>Pay cuts, wage moderation and pay freezes</p> <p>Severe austerity measures have been in place since 1997. The country experiences poverty and stagnation and it is not easy to find sustainable solutions. Pay freezes were introduced in the public sector for four years (2009-2012). Increased salaries were permitted for civil servants, but not other employees in the public sector. In the private sector, low paid workers were the first to lose their jobs, which explains why average salaries increased during the crisis. Even though there has been a wage growth of 27.8% for the last three years, Bulgaria continues to have the lowest salary levels across the EU.</p> <p>Impact on bargaining</p> <p>There is now more fragmentation of bargaining and of unions, resulting in different levels of agreements and negotiations across companies. This reflects different styles of negotiation within companies and has led to confusion and differences across companies. For three years there has been no indexation of salaries and no salary increases. Employers have used various tactics to delay agreements and employers give less information around which to bargain. One problem is that once an agreement has expired employers refuse to continue the agreement – this has particularly affected sectors where women predominate, particularly in the services sector. Both trade union confederations fear that pay levels will be further reduced and agreements will not implement pay rises beyond the statutory minimum pay levels. In the government sector the employers have refused to agree a collective agreement.</p> <p>Impact on women</p> <p>The wages of women workers have been the most affected by the economic crisis, where unions report that poverty has deepened and unemployment has grown.</p>

<p>Croatia SMH-IS</p>	<p>Pay cuts, wage moderation and pay freezes</p> <p>Pay cuts in the metalworking sector took place in 2009 and 2010. Since 2009 the Metalworkers' Trade Union of Croatia (SMH-IS) has concluded around 30 company-level agreements resulting in pay cuts between 10% and 20% in companies operating with difficulties. Agreements have been concluded on a 3- or 6-month basis, with the possibility of extension. Overall, the agreements had a positive impact on saving jobs, and the union wanted to maintain previously agreed collective agreements, while the employers respected and appreciated the trade union efforts to save the company and jobs.</p>
<p>Cyprus SEK, DEOK</p>	<p>Pay cuts, wage moderation and pay freezes</p> <p>The economic crisis has put increased pressure on workers' wages. During 2012-2013 many companies made double-digit pay cuts, reaching 50% cuts in some companies; others have dramatically reduced working hours. The prolonged closure of Cypriot banks and particular developments in the Laiki Bank and the Bank of Cyprus has led to significant job losses and cuts in pay and benefits. This pressure has been highlighted in recent negotiations and agreements at national, sector and company level in which wage moderation, pay freezes or cuts have been agreed. In many cases these measures have been agreed in an attempt to limit the negative impact of the crisis on other working conditions such as job security, employment guarantees and better access to training.</p> <p>Impact on bargaining</p> <p>Unions report a more hostile environment for bargaining.</p> <p>Impact on women</p> <p>Both women and men are affected by the crisis and there has been no great impact on the already wide gender pay gap.</p>
<p>Czech Republic CMKOS, OS KOVO</p>	<p>Pay cuts, wage moderation and pay freezes</p> <p>Pay cuts have taken place in both the public and private sectors. Cuts in the State budget led to pay cuts of 10% in 2010 and since then pay has been frozen. Minimum wages, which are covered by legislation, have not increased since 2007. Unions are pessimistic that the government's plans to increase minimum wages from €320 to €340 per month will be implemented.</p> <p>Impact on bargaining</p> <p>Although no major changes have been made to legislation relating to collective agreements, the economic crisis has led to a significantly change environment for negotiations. Bargaining is now more difficult.</p> <p>Impact on women</p> <p>During the first period of the crisis more men lost their jobs and some small changes to the gender pay gap were noted. Unions state that the government's decisions made in the crisis have worsened women's economic situation. Data on the gender pay gap did not take into account the loss of lower paid men's jobs; in the public sector and service sector the pay gap has widened. An example is given from one manufacturing company, which employs 570 workers, down from 1,000 workers five years ago. Three-quarters of the workforce were women, now women are only half of the workforce. With high unemployment there is also a change in the workforce, men, for example, are now carrying out more work that was traditionally carried out by women in textiles.</p>

<p>Estonia EAKL</p>	<p>Pay cuts, wage moderation and pay freezes</p> <p>Pay cuts of between 8% and 10% have been imposed in the public sector (with the exception of teachers). In the private sector pay cuts have ranged between 10% and 30%, often because workers are on short-time working and/or were in workplaces not covered by collective agreements. Pay freezes have been negotiated in sectors covered by collective agreements. Overall, average wages decreased by 5% in 2008, and was relatively low overall because most of the pay cuts were in low paid jobs. In 2009 there was a 1.1% increase in average wages.</p> <p>Impact on bargaining</p> <p>Since 2009 there have been few new collective agreements. Unions have aimed to maintain existing pay levels and employees were reluctant to push the issue in case employers cut wages. In 2012, there were some new agreements and a 10% increase in minimum wages. At company level there are different types of wage increases in evidence, some companies have individualized pay, which tends to benefit higher paid workers. Some others have negotiated wage increases for everyone, such as minimum pay levels for different jobs.</p>
<p>France CFDT, CGT, FO</p>	<p>Pay cuts, wage moderation and pay freezes</p> <p>Since 2008 the government has had a wage freeze policy for the public services. A national agreement concluded on 11 January 2013, specified that a reduction in pay can only be considered in exceptional circumstances for companies in economic difficulty, and by negotiation at company level. Wage freezes, rather than wage cuts, were negotiated by FO-Metal as part of the national agreement on competitiveness in business. In the private sector the main impact has been from the moderation of the minimum wage.</p> <p>Impact on women</p> <p>French unions argue that the context of the economic crisis has made it difficult to negotiate salary adjustment measures for women. However, the obligation to reduce the wage gap remains, and laws and regulations have been strengthened in this regard, including a financial penalty of 1% of payroll against companies that do not have a collective agreement or a unilateral plan of the employer for workplace equality. To date, the economic crisis has had no significant impact on the gender pay gap.</p>
<p>Hungary ASZSZ, LIGA</p>	<p>Pay cuts, wage moderation and pay freezes</p> <p>Cuts in public sector salaries began in 2008; between 2008 and 2012 this amounted to a 9% cut in pay.</p> <p>Impact on women</p> <p>The crisis had an impact as traditional female jobs (for example, in health care and education), where pay cuts have lowered the value of salaries of some of the lowest paid women workers. In 2008 women earned 86.8% of men's wage, in 2011 this widened to 85.2%.</p>

<p>Iceland ASI</p>	<p>Pay cuts, wage moderation and pay freezes</p> <p>In October 2008 onwards, wage cuts, pay freeze and wage moderation affected workers in both the public and private sectors. The sectors that were most affected by the crisis, e.g. employing construction, finance and skilled office workers, endured the worst pay cuts. In the public sector, skilled and unskilled workers were affected by pay freezes and wage moderation between 2009 and 2010. By 2013 the majority of these cuts were reversed, especially for skilled workers.</p> <p>Impact on women</p> <p>One of the successes of the collective bargaining rounds in 2008 and 2010 is that unions put extra emphasis on raising the low rate of women’s wages in female dominated sectors. The economic crisis has not led to a lower priority for gender equality, but rather given gender equality in the labour market more weight. According to the Icelandic Statistics data the unadjusted gender pay gap in Iceland was 18.1% 2012 (18.5% in the private sector and 16.2% in the public sector). This represents a decrease from 2008 (although an increase in the lowest gender pay gap of 17.5% recorded in 2010).</p>
<p>Ireland ICTU</p>	<p>Pay cuts, wage moderation and pay freezes</p> <p>Pay cuts have been implemented in both the public and private sector. Overall there has been an average of 8% pay cut in the private sector, and cuts have been higher in the public sector averaging around 15%. The public service agreement in 2010 delivered savings of €1.8bn. For example, in teaching in 2010 a 7.5% pension levy was introduced and non-payment of 3.5% agreed increase, which was followed by a further 6.5% average pay cut for teachers. In 2011 a 15% pay cut was made for new entrants into teaching and a 4% cut in pension was imposed for retired teachers. In 2012, the qualification allowance was abolished, varying from between €1,644–€6,638. In 2013, further pay cuts were introduced for those on salary between €35,000 to €65,000, with increments delayed by 6 months (averaging €1,000–€2,000). Those earning between €65,000 and €80,000 had a 5.5% pay cut, and an 8% pay cut was imposed for those earning between €80,000 and €150,000.</p> <p>Impact on bargaining</p> <p>Collective bargaining has been hugely undermined as many of the cuts have been imposed through emergency legislation, with little or no consultation with unions. ICTU passed an emergency motion at the 2013 biennial conference calling for the repeal of the Fiscal Emergency Measures in the Public Interest legislation. The motion states that the Act “undermines the principle of collective bargaining in the public sector and that this may set a precedent for the private sector; noting that the legislation provides extraordinary powers to government ministers to unilaterally vary terms and conditions of employment; and notes that there is no specified end period for this ‘emergency’ legislation”.</p> <p>Impact on women</p> <p>Sectors in the economy where female participation is highest have all witnessed notable job losses and shifts towards precarious employment, low pay and an increase in involuntary part-time work. Wage cuts have impacted on women disproportionately. An analysis by the trade union research institute – NERI – found that since 2008 incomes have declined by an average of 12% (by 11.8% for males and 12.2% for females) reflecting decreases in earnings, reduced welfare payments and increases in income taxation levels.</p>
<p>Latvia LBAS, Latvian Education Union</p>	<p>Pay cuts, wage moderation and pay freezes</p> <p>Pay cuts have principally taken place in the public sector, where most women work. The Latvian Education and Science employees’ trade Union reports that in higher education pay cuts of 25% have taken place alongside an increase in workload. In general and vocation education pay cuts of 40% have been introduced.</p>

<p>Liechtenstein LANV</p>	<p>Pay cuts, wage moderation and pay freezes</p> <p>Some sectors have had pay freezes imposed for 2-3 years, and in most sectors only individual pay rises have been implemented, for example, in export orientated industrial company (transport, graphics, trade and construction).</p> <p>Impact on women</p> <p>Job losses have particularly affected women workers, and specifically low skilled and part-time workers.</p>
<p>Lithuania LTUC</p>	<p>Pay cuts, wage moderation and pay freezes</p> <p>Between 2008 and 2011 wage cuts in the private sector resulted in men’s average earnings declining by 7%. In comparison women’s average earnings have fallen by 0.5%, but remain substantially below men’s. The economic crisis has particularly affected sectors where men predominate, such as construction, transportation, mining and quarrying.</p> <p>Impact on women</p> <p>Women’s economic role in many households has increased, with a significant increase in women who have become primary breadwinners.</p>
<p>Norway LO-Norway</p>	<p>Pay cuts, wage moderation and pay freezes</p> <p>The Norwegian economy and the fiscal situation are more favourable than most other European economies. There have been no austerity measures or fiscal consolidation. However, the financial crises resulted in a decline in the employment in 2009, which was higher among men than women.</p> <p>Impact on bargaining</p> <p>Overall, the economic crisis has not altered the strong tradition for cooperation between the government and the social partners, and there has been no negative impact on gender equality in collective bargaining or in gender policies.</p>
<p>Poland NSZZ-Solidarnosc</p>	<p>Pay cuts, wage moderation and pay freezes</p> <p>Pay freezes were introduced in the public sector in 2010 and seniority and other bonuses were cancelled. The only sectors where wages continue to grow are heavy industry and mining, which the unions attribute to the negotiating power.</p> <p>Impact on bargaining</p> <p>Collective bargaining has considerably weakened in the economic crisis. The significant increase in unemployment has made it difficult to negotiate on pay and working conditions in view of the constant threat of layoffs.</p> <p>Impact on women</p> <p>Women predominate in precarious and atypical forms of employment, such as temporary work, short-term work contracts or agency work.</p>

<p>Portugal CGTP</p>	<p>Pay cuts, wage moderation and pay freezes</p> <p>In 2012 public sector wages were frozen, following earlier pay cuts. Civil servants earning more than €1,000 per month had cuts in holiday leave and Christmas allowances. These cuts were implemented, despite a decision of the Constitutional Court that declared them unconstitutional. In 2013 the government imposed a new packet of austerity measures in order to “compensate” the decision of the Constitutional Court and also to fulfill the compromise reached with the Troika aiming at reducing further the social expenditure (of €4,7 billions). The measures included cuts in employment and wages of civil servants, including wage-supplements. Weekly working hours were increased from 35 to 40 hours per week.</p> <p>Impact on bargaining</p> <p>The CGTP-IN reports that the economic crisis has led to an emergency economic situation and the near collapse of collective bargaining. In the light of the significant difficulties in collective bargaining, particularly at sectoral level, unions are now trying to develop actions at enterprise level, inside or outside collective bargaining.</p> <p>Impact on women</p> <p>Given that women represent 57% of public sector workers, and particularly lower paid workers, they have been adversely affected by pay cuts and also the freeze in the national minimum wage. Despite the crisis gender equality is still on the union’s agenda.</p>
<p>Romania BNS</p>	<p>Pay cuts, wage moderation and pay freezes</p> <p>The government’s response to the crisis, consisting of austerity measures and structural reforms, stemmed from a combination of international pressure (from the IMF), the doctrine of the centre-right governing coalition and lobbying by business associations. In June 2010 the Romanian government adopted a package of severe anti-crisis measures, resulting in 25% pay cuts for government employees and a cut of 15% in social security benefits. Living costs have also risen as a result of an increase in VAT from 19% to 24%.</p> <p>The new Labour Code, passed in March 2011, was introduced despite opposition from the trade unions and employers’ associations. The legislation makes it easier to terminate employment and introduce fixed-term employment contracts and temporary work. Restructuring of public sector employment has led to a loss of 78,700 jobs, representing 21% of the total jobs terminated in EU countries. Of the total jobs terminated, 60,610 were government positions, representing over half of the total government positions terminated in the entire EU.</p> <p>Impact on bargaining</p> <p>The crisis has diminished the influence of trade unions, through imposition of stricter criteria on union representation and new administrative procedures for registering new trade unions, and eliminating the so-called professional trade unions, which were the only legal possibility for employees to establish a trade union. National collective negotiations and agreements have also been terminated.</p> <p>Impact on women</p> <p>Women have been adversely affected by pay cuts in the public sector as they represent the majority of public sector workers, and whose salaries were already lower than in the private sector. In health and education sector, wages are about nine times lower than the wages in the Ministry of Defence. Cutting 25% of a small salary reinforces inequality. Further negative impacts arise from women’s lower bargaining power, their predominance in public sector jobs that have been lost and women’s increasing precarious work. Women who have been laid off in the public sector are forced to take employment in the black/grey economy (as caregivers for elders/young children, private tutors, cleaners, cooks, domestic workers). Many of these women are going abroad for work (mostly in Italy and Spain).</p>

<p>Slovenia SKEI</p>	<p>Pay cuts, wage moderation and pay freezes</p> <p>In Slovenia, the SKEI union reports that pay cuts and pay freezes have principally taken place in the public sector.</p>
<p>Spain CC.OO, UGT, UCT-MCA</p>	<p>Pay cuts, wage moderation and pay freezes</p> <p>A severe reduction of wages has taken place since 2009. Collectively agreed wages have been cut and collective bargaining agreements have not been implemented. Many workers have been affected by unpaid back wages, and have endured worse working conditions and job insecurity. The most significant pay cuts have taken place in the public sector, implemented through legislation at both the national and the regional government levels. The level of the minimum wage has also been frozen and cuts have also taken place in social benefits and social services, and coupled with increases in VAT, living standards have declined.</p> <p>Impact on bargaining</p> <p>The economic crisis has led to an increased trend to decentralised and fragmented bargaining, which has made it difficult to implement gender equality legislation. There are a growing number of examples of company level agreements being drawn up without trade unions. In January 2012 a three-year agreement³¹ was signed which recommended pay increases below inflation, paving the way for companies to reduce salaries and increase working time through company level bargaining. A key issue is the protection of the Labour Code and provisions in legislation, which are seriously being undermined. The agreement is very complex and has implications for part-time women workers who want to increase their working hours. A key factor is that 10% of working time is deemed to be adjustable. An agreement signed between UGT and the employers in 2012 has resulted in company level agreements prevailing over sectoral agreements. 1,400 collective agreements will no longer be applicable.</p> <p>Impact on women</p> <p>Men’s wages and working conditions were most affected in the early stages of the economic crisis, particularly in construction and related industries. More recently pay cuts and losses of jobs have taken place in feminized service sectors, such as the financial sector. In the public sector, particularly health and education, women have been adversely affected by job losses and pay cuts. Spanish unions argue that female workers continued to suffer discrimination in the labour market, with higher rates of short-term contracts and part-time work. Pay cuts have had deeper repercussions for female workers. This is particularly the case in private companies which manage public services, where non-payment and delays in payment of wages, increased working hours and increasing workloads are commonplace. A significant problem is the growth of involuntary part-time, temporary and short-term working (80% of women in Spain work on short-term contracts).</p>

31 Memoria sobre la situación socioeconómica y laboral de España, Consejo Económico y Social: 2009, CES, 2010

<p>Sweden LO-Sweden, IF Metall</p>	<p>Pay cuts, wage moderation and pay freezes</p> <p>Wage-setting in LO unions has not been directly affected by the economic crisis. Despite not being affected by the economic crisis to the same extent as other countries, the Swedish economy has encountered a persistent slow down. This has affected the pace of pay increases and increases of nominal wages remain low. Although the economic crisis has to date not led to Sweden introducing austerity measures, the export industry is very exposed and there is now a pressure to reduce wages.</p> <p>Impact on women</p> <p>With nominal wages remaining low, this has impacted on the redistribution of wages between women-dominated and men-dominated sectors. In addition, there appear to be certain wage drift in the industrial and male-dominated agreements in the private sector, where no comparable increase can be found in the women-dominated sectors. In the metal sector IF Metall report that although pay cuts were not implemented, during the crisis year of 2009 young women were most affected by job losses as they had been the last workers to be employed and many were low skilled. Although equal pay for equal work is guaranteed, the problem is that women are largely in unskilled jobs.</p>
<p>UK NUT</p>	<p>Pay cuts, wage moderation and pay freezes</p> <p>Public sector workers including school teachers have experienced a two-year pay freeze (2011 and 2012), which the Government wants to follow with a three year pay cap of an average of no more than 1% pay increase (2013 to 2015). The NUT report that prior to 2011, teachers have often had below inflation pay rises. Increased pension contributions have added to the downward pressure on pay. The Ulster Teachers Union reports that there have been no pay rises for teachers since 2010 and the real value of wages has dropped considerably as a result. It has been very difficult to reach agreements in this context.</p> <p>Impact on bargaining</p> <p>The Government is planning far-reaching changes to teachers’ pay and conditions of service, through the introduction of school-based pay determination. The proposals, if enacted, threaten much greater inequality and discrimination in teachers’ pay, with pay progression decisions taken on the basis of factors outside teachers’ control. One proposal that would affect women teachers in particular is the Government’s decision to end ‘pay portability’ that is teachers’ would no longer have the right to be paid on the same pay point when they move schools or take a career break to raise a family.</p>

APPENDIX 3: Overview of agreements collected in the ETUC ‘Bargaining for Equality’ survey

Austria
ÖGB, PRO-GE

A Joint Position Paper was agreed between the Austrian social partners (2008) “Equality between women and men as a concern of representing the interests of workers and employers”. It recognises that when closing the gender pay gap an important role needs to be given to educational and career choices of girls and boys, company policies to support the equal sharing of childcare responsibilities between mothers and fathers, getting a higher proportion of women in management positions and an improved framework for sharing of work and family life. The agreement states that salary calculations should be fair, equal and transparent, and the social partners are committed to promoting equal pay under the income reports set out in the Equal Treatment Act.

The most important recent agreement is the 2010 National Social Partner Agreement on gender equality in the labour market, setting out clearly defined priorities related to achieving income transparency at company level through income reports, action plans, the development of an online wage calculator, and a collective bargaining ‘handbook for social partners/negotiating teams (subsequently produced by the social partners “The collective agreement: the instrument for equal opportunity”). The agreement led to the legal implementation of income transparency at company level and the obligation to publish wage information about job vacancies.

Negotiations on transparent pay data and company income reports at sectoral level have led to a number of agreements addressing gender pay inequalities. For example, this has been progressed by the PRO-GE union in negotiations in metal, energy, agricultural and textile sectors. The collective agreement in the Bank Sector, which came into force by 1 January 2005, contains an explicit reference to equal opportunities of women and men and measures to tackle the gender pay gap through: a) terms of parental leave count as terms of employment for regular promotion, b) additional qualifications (languages or social skills) are remunerated and shall be considered in the case of job promotion, and c) better remuneration for the new entrants and for promotion to higher positions.

The union for private employees (Gewerkschaft der Privatangestellten) also issued a model for collective agreements on plant level, which also contains explicit regulations on gender equality and equal pay.

Unions in Austria negotiated a minimum wage standard of €1.000 in all sectoral collective agreements, concluded between the social partners in 2008. In 2013 the unions made a demand to raise this threshold to €1.500. As a high proportion of these low wage earners are women, this new minimum wage target will contribute to improving their pay situation.

Belgium
ABVV/FGTB,
ACV-CSC, SGLB

Various **national** collective agreements (CLAs) have addressed gender equality and gender pay gap issues. A significant achievement for the unions was the signing of a national inter-professional agreement, which encourages the social partners to integrate a gender neutral approach to job classification.³² Agreement 25 (amended in 2008) states that “any discrimination based on sex should be eliminated in all aspects and conditions of remuneration (base salary, gratuities, benefits in cash, savings or additional agreed holiday allowances or supplementary social security, etc.)”. It requires a commitment across economic sectors and organisations to use gender neutral systems of function classifications to ensure that gender does not influence the description of a function and the wage level. This has been harder to negotiate through company agreements since the onset of the economic crisis, despite a commitment by the government to achieve a 0% gender pay gap in ten years.

Other national agreements include: a) CLA 38 (10 October 2008) on the recruitment and selection of workers and foresees a code of conduct; b) CLA 35 gives priority to part time workers to access an equivalent vacant similar full time job and aims to regularise systematic overtime; c) CLA 95 (10 October 2008) states that in all phases of labour relations between employers and workers, equality has to be assured.

Sectoral agreements in metal and clothing sectors, have negotiated gender neutral function classifications, which are now mandatory. The Joint Commission for banks (CP 310) agreed provisions on of non-discrimination in career progression (Section IV: Working female staff, Article 61). Article 61 specifies that female staff have the right to full and equal working conditions with those of male staff, and have the same opportunities for promotion, career development and education.

Bulgaria
CITUB,
PODKREPA

National statistics show that there are currently 69 sectoral agreements that have addressed gender equality that go beyond the provisions in the Labour Code; these agreements are mandatory for employers who are members of trade unions which have signed sectoral collective agreements. The procedure is difficult to implement but there have been positive outcomes, but also negative practices. Agreements deal with non-discrimination in pay, equal access to employment and balancing work and family life, and clauses have been introduced on flexible working hours for mothers with young children. Examples of agreements include:

- ▶ Sectoral agreements in the light industry on access to training to support the career development of women, including professional training of up to five days per annum and specific reference to gender.
- ▶ In the transport sector job assessment and evaluation of professional qualities have been carried out to determine pay levels; they specifically refer to hidden discrimination. A sectoral agreement in the transport sector (signed in 2010) contains a new chapter dealing with violence at workplace and gender equality – the agreement was co-signed by employers’ organisations and all parties must introduce anti-discrimination measures and guarantee gender equality principles, regarding pay, training and career development.

Company level agreements tend to cover special protections for pregnant workers and balancing work-family life, additional health benefits, and flexible working hours for mothers with young children. Company agreements tend to add value at company level and above the minimum legal requirements. For example, provisions include extended holiday entitlements for parents, two additional hours for workers having children in kindergarten, an additional day of vacation for single parents, reduced hours for pregnant mothers and children up to three years, and possibility to combine parental leave with annual paid leave.

32 See Convention Collective De Travail N° 25 Ter, Séance uu Mercredi 9 Juillet 2008. Convention Collective de Travail Modifiant la Convention Collective ee Travail N° 25 du 15 Octobre 1975 Sur L’egalite des Remunerations entre Les Travailleurs Masculins et les Travailleurs Feminins [http://www.cnt-nar.be/CCT-ORIG/cct-025-ter-\(09.07.2008\).pdf](http://www.cnt-nar.be/CCT-ORIG/cct-025-ter-(09.07.2008).pdf)

<p>Bulgaria CITUB, PODKREPA</p>	<p>Examples include:</p> <ul style="list-style-type: none"> ▶ Sectoral agreement in the water and sewerage sector covers additional compensation for parental levels above the national level (240 lev or €120 provided in addition by the employer). ▶ A number of collective agreements in multinational companies provide for social benefits such as kindergarten fees, summer camps, and provisions for mothers to work four hours per day in first year of a child’s schooling. Social partnership committees at company level negotiate salaries, additional allowances and bonuses. Each company has carried out an internal classification of jobs to calculate salary levels. ▶ A Sectoral collective agreement was concluded on October 2011 between Irrigation Systems Plc and Podkrepa trade union federation. It provides for enhanced annual leave for working mothers (additional three days paid annual leave for mothers with two children under the age of 18 years; extended to five additional days for mothers with three or more children under the age of 18 years). Leave may be taken when the employee requests it and cannot be compensated for in cash, except in case of termination of the employment relationship. ▶ An agreement between the Bulgartransgaz EAD, a Bulgarian state-owned joint stock company and the Podkrepa trade union, led to mothers with children under 18 years being entitled to additional paid annual leave, for each calendar year (additional four days paid annual leave for mothers with two or more children; extended to six days paid annual leave). <p>In the state sector agreements are difficult to conclude because of limitations imposed under the Civil Servants Act. Legislation states that the salary of civil servants would not drop following a new scheme introduced on career advancement, but this is difficult to implement. The job classification scheme has changed, with new obligations on job requirements and compensation, which aim to take into account years spent in education and length of service of civil servants. There were negative consequences and workers without university degrees were dismissed within 15 days. Unions were not involved in discussion of drafting of new job classification scheme.</p> <p>In the metal sector there are many problems, although there is good trade union partnership and agreements. Large numbers of women work in the metal sector, but here is a lot of hidden discrimination. The sectoral agreement in the energy sector was seen as a possible tool for local branches to sign their agreements at factory level. However, privatisation and the entry into the market of multinational energy companies have resulted in a halving of the workforce and fragmentation of bargaining. The collective agreement refers to discrimination and equal pay, but it is still not implemented. In the agriculture sector there are six collective agreements, which have a two-year duration across different branches, but it has not been possible to have sectoral agreements because of the variations in agriculture sector. The union is negotiating an increase in benefits and women’s access to education, training, qualifications, including for women returning from maternity leave to update their skills. Company level agreements aim to negotiate better conditions and prevent discrimination.</p>
<p>Cyprus SEK, DEOK</p>	<p>There have been a limited number of agreements specifically designed to reduce pay inequalities between women and men. DEOK refer to two agreements where equal pay is referred to.</p> <ul style="list-style-type: none"> ▶ Under the agreement between DEOK and the company NEA SEVEGEP (2005 - 2007) Article 7 makes reference to the legislation on equal pay and it will be applied strictly to the working terms of the company. ▶ An agreement between DEOK and buses in the Nicosia District (2006 - 2008), states that equal pay should apply to all drivers, women and men (Article 3).

<p>Denmark LO-DK, HK</p>	<p>Danish law on equal pay led to the negotiation of some important agreements in the private and public sectors in 2010. For example, since 2010 the HK union has negotiated a number of agreements with municipalities in carrying out equal pay surveys. Agreements in public and private sectors now contain clauses on pension entitlements to be continued during maternity and parental leave. The union has put a specific emphasis on ensuring that agreements contain provisions on maternity and parental leave, with priority to encourage the equal sharing of parental leave by men and women as a focus for collective agreements in the future.</p>
<p>Finland AKAVA</p>	<p>Agreements have covered a wide range of topics, including specific pay increases for low paid workers and for workers in female dominated jobs, transparency in pay systems, job evaluation free from gender bias, workplace pay surveys, and working time policies.</p> <p>Examples of two agreements negotiated by AKAVA cover:</p> <ul style="list-style-type: none"> ▶ CHURHC, sectoral agreement specifies that 0.5 % of total wage costs can be allocated to diminish pay inequality between men and women (2/2012/-1/2014). ▶ In the Financial sector an agreement established that the negotiating partners will establish a working group to promote equality and provide help to carry out pay evaluations at work place level. <p>In 2007 the public sector carried out national pay-programme that increased wages for women occupying positions that require higher education. One of the aims was to bridge the gap between salaries in the public and private sectors.</p>
<p>France CFDT, CGT, FO</p>	<p>Examples of agreements between unions and employers in France include:</p> <p>A national intersectoral agreement on gender equality and gender balance in the workforce was signed in April 2004 by the main employers' organisations and trade union confederations. It covers measures to narrow the gender pay gap, prevent maternity leave from adversely affecting women's careers and labour market segregation. It provides a framework for lower-level bargaining, but there are no sanctions or targets for this. This followed a number of company and sector-level agreements which have dealt with similar issues.</p> <p>An example of a company level agreement in a large bank (Société Générale) shows that some progress has been made in improving the transparency of pay data. However, elected trade union representatives have not been trained on how to use and understand the data. The agreement has led to a quota being established with an objective of 50% representation of women in managerial positions, in top level positions and on the board. A monitoring commission has been established by the company, which meets once a year or on the request of a trade union, to monitor progress with the agreement.</p> <p>On 15 November 2006, the CFDT signed (along with the CGT and the FO) an agreement on occupational equality in the banking sector. Besides abolishing pay gaps by 2010, the agreement highlights that equal treatment is essential at all stages of careers, from training to promotion. In the CFDT's view, collective bargaining on occupational equality must be pursued both at sector- and company-levels. On 8 March 2008, the CFDT also launched a national survey on 'work in question' (le travail en question, TEQ) amongst employees.</p> <p>An agreement between FO and EDF on professional equality between women and men 2012-2014, includes a chapter on "The pursuit of equal pay" for taking action to reduce the wage gap, and includes priorities to address pay differences through "allocation of individual increases in the selection process." Pay increases shall be allocated in terms of testing the levels of skills and individual professionalism, at least once a year. A similar situation is determined by the position in employment, seniority and training. Monitoring of these measures must be implemented and a special monitoring will be conducted for people in part-time employment to ensure they are equal to those in full-time employment.</p>

<p>France CFDT, CGT, FO</p>	<p>An agreement between FO and France Telecom SA on professional equality for women and men 2011-2014, contains an entire chapter on remuneration policy and equal pay and presents the results of the previous agreement, which shows the persistence of wage inequality. The agreement states that an analysis of pay will be carried out annually and a budget for equal pay will be established for the implementation of corrective measures of wage differentials, and an action plan. The agreement also specifies that employees must be notified by the human resources of a potential impact on their retirement of options such as part-time work and parental leave, to limit the consequences of the exercise of parenthood on their future pension. It also covers the payment of contributions for parental leave, family leave, family solidarity leave and leave for family support.</p> <p>FO Metaux has concluded a number of agreements with companies (as required under the legislation for companies with more than 50 employees). Agreements aim to cover targets and indicators in eight areas.</p> <p>An agreement has been signed between UFE and l'UNEmIG (electricity employers) with all the French unions on gender equality, and include specific objectives on equal pay (CGT, CFDT, CGT-FO CFE-CGC, CFTC).</p> <p>The CGT reports that according to the 2012 report on collective bargaining a total of 1,265 agreements were concluded in 2012 (which included 19 agreements were concluded on professional equality; 164 branch agreements addressed on gender equality and a further 183 explicitly addressing equality).</p>
<p>Iceland ASI</p>	<p>Pay increases for low paid workers were negotiated in collective agreements in 2008 and 2010, with an additional payment for low paid workers, mainly in female dominated groups in unskilled or semi- skilled jobs in the health and care sector.</p> <p>Collective agreements in 2008 and 2010 introduced a special certification system on equal pay and job evaluation free from gender bias (in collaboration with the Minister of Social Affairs) to certify the implementation of the policy of wage equality and equality in employment.</p> <p>In December 2012 an agreement was negotiated by the Icelandic Confederation of Labour for an Equal pay management system, which provided guidance in co-operation with Icelandic Standard agency. The scope of the standard is to implement effective and professional methods for pay decisions, effective review and improvement. One of the main emphases of the Equal pay system requirements is that "same work or work of equal value shall be classified together on the basis of a certain criteria."</p>
<p>Ireland ICTU</p>	<p>The recent public sector pay deal (Haddington Road agreement) was concluded in very difficult circumstances, with the government seeking a series of pay and productivity measures to be implemented in order to achieve the necessary €1 billion savings in the cost of the pay and pensions bill over the 3 years from 2013 to 2015. However, the agreement proposes a reduction in pay only for those on salaries of €65,000 and greater, thereby protecting the pay of lower paid workers. The agreement has also been used as a basis for protecting flexible working hours for workers, which has been very important for women in female dominated sectors.</p> <p>The MANDATE Trade union has campaigned for respect for retail workers and decent work in the predominantly low paid and part-time retail sector. Mandate successfully claimed for a 3% pay rise for workers in the retail chain Dunnes Stores, and the company has informed its 14,000 staff that it will be increasing their pay by the 3% sought by Mandate in 2013. They are also seeking a similar increase for the 4000 workers in the Penney's retail chain.</p>

<p>Ireland ICTU</p>	<p>The service union SIPTU has been campaigning for a Fair Deal for Cleaners to protect pay and conditions throughout the Contract Cleaning sector. The union has negotiated an employment regulation order for contract cleaners, protecting the minimum rate of pay of €9.50. The agreement has been critical to take wages out of competition and to avoid placing unionised contractors in an uncompetitive situation. The constitutional status of the Registered Employment Agreement (REA) structure, which legally protects the pay rates and conditions of employment of tens of thousands of workers throughout Ireland, is now in doubt following a Supreme Court judgement, delivered in May 2013, declaring REAs as unconstitutional.</p>
<p>Italy CGIL, CISL, UIL</p>	<p>Sectoral and company agreements have been negotiated between FILCTEM (CGIL) and employers in the manufacturing sector (textiles, chemicals, rubber/plastics and the utilities). Gender equality concerns have been analysed as part of the negotiation and renewal of 30 national sectoral agreements and a range of company agreements.</p> <p>Agreements negotiated with large manufacturing companies, including multinational companies, such as ENEL, Bridgestone, Gucci, Luxottica, L’Oreal and ITC Farma. Guidelines for negotiations have been drawn up on work organisation, flexible schedules, and extended use part-time, telecommuting and work -life balance. Examples of areas where gender equality has been integrated in agreements include childcare, maternity benefits, flexible working time and working time shifts that are relevant to the age of children and family responsibilities, rights of workers with parental responsibilities to shift between part-time and full-time work, teleworking, training for women returning from maternity leave, and the introduction of job evaluation systems across specific indicators. In some large companies additional family and welfare measures have been negotiated in areas such as childcare, support for families with care responsibilities for older people.</p> <p>A Memorandum of Understanding for the promotion of positive action to facilitate the reconciliation of work and family life was signed in 2014 in the Marche Region between the unions ANCI, UPI, CGIL, CISL, UIL and the main employers’ associations. This has been very important to affirming the need for the sharing of family responsibilities between men and women to be promoted through second-level collective agreements, with a particular focus on flexible work schedules and work organisation that promote the reconciliation of work and life. The unions are of the view that negotiating agreements in this area is vital in defending women’s jobs.</p> <p>UIL report on a good practice agreement in the public sector in Italy, based on a pilot project on corporate welfare in Bergamo. The objective has been to conclude agreements that address the reconciliation of work and family life, with guidelines, a handbook and advice for companies provided by the union. A ‘family friendly label’ has been developed to encourage employers to adopt good practices, including welfare measures in this area as part of Corporate Social Responsibility.</p> <p>CISL reported on the negotiation of a number of successful agreements, which have been promoted under its ‘Libra’ initiative. The union cites good practices in agreements concluded with ENEL, Nestle/San Pellegrino and Bitron.</p> <ul style="list-style-type: none"> ▶ Agreement with the energy company ENEL under the corporate welfare agreement ‘People Care in ENEL’. The agreement covers four main areas: wellbeing and health; family care; flexible working time and saving time and costs; and progression into managerial positions. The agreement has a specific focus on flexible working, including teleworking and parental leave. In addition the agreement provides for the monitoring of salary and career progression for full and part time workers, and workers opting for teleworking. ▶ Agreement with Nestle/San Pellegrino has been concluded on teleworking and parental leave, including increasing parental leave and compensation for men. ▶ Agreements since the 1990s have been negotiated with the electronics company Bitron on flexible working time. These have covered the rights of part-time workers. One of the first enterprise agreements on flexible working hours was agreed in 2009.

<p>Lithuania LTUC</p>	<p>The Women’s Department of the LTUC reports that it has prepared and submitted a collective agreement with recommendations on reducing the gender pay gap.</p>
<p>Norway LO-Norway, NITO, Union of Education</p>	<p>2013 was the second year of the two-yearly bargaining period in the private sector in Norway agreed by the main organisations LO-N and NHO (the Confederation of Norwegian enterprise). The framework of negotiations in Norway is the so-called “pace setter” model, whereby areas exposed to foreign competition negotiate first, and wage growth follows in other areas. In the LO-N – NHO area, the result contributes to equal pay as nearly half of employees covered by the extra low pay increase are women.</p> <p>In the Municipal / locally governed sector (“KS”) women received higher wage growth both nominally and as percentage. The aggregated figures cover both education and other services.</p> <p>In the 2012 wage setting in manufacturing the employer’s side attacked the increases for low paid workers and the state mediator had to step in. As a result of a proposal from the mediator, additional pay in agreements for low paid workers have continued to benefit women workers.</p> <p>The General Collective Agreement of the State has a chapter on local agreements: “Where documented salary differences cannot be explained by other than sex, the employer shall, in consultation with the unions fix wage differences according to the Equality Act”. Unions have also addressed structural factors related to part-time work and leave. In the metal working union in 2012, an agreement secured two weeks leave with pay for fathers (as exists in public sector).</p>
<p>Spain CCOO, UGT, UCT-MCA</p>	<p>The fragmentation and decentralisation of bargaining in Spain has resulted in agreements that have been discussed with negotiating bodies that do not belong to trade unions.</p> <p>The following are examples of agreements cited by the two Spanish confederations:</p> <ul style="list-style-type: none"> ▶ Under the plan for Equal Opportunities, Vossloh Corporation (rail vehicles and tracks). Article 13 awards compensation based on gender criteria to eliminate gender inequalities in pay, with salary differences for male and female workers applied only as a function of objective and justifiable reasons and not based on gender. The agreement covers training for management staff and personnel in the Department of Human Resources on issues concerning equal opportunities in salary policies. ▶ An affirmative action clause is included in the sectoral Collective Bargaining agreement on the cleaning of buildings. It covers non-discrimination and equal treatment for all workers (with specific criteria for the less represented gender in relation to appointments, conversion of jobs to fixed-term contracts, gender neutral selection, promotion and training of staff, quotas expressed as percentages of women and men in order to generate a more balanced distribution in positions of responsibility, maternity leave and continuity of bonuses and wage increases). It also provides for an Equality Module in the company’s annual training programme, setting general equality objectives for the company to achieve, and provision of Equality Plans on access to jobs and occupational non-segregation, promotion, training, equal wages, conciliation of personal, family and working life, and specific training concerning equality among workers, prevention of sexual harassment. <p>The MCA-UGT union has concluded agreements which have implemented the legislation requiring companies with over 250 employees to negotiate and sign an equality plan. This is based on the negotiation for a plan, a proposal for the plan and creation of Equal Opportunity Committee made up of the employer and trade unions. The Committee is responsible for the final agreement.</p> <p>An agreement for Employment and Collective Bargaining (Acuerdo para el Empleo y la Negociación Colectiva) 2012-2014 (II AENC), signed by CEOE, CEPYME, CCOO and UGT, has no regulatory powers, but includes criteria and guidelines for negotiation of collective bargain agreements, which are compulsory for negotiators.</p>

Sweden

LO-Sweden, IF Metall

Equal wages and working conditions have been pivotal within the framework of LO-Sweden's wage coordination. The 14 LO affiliated national unions coordinate their demands ahead of the national union negotiations at sectoral level, including demands for equality in pay and working conditions.

Agreements have given priority to adjusting wage differences between sectors dominated by women and men respectively, commencing in the wage negotiation round in 2007. These rounds of negotiations have provided an 'Equality allowance' with the purpose of equalising the wages, in addition to the general demands for wage increases. The size of the 'equality allowance' was decided in the respective negotiating sector depending on the number of women who earned less than SEK 20,000. The negotiations at national union level resulted in agreements of three years' duration, during which time the largest negotiated wage increases were achieved in the retail and municipal sectors, both of which are dominated by women. In the 2013 round of negotiation, the LO national unions' coordinated demands continued this focus on the lowest wage earners in the big negotiating areas dominated by women. The 2013 agreement specifies that all national agreement areas that have lower average wages than SEK 25 000 / month, will have a minimum increase in crowns instead of percentages. LO see this as another way to reduce the percentage difference between low-paid female-dominated jobs and other male-dominated jobs.

Vision, the Swedish union representing white-collar workers in local government, agreed a new four-year pay agreement in 2012, providing general increases of at least 2.6% and 2.2% in the first two years but then in years three and four the focus will be on individualised wage increases. The agreement requires that the employer makes awards based on a better assessment of the competencies and performance in the work carried out and the wages received. It is planned that guidance and tools will be developed to enable employers and unions to evaluate jobs in this regard.

In the 2013 round of negotiation which resulted in agreements of three years' duration, the LO national unions' coordinated demands sought to increase the pay of low paid workers in female dominated sectors, as well as demands for a collective agreement insurance providing additional remuneration when on parental leave. The national parental leave insurance compensates for some 80 per cent of the wage reduction up to a wage of about SEK 37 000/month. Previously, most of the collective agreements' general conditions contained a right to additional remuneration during some months from the employer.

LO reached an agreement with the Confederation of Swedish Employers (SN), as part of the 2013 round of negotiations, for the introduction of a parental supplement based on a new collectively agreed insurance scheme and an increase in parental leave from 150 days to 180 days, with the additional right for all parents to have the right to visit the maternity clinic twice during working hours. The national parental leave insurance compensates for some 80% of the wage reduction up to a wage of about SEK 37 000/month. The insurance is funded jointly, in the form of a fixed premium by all employers covered by the agreement. The agreement replaces the payments for parental leave introduced under previous agreements and effectively doubles the length of time during which employees receive additional payments from the employer on top of state-provided parental leave pay.

In 2013 strike action was called off by the public service union Kommunal, following mediation to secure pay increases for municipal workers and particularly for workers in female dominated sectors. The 2013 agreement resulted in a pay increase of SEK 1.700, an increase from the employers' offer of SEK 1.500 and the parental allowance was increased from 150 days to 180 days.

IF Metall has negotiated an agreement on raising pay of lower paid workers, on the basis that all national agreement areas with lower average wages than SEK 25 000 / month will have a minimum increase in crowns instead of percentages. The union succeeded in awarding additional increases to low paid female dominated jobs. The three-year agreements concluded for the years 2007-2009 had a marked impact according to official pay statistics. Real wage increases for blue-collar workers were higher in female-dominated low pay sectors than in male-dominated well-paid sectors. The difference was, as is shown in a report issued by the LO, 2-3% higher wage increases for low-paid sectors dominated by women.

<p>Switzerland SGB-USS</p>	<p>In the metal sector an agreement covers the professional development of women in companies, and recommends that companies take into account the joint recommendations of the contracting parties, and in particular facilitate women’s access to vocational training industry machinery, electrical equipment and metals; the professional development and advancement of women and the integration of women into the workplace.</p> <p>A second agreement covers pay equity, the balance work and family life, sexual harassment and equal pay for work of equal value. This states that the professional development of employees should be encouraged in accordance with the Federal Law on equality between women and men. The USS confederation has launched the “Dialogue on equal pay”, tripartite body, to which companies can go to check if there is wage discrimination.</p>
<p>Turkey HAK-İŞ</p>	<p>Low levels of collective bargaining coverage have made it difficult for unions to conclude agreements. Following a general assembly to introduce a ‘no to mobbing’ campaign, unions are now negotiating this in collective agreements. Some agreements have agreed on work-family balance provisions, provision of fees for childcare provided by employers and education support for women and children. Currently 90% of agreements enable women to take paid leave.</p> <ul style="list-style-type: none"> ▶ In the textile sector in Turkey agreements largely cover wages and social benefits. In the last round the union sought a 10% rise in wages, but 4-6% was agreed. There is a standard set of provisions set out in collective agreements in the textile sector including rights and obligations of employers and unions; holiday entitlement; pay and social leave; trade union leave; termination of contract/layoff conditions; severance pay; education and training of workers; pay in general and pay systems; social benefits; complaints and solutions; how breeches /illegality will be resolved. ▶ In March 2013 the municipal union signed an agreement with general provisions on duration, coverage, conditions and purpose of the agreement; trade union activities and trade union leave; mobbing and psychological abuse in the workplace; subscription rates and affiliation fees; military service; working hours; termination of work contracts; annual leave and holidays; social aid and pay (family, children and food aid), transportation aid, heating aid, summer and winter clothes for workers, marriage aid, death aid; premia for workers; basic pay and pay rises; night shift payment/payment for holy days; job security and health conditions; workplace councils; freedom of conscience and religion.
<p>UK NUT, TUC</p>	<p>Agreements have been negotiated between unions and employers in Local Government (National ‘Single Status’ Agreement) and the National Health Service (‘Agenda for Change’). Both agreements have brought all employees into a common grading and pay structure, which followed an extensive job evaluation exercise. Low paid women workers particularly benefited from pay increases on the basis of the revaluing of their work.</p> <p>The NIPSA public service union in Northern Ireland negotiated an equal pay agreement in 2010, which will benefit around 13,000 low paid civil servants. Workers in three main grades will move on to new pay structures with the changes adding around £25 million to the civil service pay bill. Administrative workers in the AA grade, for example, will move from a pay structure with a range of £13,130-£14,420 a year to one where the salaries start at £13,280 and rise to £17,108.</p>
<p>European Trade Union Federations</p>	<p>EPSU has been a party to negotiations to secure a European agreement on gender equality at GDF-Suez. The latest talks in 2011 focused on work-life balance, parental leave and sexual harassment.</p> <p>In 2011 the EPSU social dialogue committee for central government administration signed an agreement to investigate the issue of the gender pay gap and provide data on gender pay statistics.</p>

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