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Social dialogue and gender equality in the European Union

Anni Weiler



April 2013

Bureau
for Gender
Equality

Governance
and Tripartism
Department

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Foreword

Gender equality and social dialogue are both fundamental values and cross-cutting issues for the International Labour Organization. In 2009, the International Labour Conference concluded its discussion on ‘Gender equality at the heart of decent work’ by reaffirming that social dialogue and tripartism are essential policy tools for advancing gender equality in the world of work.

This paper forms part of a comparative research project whose objective is to demonstrate that gender equality and social dialogue are mutually beneficial and that their promotion should go hand in hand. Despite several studies on each topic separately, there is a knowledge gap worldwide on how gender equality at work is advanced through social dialogue. The topic is examined from qualitative and quantitative aspects:

- participation on an equal footing of men and women in social dialogue, in particular in the national tripartite bodies, as well as within government units, trade unions and employers’ organizations;
- gender equality issues on the agenda of social dialogue, including collective bargaining.

An interesting aspect of the social dialogue and the search for gender equality in the European Union (EU) is the novelty of supranational legal and institutional frameworks. The unique framework above the national regulations of the 27 EU Member States inspires interaction at the national and supranational levels.

The key issues of the European social dialogue are reconciliation of professional and family life, gender segregation, gender pay gap, and violence and harassment at work. There have been important achievements in the cross-sectoral and sectoral European social dialogue. At the cross-sectoral level these are reflected in particular in a number of Framework Agreements and in the Framework of Actions on Gender Equality and the related procedures for monitoring and evaluating their implementation and results. In the European sectoral social dialogue, actions have resulted in various joint guidelines, tools, declarations, positions, recommendations and monitoring actions. However, despite the efforts of the European social partners and the policies of the European Union, gender inequality remains a fact in Europe. Regardless of an increase in female activity and employment rates and remarkable improvements in the educational levels of women, gender segregation in occupations and economic sectors and the gender pay gap persist. Statistical data even reveal a widening of the gender gaps.

This paper confirms the continued existence of a massive gender representation gap in European social dialogue, decision-making and collective bargaining. On the basis of the internal representation structures and efforts to tackle the representation gap, it can be concluded that the impetus for gender equality in social dialogue at the European level stems primarily from the trade unions or from the European Commission in tripartite activities.

The paper is a collaborative effort of the then Industrial and Employment Relations Department and the Bureau for Gender Equality. It was prepared by Dr Anni Weiler. Angelika Muller coordinated the comparative research project and national studies on which the paper is based. Particular thanks for comments and assistance are due to Edward Lawton and Line Begby. The paper was developed with the support of the Government of Sweden.

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1. Legal and institutional frameworks for social dialogue and gender equality

1.1 Ratification of ILO Conventions by the Member States of the European Union

All 27 European Union (EU) Member States have ratified the ILO Conventions on Freedom of Association and Protection of the Right to Organise (C87), Right to Organise and Collective Bargaining (C98), Equal Remuneration (C100) and Discrimination (Employment and Occupation) (C111). Of the EU Member States, only Belgium, Bulgaria and Ireland did not ratify Convention 135 on Workers' Representatives. Luxembourg, Malta and Slovenia did not ratify Convention 144 on Tripartite Consultation. The other conventions (C151, C154, C156, C175, and C183) were ratified only by around half or less of the EU Member States (see table 1).

Table 1.
Ratification of ILO Conventions by EU Member States

Country	C87	C98	C100	C111	C135	C144	C151	C154	C156	C175	C183
Austria	•	•	•	•	•	•					•
Belgium	•	•	•	•		•	•	•			
Bulgaria	•	•	•	•		•			•		•
Cyprus	•	•	•	•	•	•	•	•		•	•
Czech Republic	•	•	•	•	•	•					
Denmark	•	•	•	•	•	•	•				
Estonia	•	•	•	•	•	•					
Finland	•	•	•	•	•	•	•	•	•	•	
France	•	•	•	•	•	•			•		
Germany	•	•	•	•	•	•					
Greece	•	•	•	•	•	•	•	•	•		
Hungary	•	•	•	•	•	•	•	•		•	•
Ireland	•	•	•	•		•					
Italy	•	•	•	•	•	•	•			•	•
Latvia	•	•	•	•	•	•	•	•			•
Lithuania	•	•	•	•	•	•		•	•		•
Luxembourg	•	•	•	•	•		•			•	•
Malta	•	•	•	•	•						
Netherlands	•	•	•	•	•	•	•	•	•	•	•
Poland	•	•	•	•	•	•	•				
Portugal	•	•	•	•	•	•	•		•	•	
Romania	•	•	•	•	•	•		•			•
Slovakia	•	•	•	•	•	•	•	•	•		•
Slovenia	•	•	•	•	•			•	•	•	•

Country	C87	C98	C100	C111	C135	C144	C151	C154	C156	C175	C183
Spain	•	•	•	•	•	•	•	•	•		
Sweden	•	•	•	•	•	•	•	•	•	•	
United Kingdom	•	•	•	•	•	•	•				

Source: NORMLEX.

C87: Freedom of Association and Protection of the Right to Organise Convention, 1948; C98: Right to Organise and Collective Bargaining Convention, 1949; C100: Equal Remuneration Convention, 1951; C111: Discrimination (Employment and Occupation) Convention, 1958; C135: Workers' Representatives Convention, 1971; C144: Tripartite Consultation (International Labour Standards) Convention, 1976; C151: Labour Relations (Public Service) Convention, 1978; C154: Collective Bargaining Convention, 1981; C156: Workers with Family Responsibilities Convention, 1981; C175: Part-Time Work Convention, 1994; C183: Maternity Protection Convention, 2000

1.2 Legal and institutional framework for gender equality in the European Union

The European Union developed a unique and comprehensive supranational legal and institutional framework for its 27 Member States. The framework covers industrial relations, social dialogue, working conditions, rights at work and gender equality; it is completed by national regulations.

Gender equality is a fundamental EU principle which is laid down in EU Treaties. Article 8 of the Treaty on the Functioning of the European Union (TFEU) provides that, in all its activities, the European Union shall aim to eliminate inequalities, and to promote equality between women and men. Further, Article 10 obliges the European Union to combat discrimination based on sex in defining and implementing its policies and activities. Article 23 of the Charter of Fundamental Rights of the European Union declares that equality between women and men must be ensured in all areas, including employment, work and pay. The Article further states that the principle of equality shall not prevent the maintenance or adoption of measures providing for specific advantages in favour of the under-represented sex.

Article 153 of the TFEU compels the European Union to promote equality between men and women with regard to labour market opportunities and treatment at work. Article 157 in particular deals with equal pay, equal opportunities and equal treatment of women and men. It has to be noted that the formulation used in paragraph 2 of the Article is not gender-neutral.

Article 157

1. Each Member State shall ensure that the principle of equal pay for male and female workers for equal work or work of equal value is applied.
2. For the purpose of this Article, 'pay' means the ordinary basic or minimum wage or salary and any other consideration, whether in cash or in kind, which the workers receive directly or indirectly, in respect of his employment, from his employer.

Equal pay without discrimination based on sex means:

- (a) that pay for the same work at piece rates shall be calculated on the basis of the same unit of measurement;
 - (b) that pay for work at time rates shall be the same for the same job.
3. The European Parliament and the Council, acting in accordance with the ordinary legislative procedure, and after consulting the Economic and Social Committee, shall adopt measures to ensure the application of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation, including the principle of equal pay for equal work or work of equal value.

-
4. With a view to ensuring full equality in practice between men and women in working life, the principle of equal treatment shall not prevent any Member State from maintaining or adopting measures providing for specific advantages in order to make it easier for the underrepresented sex to pursue a vocational activity or to prevent or compensate for disadvantages in professional careers.

European Directives are widely used in the area of European social policy and can be an outcome of European social dialogue. The legal basis for the enactment of directives is Article 288 of the TFEU (Treaty on the Functioning of the European Union). Directives are binding on each Member State with regard to the results to be achieved, but they leave to the national authorities the choice of form and methods to take account of different national situations. Directives specify the date by which the national laws must be adapted. Usually, Member States have a time frame of three years to implement a directive. A directive is distinct from a regulation which is binding in its entirety and directly applicable in all EU Member States.

Some of the most relevant European directives dealing with gender equality at work are:

- Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services;
- 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;
- Council Directive 2010/18/EU of 8 March 2010 implementing the revised Framework Agreement on parental leave concluded by BUSINESSEUROPE, UEAPME, CEEP and ETUC¹ and repealing Directive 96/34/EC;
- Directive 2010/41/EU of the European Parliament and of the Council of 7 July 2010 on the application of the principle of equal treatment between men and women engaged in an activity in a self-employed capacity and repealing Council Directive 86/613/EEC.

With regard to Council Directive 92/85/EEC of 19 October 1992, also known as the Maternity Leave Directive, on the introduction of measures to encourage improvements in the safety and health at work of pregnant women and workers who have recently given birth or are breastfeeding, the European Commission proposed to review the current legislation as part of the ‘work-life balance’ package, based on the ILO Maternity Protection Convention of 2000 (Commission of the European Communities, 2008). The ILO Convention (C183) has been ratified by 12 EU Member States.

On 20 October 2010, during its deliberations on the revision of the Maternity Leave Directive, the European Parliament (EP) voted at first reading with a majority for extending maternity leave to 20 weeks with full pay and an entitlement to paid paternity leave of at least two weeks (European Parliament, Press Release of 20.10.2010). In contrast, the European Commission had proposed a minimum of 18 weeks maternity leave with full remuneration during the first six weeks. The Members of European Parliament (MEPs) backed the European Commission’s proposal that of the total maternity leave entitlement six weeks should be taken after childbirth, which stated that when family-related leave was available at the national level, the last four weeks of the 20 might be regarded as maternity leave and must be paid at least at 75 per cent of salary.

¹ European Association of Craft, Small and Medium-sized Enterprises (UEAPME); European Centre of Employers and Enterprises providing Public Services (CEEP); European Trade Union Confederation (ETUC).

European employers' federations warned the European Parliament in advance of the vote that the proposal would impose massive costs (BUSINESSEUROPE – Press Release 18.10.2010). UEAPME, the employers' federation for crafts, trades and SMEs, stated that the organization was deeply worried by the EP vote at first reading. The view was that setting the minimum leave period at 20 fully paid weeks would lead to a dramatic increase of costs for employers and public finances and create disadvantages for young women in the labour market.

At the time the ETUC saw a mixed outcome of the vote in the European Parliament. It welcomed the stronger protection of pregnant women and working mothers, but expressed disappointment that the vote on the Maternity Protection Directive would not lead to fully paid maternity leave in all Member States (Press Release of 21.10.2010).

In any case, the European Council rejected the EP amendments to the Maternity Leave Directive on 6 December 2010. In its press release, it stated that the length of leave (20 weeks) and the remuneration of mothers (full pay) were the two issues on which the Council's decision differed from the one taken by the EP. Many ministers were also against the inclusion on paternity leave within the draft directive on maternity leave, stating that it would not aim at improving the health and safety of pregnant workers but rather at reconciliation of work, family and private life, already covered by other EU rules.

The Belgian Presidency then announced that it would prepare a document outlining ways the Council could compromise its position on maternity leave and the rights of women workers. The Council hoped to arrive at a final position on the document in 2011. The provisions on gender equality in the Employment Guidelines 2010 are also an issue. Guideline 7 requests EU Member States to promote gender equality including equal pay. Guideline 10 emphasizes that all measures should aim at promoting gender equality (Council Decision 2010). However, the general formulations in the Employment Guidelines 2010 differ from those of the Employment Guidelines 2003 which had more specific objectives and measures, in particular in regard to tackling the gender pay gap. The formulation in the Employment Guidelines 2003 was:

Member States will, through an integrated approach combining gender mainstreaming and specific policy actions, encourage female labour market participation and achieve a substantial reduction in gender gaps in employment rates, unemployment rates, and pay by 2010. The role of the social partners is crucial in this respect. In particular, with a view to its elimination, policies will aim to achieve by 2010 a substantial reduction in the gender pay gap in each Member State, through a multi-faceted approach addressing the underlying factors of the gender pay gap, including sectoral and occupational segregation, education and training, job classifications and pay systems, awareness-raising and transparency. (Council Decision 2003).

These formulations were not included in the European Employment Guidelines for subsequent years.

The Council Conclusion on strengthening the commitment and stepping up action to close the gender pay gap, and on the review of the implementation of the Beijing Platform for Action (Council of the European Union, 2010 b) stresses that there are a number of causes underlying the gender pay gap, such as horizontal and vertical segregation, the difficulties of reconciling employment and family work, the high share of part-time work, career breaks and the impact of gender stereotypes. Another cause highlighted is the lack of pay transparency.

While real progress has been made in identifying and understanding some of its multiple causes, other aspects of the pay gap remain unexplained, and require further investigations, particularly as regards the impact of job classification and the award of any consideration whether in cash or in kind, other than the ordinary basic or minimum wage or salary, on which all the necessary data is not available. (Council of the European Union, 2010 b).

The Council Conclusions propose a number of possible measures such as:

- promotion of pay transparency, particularly regarding the composition of pay and structures;
- promotion of neutral evaluation and classification of jobs;
- improvement of the quality of employment, in particular in regard to insecure employment and involuntary part-time work;
- elimination of vertical segregation;
- elimination of horizontal segregation;
- improvements in reconciling work, family and private life;
- promotion of appropriate policies on low pay;
- reinforcing the effective implementation of existing legislation on pay and workplace equality.

The Council also encourages the European social partners to agree on a new framework for multi-annual action. This framework should include active and coordinated strategies and consider quantitative objectives aiming to achieve gender equality in pay and work.

The Belgian Presidency 2010 of the European Union commissioned a report on the progress made towards the elimination of the gender pay gap. The report was to provide an overview on the gender pay gap on the basis of nine indicators developed during the Belgian Presidency in 2001 and to propose modifications and update the indicators on the basis of statistical developments and changes in the legislation (Belgian Presidency Report, 2010).

The second part of the report that was produced as a result analyses the three qualitative indicators and investigates legislation, policies and measures being implemented. It is based on replies to a questionnaire sent to Member States and the European social partners and on relevant literature. For one of these indicators, the analysis focuses on the influence of collective bargaining on the promotion of equal pay and the elimination of the gender pay gap. Owing to the very different systems of collective bargaining in place in the EU, comparisons are difficult to make.

The report describes a number of measures at the national level (table 2).

Table 2.
Examples of measures at the national level

Austria	The Government and social partners agreed on the adoption in 2011 of a Law requiring employers, at national level, to be transparent regarding information on pay. In 2008, the social partners issued a position document which refers to the Framework of Actions on Gender Equality and outlines measures adopted to promote economic equality and to reduce the gender pay gap. In 2010, the trade unions issued guidelines for their members on including gender equality in collective bargaining.
Belgium	Collective agreement No. 25 of 9 July 2008 guarantees equal pay for work of equal value and the adoption of non-discriminatory job classification systems. In 2004, the trade unions signed a Charter on Gender Mainstreaming. The Charter addresses the two important issues of reducing the pay gap and adopting neutral function classification systems.
Bulgaria	The collective agreement for the transport sector stipulates that employers must guarantee equal pay for women and men.
Denmark	Since 2002 the social partners have incorporated clauses into collective agreements directed towards obtaining equal pay for women and men. In 2009, the Government established a committee on pay for the public sector to deal with gender segregation in the labour market and equal pay. The Danish Confederation of Trade Unions and the

	Danish Employers' Confederation are represented in the committee.
Finland	Social partners participate in a tripartite equal pay programme.
France	The 2004 agreement on professional gender equality in the banking sector: - provides for specific measures directed towards closing the gender pay gap; - aims at achieving an intermediate objective of 40% of management posts for women by 2010. The banking and insurance sectors have implemented measures to reduce the pay gap for employees absent for long periods on maternity, paternity or unpaid child-bearing leave.
Ireland	The national agreement includes a number of commitments on gender equality.
Luxembourg	Social partners adopted an action plan (2009–2012) on gender equality. This action plan: - aims at reducing or even eliminating stereotypes in the work environment; - addresses the roles of women and men on the job market, reconciliation of professional and private life, the balance between women and men in decision-making and pay equality.
Poland	In 2007, the trade unions issued guidelines for their members on including gender equality in collective bargaining.
Portugal	Social partners carried out a project to promote gender equality (2007–2009). A gender-neutral function analysis grid and a training reference system on pay equality were developed as part of the project.
Spain	The trade unions adopted a joint statement highlighting the importance of equal pay for women and men in pay negotiations.

Source: Belgian Presidency Report 2010

The report notes that all EU Member States have introduced national legislation to combat pay discrimination between women and men. The principle of equal pay for equal work of equal value is fully reflected in national law.

Some EU countries have provided for certain proactive obligations in their legislation on gender pay equality. France, for example, adopted a Law on Equal Pay for Women and Men in 2006 which obliges enterprises to take the required steps to eliminate the gender pay gap by 31 December 2010. Further the Law requires companies to adopt the principle of pay adjustment following maternity or adoption leave. According to this Law, pay negotiations in sectors and enterprises must take account of the gender factor. In Denmark, the Law on Transparency in Information on Pay entered into force on 1 January 2007. It obliges enterprises with more than 35 employees and more than 10 employees of each gender in the same department to publish annual statistics on women's and men's pay.

On 21 September 2010, the European Commission presented the new 2010–2015 strategy for promoting equality between women and men in Europe (European Commission, 2010 d). This strategy translates the principles set out in the European Commission's 'Women's Charter' of 5 March 2010 (European Commission, 2010 a) into specific measures according to identified five priority areas for future action:

- equal economic independence;
- equal pay for equal work and work of equal value;
- equality in decision-making;
- dignity, integrity and an end to gender-based violence;
- gender equality in external actions.

The actions proposed follow the dual approach of gender mainstreaming and specific measures. A key assumption is that economic and social benefits can be gained from enhancing gender equality.

The European Commission announced the institution of an annual top-level Gender Equality Dialogue with the European Parliament, Trio of Council Presidencies, and key stakeholders – in particular the European social partners and civil society.

The Strategy outlines key actions related to social dialogue. The European Commission is determined to:

- assess remaining gaps in entitlement to family-related leave, notably paternity leave and careers' leave, and the options for addressing them, and to consult the social partners under TFEU Article 154 on further measures;
- explore possible ways to improve the transparency of pay as well as the impact on equal pay of arrangements such as part-time work and fixed-term contracts, with the European social partners while respecting the autonomy of the social dialogue;
- encourage equal pay initiatives at the workplace such as equality labels, 'charters', and awards, as well as the development of tools for employers to adjust unfounded gender pay gaps.

The European Trade Union Confederation (ETUC) supports the measures highlighted in the Strategy to improve women's employment situation. It is especially supportive of the actions identified in the area of working arrangements, particularly the assessment – in cooperation with the social partners – of the impact of part-time work and fixed-term contracts on women's working conditions. Further elements considered positive are:

- the planned evaluation of existing gaps with regard to family-related leaves; and
- measures envisaged to advance women in decision-making positions in the economy and society at large.

However, the ETUC is concerned that the European Commission does not propose any binding measures to achieve the goals and no concrete legislative proposal to tackle the gender pay gap (ETUC, Press Release 22.9.2010).

In its response of 13 October 2010 to the European Commission consultation on the roadmap for equality between women and men 2006–2010 and its follow-up strategy, the employers' federation BUSINESSEUROPE underlines the benefits of increased female labour market participation at the macro and micro levels. BUSINESSEUROPE considers anti-discrimination legislation at EU level to be necessary, but emphasizes that further legislation at European level on equal opportunities is not needed to complement the already substantial body of law. Further, BUSINESSEUROPE is opposed to establishing quotas to promote gender equality.

1.3 European context of social dialogue and gender equality

This section presents sex-segregated data on activity rates, employment rates, unemployment rates, occupational and sectoral segregation and the pay gap. The statistical data build on harmonized European statistics and indicators.

The activity rates in the European Union were 64.3 per cent for women and 77.8 per cent for men in 2009 compared to 60.1 per cent and 77.1 per cent respectively in 2000 (see table 3).

Table 3.
Activity rates 2000–2009, %

Year	Total	Women	Men
2000	68.5	60.1	77.1
2001	68.5	60.2	76.9
2002	68.6	60.5	76.8
2003	69.0	61.1	76.9
2004	69.2	61.5	76.9
2005	69.8	62.4	77.3

Year	Total	Women	Men
2006	70.3	63.0	77.8
2007	70.5	63.3	77.7
2008	70.9	63.9	78.0
2009	71.1	64.3	77.8

Source: European Commission, DG Employment, Social Affairs, and Equal Opportunities. Indicators for Monitoring the Employment Guidelines. 2010 compendium. Latest update: 20.07.2010; people in employment in age group 15-64. EU 27; based on EU Labour Force Survey, annual average.

The target of the Lisbon strategy to raise the female employment rate to 60 per cent by the year 2010 was not achieved. However, the rate did increase from 53.7 per cent in 2000 to 58.6 per cent in 2009. The employment gap between men and women decreased from 17.1 to 12.1 percentage points in the period 2000–2009 (table 4).

Table 4.
Employment rates and gender employment gap, 2000–2009

Year	Total %	Women %	Men %	Employment gap Percentage points
2000	62.2	53.7	70.8	17.1
2001	62.6	54.3	70.9	16.6
2002	62.4	54.4	70.4	16.0
2003	62.6	54.9	70.3	15.4
2004	63.0	55.6	70.4	14.8
2005	63.5	56.3	70.8	14.5
2006	64.5	57.3	71.6	14.3
2007	65.4	58.3	72.5	14.2
2008	65.9	59.1	72.8	13.7
2009	64.6	58.6	70.7	12.1

Source: European Commission, DG Employment, Social Affairs, and Equal Opportunities. Indicators for monitoring the Employment Guidelines. 2010 compendium. Latest update: 20.07.2010; People in employment in age group 15-64. EU 27; based on EU Labour Force Survey

The increase in women's employment rates in the EU over the last decade is strongly related to their very large share in part-time work. This share is four times higher than for men. In terms of full-time equivalent, the employment rate was 47.2 per cent for women and 69.7 per cent for men in 2001. The corresponding rates were 50.1 per cent for women and 68.5 per cent for men in 2009. An analysis of gender employment in terms of full-time equivalent displays a considerably wider employment gap between women and men (table 5). The gap decreased from 23.1 percentage points in 2000 to 18.4 in 2009.

Table 5.
Employment rates and gender employment gap in full-time equivalent, 2000–2009

Year	Total %	Women %	Men %	Employment gap Percentage points
2000	–	–	–	23.1
2001	58.3	47.2	69.7	22.5
2002	58.1	47.3	69.2	21.8
2003	58.1	47.7	68.9	21.2
2004	57.9	47.6	68.6	20.9

Year	Total %	Women %	Men %	Employment gap Percentage points
2005	58.3	48.0	68.9	20.9
2006	59.1	49.0	69.6	20.6
2007	60.0	49.9	70.5	20.5
2008	60.5	50.7	70.7	20.0
2009	59.2	50.1	68.5	18.4

Source: European Commission, DG Employment, Social Affairs, and Equal Opportunities. Indicators for monitoring the Employment Guidelines. 2010 compendium. Latest update: 20.07.2010; Employment gap in full-time equivalent: Total hours worked divided by the average annual number of hours worked in full-time jobs, calculated as a proportion of total population in the 15-64 age group; based on EU Labour Force Survey.

The unemployment rate for women was higher than for men between 2000 and 2008. In 2009, unemployment rates were almost equal for women (8.8 per cent) and men (8.9 per cent). The long-term unemployment rates were 3.1 per cent for women and 2.9 per cent for men in 2009. The long-term unemployment rate was considerably higher for women at 4.6 per cent in 2000 than for men at 3.5 per cent, but the gap narrowed over the decade to 2009 (table 6).

Table 6.
Unemployment rates and long-term unemployment rates,
2000–2009, %

Year	Unemployment rate			Long-term unemployment rate		
	Total	Women	Men	Total	Women	Men
2000	9.2	10.6	8.2	4.0	4.6	3.5
2001	8.6	9.6	7.7	3.9	4.4	3.5
2002	8.9	9.8	8.2	4.0	4.5	3.6
2003	9.0	9.8	8.4	4.1	4.5	3.8
2004	9.2	9.9	8.6	4.2	4.6	3.9
2005	8.9	9.7	8.3	–	–	–
2006	8.2	8.9	7.5	3.7	4.0	3.5
2007	7.1	7.8	6.5	3.1	3.3	2.8
2008	7.0	7.5	6.6	2.6	2.8	2.4
2009	8.9	8.8	8.9	3.0	3.1	2.9

Source: European Commission, DG Employment, Social Affairs, and Equal Opportunities, Indicators for monitoring the Employment Guidelines. 2010 compendium. Latest update: 20.07.2010; People in employment in age group 15-64. EU 27; based on EU Labour Force Survey, annual average

In 2009, youth unemployment among women was considerably lower than for men, with rates of 7.5 per cent for women and 9.8 per cent for men. The gap in favour of women was more pronounced in 2009 than in 2000 when the youth unemployment rate for women was 8.2 per cent compared with 8.7 per cent for men (table 7).

Table 7.
Youth unemployment 2000–2009, %

Year	Total	Women	Men
2000	8.4	8.2	8.7
2001	8.1	7.7	8.5
2002	8.3	7.7	8.9
2003	8.2	7.5	8.9
2004	8.2	7.6	8.8
2005	8.2	7.6	8.8
2006	7.6	7.2	8.1
2007	6.8	6.4	7.2
2008	6.9	6.3	7.5
2009	8.7	7.5	9.8

Source: European Commission, DG Employment, Social Affairs, and Equal Opportunities, Indicators for Monitoring the Employment Guidelines. 2010 compendium. Latest update: 20.07.2010; People in employment in age group 15–64. EU 27; based on EU Labour Force Survey

Youth unemployment: Total unemployed young people (15–24 years) as a share of total population in the same age group

Occupational and sectoral gender segregation is strong and very persistent (table 8) in the EU. Gender segregation is monitored under the European Employment Strategy. The value for equality can range from 0 per cent to 50 per cent. Table 8 shows that gender segregation in occupations did not change much between 2000 (25.3 per cent) and 2009 (25.8 per cent). Gender segregation in economic sectors increased from 17.7 per cent in 2000 to 19.8 per cent in 2009.

Table 8.
Gender segregation in occupations and economic sectors, EU27,
2000–2009, %

	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Occupations	25.3	25.3	25.3	25.5	25.5	25.7	25.8	25.9	25.9	25.8
Economic sectors	17.7	17.7	17.8	18.1	18.5	18.5	18.7	18.8	19.8	19.8

Source: European Commission, DG Employment, Social Affairs, and Equal Opportunities. Indicators for monitoring the Employment Guidelines. 2010 compendium. Latest update: 20.07.2010; Based on EU-LFS – Annual average data

Gender segregation in occupations/sectors is calculated as the average national share of employment for women and men applied to each occupation/sector; differences are added up to produce the total amount of gender imbalance expressed as a proportion of total employment (ISCO classification/NACE classification)².

Occupational segregation in the EU is highest in Estonia, Slovakia, Bulgaria, Finland, and Lithuania. Estonia, Slovakia, Finland, Latvia and Lithuania are the most segregated insofar as economic sectors are concerned (table 9).

² ISCO: International Standard Classification of Occupations; NACE: EU Statistical classification of economic activities.

Table 9.
Gender segregation in occupations and economic sectors in EU Member States,
2009, %

Year	Occupations			Economic sectors	
	2006	2009		2006	2009
Country			Country		
Belgium	25.9	25.5	Belgium	18.3	19.6
Bulgaria	28.6	29.4	Bulgaria	19.7	21.8
Czech Republic	28.1	28.0	Czech Republic	19.1	20.7
Denmark	26.6	25.5	Denmark	18.7	19.7
Germany	26.2	26.2	Germany	18.1	19.5
Estonia	31.5	31.8	Estonia	24.0	25.4
Ireland	27.8	27.0	Ireland	22.8	22.1
Greece	22.3	22.0	Greece	15.8	16.0
Spain	27.0	27.0	Spain	20.5	20.8
France	26.5	26.0	France	18.2	19.0
Italy	23.4	24.4	Italy	17.7	19.8
Cyprus	29.4	29.0	Cyprus	19.4	19.7
Latvia	29.7	28.5	Latvia	22.5	23.6
Lithuania	29.4	29.2	Lithuania	22.7	22.7
Luxembourg	26.3	23.7	Luxembourg	18.3	16.5
Hungary	28.8	28.4	Hungary	19.8	20.8
Malta	23.1	23.4	Malta	15.0	16.4
Netherlands	25.5	24.9	Netherlands	17.9	18.7
Austria	26.1	26.1	Austria	18.9	19.5
Poland	25.5	26.2	Poland	19.2	20.6
Portugal	26.5	27.1	Portugal	20.2	21.6
Romania	21.8	23.1	Romania	15.3	17.3
Slovenia	26.4	26.1	Slovenia	17.6	18.5
Slovakia	29.8	30.4	Slovakia	22.7	24.6
Finland	29.4	29.3	Finland	22.4	24.1
Sweden	26.7	26.1	Sweden	21.5	21.9
United Kingdom	25.4	24.7	United Kingdom	18.5	19.5

Source: European Commission, DG Employment, Social Affairs, and Equal Opportunities. Indicators for monitoring the Employment Guidelines. 2010 compendium. Latest update: 20.07.2010; Based on EU-LFS – Annual average data

As noted earlier, gender segregation in occupations/sectors is calculated as the average national share of employment for women and men applied to each occupation/sector; differences are added up to produce the total amount of gender imbalance expressed as a proportion of total employment (ISCO classification/NACE classification).

The persistent gender pay gap is crucial. Since 2006, the statistics on the gender pay gap in the EU have been based on a harmonized dataset, the Structure of Earnings Survey. The gender pay gap is defined as the difference between women's and men's average gross hourly earnings as a percentage of men's average gross hourly earnings.

Table 10 shows that the EU gender pay gap was 17.5 per cent (provisional value) in the year 2008, only slightly lower than the 17.7 per cent in 2006. However, the country-specific data for the 27 Member States reveal that the gender pay gap had widened since 2006 in 13 countries. In some countries, the gender pay gap expanded considerably

between 2006 and 2008, for example in Lithuania (4.5 percentage points or pp), Malta (4.0 pp), Hungary (3.1 pp), Czech Republic (2.9 pp), France (2.5 pp), Poland (2.3 pp) and Luxembourg (1.7 pp). Only a minority of countries registered a slight decrease. All in all, the gender pay gap differed significantly among Member States. In 2007, the gender pay gap ranged from 5.1 per cent in Italy to 30.9 per cent in Estonia.

Table 10.
Gender pay gap 2006–2008, %

Country	2006	2007	2008
EU27	17.7	17.6	17.5 (p)
Belgium	9.5	9.1	9.0
Bulgaria	12.4	12.4	13.6
Czech Republic	23.4	23.6	26.2
Denmark	17.6	17.7	17.1
Germany	22.7	23.0	23.2
Estonia	29.8	30.9	–
Ireland	17.2	17.1	–
Greece	20.7	21.5	–
Spain	17.9	17.1	16.1
France	15.4	16.9	17.9
Italy	4.4	5.1	4.9
Cyprus	21.8	23.1	21.6
Latvia	15.1	15.4	13.4
Lithuania	17.1	20.0	21.6
Luxembourg	10.7	12.5	12.4
Hungary	14.4	16.3	17.5
Malta	5.2	7.6	9.2
Netherlands	23.6	23.6	19.6
Austria	25.5	25.5	25.5
Poland	7.5	7.5	9.8
Portugal	8.4	8.3	9.2
Romania	7.8	12.7	9.0
Slovenia	8.0	8.3	8.5
Slovakia	25.8	23.6	20.9
Finland	21.3	20.0	20.0
Sweden	16.5	17.9	17.1
United Kingdom	24.3	21.1	21.4

Source: Eurostat, Gender pay gap in unadjusted form in %; Structure of Earnings Survey methodology (Last update: 1 December 2010); The unadjusted Gender Pay Gap (GPG) represents the difference between average gross hourly earnings of male paid employees and of female paid employees as a percentage of average gross hourly earnings of male paid employees. The population consists of all paid employees in enterprises with 10 employees or more in NACE Rev. 2 aggregate B to S (excluding O) – before reference year 2008: NACE Rev. 1.1 aggregate C to O (excluding L). The GPG indicator is calculated within the framework of the data collected according to the methodology of the Structure of Earnings Survey (EC Regulation: 530/1999).

p: provisional

The activity and employment rates for women were less affected than the corresponding rates for men by the financial and employment crisis of 2009. Men suffered a larger increase in unemployment than women. A key explanation is the gender-specific allocation to sectors. Some of the sectors severely hit by the crisis of 2009 are male-dominated sectors, such as the construction and the automotive sectors (Weiler, 2009 a).

1.4 Framework of European social dialogue

Social dialogue in the European Union is unique as it builds on supranational structures covering all 27 Member States and is embedded in a supranational legal framework.

European social dialogue takes place at the cross-sectoral and the sectoral level and is part of European governance. Social dialogue is recognized as one of the pillars of the European social model. The European Union also acknowledges the autonomy of European social partners. The Tripartite Social Summit for Growth and Employment contributes to social dialogue (TFEU Article 152). At the Summit, which usually takes place before the Spring European Council, European social partners meet with the Council Presidency, the two subsequent Presidencies and the Commission. Its objective is to ensure the effective participation of the social partners in implementing the EU's economic and social policies.

The cross-sectoral European social dialogue was set up in 1985. The dialogue plays an important role in shaping European social policy and social standards. TFEU Art. 154 obliges the European Commission to promote social dialogue and to consult the European social partners on a range of issues in two phases before submitting proposals in the employment and social policy fields. In the first stage, the European Commission consults the European social partners on the possible direction of the policy action. In the second stage of consultation, the European Commission consults the European social partners on the content of the envisaged proposal.

Art. 155 of the TFEU offers the European social partners the possibility for negotiating agreements on matters covered by Art. 153 that can be implemented in Member States, either by themselves (autonomous agreements) or at the joint request of the signatory parties by Council Directive.

The European Commission has consulted the European social partners on various issues related to gender equality. Examples of relevant consultations over recent years are:

- Consultation on the roadmap for equality between women and men 2006–2010 and follow-up strategy;
- 2008: Consultation on equal treatment between men and women engaged in an activity, in a self-employed capacity;
- 2006–2007: Consultation on protecting European healthcare workers from blood-borne infections due to needle prick injuries;
- 2006–2007: Consultation on reconciliation of professional, private and family life;
- 2005: Consultation on violence at the workplace.

At the European level the representative social partners in cross-sectoral social dialogue are the European Trade Union Confederation (ETUC) and, on the employers' side, BUSINESSEUROPE, the European Association of Craft, Small and Medium-sized Enterprises (UEAPME) and the European Centre of Employers and Enterprises providing Public services (CEEP). Two other organizations are involved in the European cross-sectoral social dialogue. They signed a cooperation agreement in 2000, establishing a liaison committee as a basis for participating in the dialogue. Eurocadres is associated with the ETUC and represents professional and managerial staff in Europe in all branches of industry and public and private services. The European Confederation of Executives and Managerial Staff (CEC) is a professional organization independent of the ETUC. Both organizations are represented in the ETUC employees' delegation. The European social partners represent their national members.

In 1998, the European sectoral social dialogue was established. The sectoral social dialogue committees deal with the specific issues of the different sectors. Currently, 40

sectoral social dialogue committees have been set up which cover almost 145 million employees, representing more than three quarters of the European workforce and more than 6 million undertakings (European Commission, 2010 b; European Commission, European Sectoral Social Dialogue, 2010 edition). They have produced more than 500 texts of varying legal status ranging from multi-sectoral and sectoral agreements to joint opinions or declarations, guidelines and practical tools.

The European sectoral social dialogue also contributes directly to shaping EU labour legislation and policies, in particular through consultation by the European Commission on EU-level developments with social implications.

2. Participation of women in European social dialogue

2.1 Representation of women in European social dialogue

In the context of the European social dialogue – as laid down in Articles 154 and 155 of the Treaty on the Functioning of the European Union (TFEU) – the balanced representation of women and men is not explicitly mentioned, although equality between women and men with regard to labour market opportunities and treatment at work is listed among the objectives to be achieved in European social policy.

The Social Dialogue Committee at cross-sectoral level was set up in 1992. It is the main body for bipartite social dialogue at European level. The Committee comprises 64 members (32 employers, 32 workers). Information on the gender composition of the Social Dialogue Committee is not available.

Equal representation of women and men is regulated in the Council Decision of 6 March 2003 establishing a Tripartite Social Summit for Growth and Employment. Article 3 prescribes:

The social partners' representatives shall be divided into two delegations of equal size comprising 10 workers' representatives and 10 employers' representatives, taking into account the need to ensure a balanced participation between men and women.

The Commission Decision of 20 May 1998 on the establishment of Sectoral Social Dialogue Committees emphasizes that the aim should be to ensure that the membership and activities of the Committees contribute to the promotion of gender equality. The European Commission regularly assesses participation in sectoral social dialogue committee meetings. An analysis of the meetings for the years 2003–2008 highlighted the comparatively low participation levels of women in some committees (European Commission, European Sectoral Social Dialogue, 2010 edition). Although some sectoral social dialogue committees have adopted texts and initiated projects on gender equality in the labour market, such as equality action plans or good practice guides for the workplace, this does not affect participation in the committees' delegations. In relation to their weight in the sectors involved, women tend to be under-represented (European Commission 2010b). The share of female participants at plenary meetings of sectoral social dialogue committees ranges from 10 per cent or less in sectors such as woodworking, professional football, steel, shipyards and the sugar industry to 40 per cent to 50 per cent in commerce, personal services, local and regional government and catering, and more than 70 per cent in hospitals and health care (European Commission, European Sectoral Social Dialogue, 2010 edition).

The representation gap is mainly related to the appointment process within national affiliate organizations (European Commission, European Sectoral Social Dialogue, 2010

edition). The European Commission has invited the European social partners to work with their national affiliates to achieve better gender balance in both participation rates and representation on the boards of committees, to further develop existing actions, to consider new actions to raise awareness and to keep gender equality on their agenda (European Commission, European Sectoral Social Dialogue, 2010 edition).

Similarly, improving the role of women in decision-making is one of the four priorities under the Framework of Actions on Gender Equality (ETUC/UNICE/UEAPME/CEEP, Framework of Actions on Gender Equality, 2005) agreed by the European social partners in 2005. Under priority 2 'Promoting women in decision-making', the social partners emphasize:

Promoting women's role in the social dialogue at all levels, both on the employers' side and the trade union side, is important, notably in collective bargaining committees and units. Special attention should be paid to the possibility for women to take up responsibilities in worker representation, both in terms of scheduling of meetings and availability of facilities.

The evaluation report on the Framework of Actions on Gender Equality provides only a few examples of measures put in place by social partners to improve the representation and participation of women in decision-making within their organization at the national level (Denmark, Portugal, United Kingdom) (European Trade Union Confederation/BUSINESSEUROPE/UAPME, 2009).

Data for the year 2009 from the European Commission's database 'Women and Men in Decision-making' clearly illustrates the representation gap of women in the highest decision-making bodies of European social partner organizations (Table A1, annex). Total figures for all European social partner organizations show that 291 (16 per cent) members of the highest decision-making bodies are women and 1,542 (84 per cent) are men. Of these highest decision-making bodies, 7 have a female and 70 a male president.

The gender representation gap is present in both trade union and employers' organizations. In the European trade union organizations only 22.7 per cent of the members of the highest decision-making bodies are women and only 5 of 17 presidents of these bodies are female. Even more marked is the under-representation of women in the European employers' organizations. Of the 1,141 members of the highest decision-making body only 11.7 per cent are female and just 2 of 59 presidents of these bodies are women.

A similar picture emerges in the analysis of the executive heads of European social partner organizations (table A2). Overall, 19 women compared to 58 men are executive heads. In the trade union organizations, 3 women and 13 men are executive heads. The corresponding figures for the employers' organizations are 16 women and 45 men.

2.2 Representation of women in European trade unions

In 1975, a Women's Committee was established within the ETUC comprising experts working on gender equality from all national affiliates. The Women's Committee has three seats on the ETUC Executive Committee and one on the Steering Committee. It meets twice a year, adopts positions on issues relating to equality between women and men, and monitors the implementation of gender mainstreaming (Pillinger, 2010).

The ETUC Gender Equality Plan of 2003 takes the dual approach of tackling specific gender equality issues and gender mainstreaming. The Plan refers to the concept of a representation gap, which is understood to be the difference between the proportion of women in the organization's decision-making bodies and the proportion of women in the overall membership. The Plan has three main objectives which are binding on all national confederations, all industry federations and the ETUC itself.

The first objective is to eliminate the female representation gap in decision-making bodies. Key measures to achieve a reduction by half of the representation gap in decision-making bodies – in a first step – are:

- an equality plan with quantified objectives, a timetable and a clear indication of the need for follow-up and evaluation;
- provision of statistics, including statistics on European works councils, the Executive Committee, Congress, and the number of women negotiators;
- adapting the ways in which meetings are held.

The second objective is to extend gender mainstreaming firstly by including the gender dimension in collective bargaining and/or collective bargaining guidelines and secondly by putting gender equality at the heart of a new social welfare architecture.

The third objective is to strengthen the role of the body responsible for gender equality policy. The Mid-Term Review of the ETUC's Equality Action Plan recommended in 2006 that unions should provide more comparable data on women's participation and representation and put in place measures to enable women to take up leadership positions (Pillinger, 2010).

The ETUC Charter on gender mainstreaming in trade unions was adopted at the ETUC Statutory Congress in 2007. Article 4 of the Charter aims at the elimination of the gender representation gap and called for a number of actions such as the provision of good and comparable data. It describes requirements for affiliates to provide statistics on their membership and representation in decision-making bodies and introduced an annual 8 March Survey.

The 8 March survey among affiliates and European Industry Federations was conducted in the years 2008, 2009 and 2010 and each survey emphasized a particular issue. The 3rd Annual ETUC 8 March Survey 2010 (ETUC, 2010) looked at gender representation in ETUC member organizations and aimed to assess progress in reducing the gender representation gap and to highlight successful gender mainstreaming activities. The specific theme of the 3rd Survey was women in decision-making positions within trade unions and women's presence in collective bargaining negotiations and units.

Pillinger (2010) summarized the findings of the 2010 survey on the three most important barriers to women taking up leadership positions in trade unions:

- work-life balance and unequal sharing of family responsibilities;
- preconceived and stereotyped ideas concerning the role of women, leading to attempts to dissuade them from seeking leadership positions;
- lack of specific policies within the trade union organization.

The four main factors that limited the presence of women in collective bargaining units were:

- lack of time for female trade unionists;
- lack of specific policies within the unions addressing the issue of women in bargaining units;
- discouragement or hostile reactions from male colleagues;
- lack of specific knowledge in women of bargaining methods.

About 55 of 82 national confederations from 30 (out of 36) countries responded to the 2010 survey. Despite a general decrease in total trade union membership, the number of female members grew constantly over the years to 2010. Nonetheless, in terms of trade union leadership the presence of women remained very limited with almost no progress over those years. The survey showed that the level of female representation in ETUC affiliates' decision-making bodies lagged behind that of men. It also revealed that ETUC

affiliates were putting in place various initiatives and instruments in order to mainstream gender equality in their collective bargaining system.

Table 11.
Representation of women in top positions in ETUC affiliates

Decision-making position	Women	Total
President	4	42
Vice-President	24	71
Secretary General	8	39
Deputy Secretary General	7	22

Note: The numbers cover only the organizations that responded to the survey; the role of the positions differs between organizations.

Source: ETUC, 2010.

As regards the representation of women in the trade unions' governing bodies and general councils, only a few confederations reported that the number of women delegates was proportional to their female membership.

Collective bargaining was considered key to the implementation of gender mainstreaming. Several confederations had adopted guidelines to enhance the gender dimension in their members' collective bargaining practices. About 60 per cent of the respondents (31 confederations) had established collective bargaining guidelines in regard to gender equality, setting up common principles to mainstream gender equality at various levels of the negotiations. The guidelines' highest priorities were given to tackling the gender pay gap (ETUC 2010).

In the survey, several confederations reported having carried out training sessions for their negotiators. The view was that gender mainstreaming could affect the content of negotiations in various ways. The confederations specified the manner in which they implemented such a key principle to influence the gender dimension of their bargaining practices. The majority (77 per cent) discussed the gender dimension of general issues (e.g. wages, working time) in collective bargaining. About 71 per cent of the confederations noted that legislative instruments (laws, collective agreements and/or government policies) that dealt with gender equality were supportive during negotiations. The majority of the organizations added issues to the collective bargaining agenda that are traditionally seen as women's issues (e.g. childcare, flexible work arrangements). However, some trade unions emphasized the fact that gender mainstreaming was not an issue that they dealt with (e.g. Solidarnosc Poland). By contrast, the Trades Union Congress (TUC) in the United Kingdom reported on equality audits to analyse the priorities and the climate for equality in bargaining (ETUC, 2010).

Ten recommendations were put forward to the ETUC Congress 2011 to provide guidance to trade union leaders, decision-makers and members in tackling the gender representation gap (ETUC Newsletter No. 51, November 2010). The recommendations are (Pillinger, 2010):

- 1) Make the arguments for gender-balance a core union priority;
- 2) Actively promote gender equality at all levels of the organization through gender mainstreaming;
- 3) Introduce statutory rule changes on gender balance;
- 4) Prepare women for decision-making and leadership roles: training and mentoring;
- 5) Engage men to build a consensus for balanced gender representation;
- 6) Address the image and culture of unions;

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- 7) Build union organizations so that women's activism, decision-making and involvement exists at all levels of the union;
 - 8) Ensure that trade union organizations promote gender diversity in their own internal human resources;
 - 9) Provide gender disaggregated data;
 - 10) Develop concrete and wide-ranging action plans to improve the visibility of gender equality.

Only four European industry federations (out of 12) responded to the ETUC 8 March survey. After three years of internal consultations and discussions, the European Federation of Food, Agriculture and Tourism (EFFAT) adopted some important amendments to its Statutes with regard to women representation in its governing bodies. The proportion of mandates allocated to women in the EFFAT bodies and working structures must/should correspond to the proportion of their membership. Two motions on gender equality were adopted at their 2009 Congress. These asked for the elaboration of a gender equality plan, including concrete goals on gender-balanced participation, gender mainstreaming and a timetable for implementation (ETUC, 2010; European Trade Union Confederation/BUSINESSEUROPE/UAPME, 2009).

The European Federation of Public Service Unions (EPSU) is one of the European industry federations with a better gender balance in its governing bodies. A study promoted by the EPSU Gender Equality Committee (SKTF/EPSU, Women's representation in EPSU and affiliates) revealed that overall female membership was increasing slightly in all EPSU constituencies and its affiliates' decision-making bodies (ETUC, 2010).

The European Transport Workers' Federation launched the 'ETF Action Plan on Gender Equality 2009–2013', defining areas of action, objectives and evaluation measures. One area of action focuses on better representation of women in trade unions. The objective is to achieve a balanced representation of women transport workers in their decision-making bodies by 2013. This implies the achievement of the same proportion of women in decision-making bodies as the proportion of women in the overall membership rate. Key measures are:

- setting up equality plans with specific quantified objectives, a timetable, clear indication of the need for follow-up and evaluation;
- monitoring gender-based membership trends;
- developing mentoring programmes (ETF Action Plan on Gender Equality 2009–2013).

In Belgium, the three representative trade unions signed a Charter on Gender mainstreaming on 23 September 2004. The objective is to increase the involvement of women in trade unions systematically and with immediate effect. The result was, among others, an effective increase in the number of female executives at the top of the cross-sectoral organization and sectoral associations (European Trade Union Confederation/BUSINESSEUROPE/UAPME, 2009).

In Denmark, the Danish Confederation of Trade Unions (LO) provides gender equality audits which closely monitor developments in gender representation at all levels in the Confederation and in its member unions.

The trade union federation TUC in the United Kingdom also fosters the representation and participation of women in trade union organizations. A report published in 2008 highlighted both the progress made and challenges still faced by women within the trade unions. The report provided gender disaggregated data on stewards, branch officials and representatives in the trade union movement. It described actions taken by unions to improve the representation of women in trade union hierarchies and TUC's efforts to

continue to monitor progress through internal ‘equality audits’ of its affiliates (European Trade Union Confederation/BUSINESSEUROPE/UAPME, 2009).

2.3 Representation of women in European employers’ organizations

None of the cross-sectoral European employers’ federations (BUSINESSEUROPE, CEEP, UEAPME) have specific committees dealing with gender equality or specific programmes to improve gender representation in their decision-making bodies. Only BUSINESSEUROPE has established a Working Group on Equal Opportunities within its Social Affairs Committee. UEAPME, the employers’ organization representing the interests of European crafts, trades and SMEs at EU level, issued a compendium on good practices of diversity and non-discrimination. The compendium describes initiatives on grounds such as ethnicity, disability, gender and age. In the context of gender, it refers to initiatives relating to work-life balance, female entrepreneurship and fighting stereotypes. These include projects on part-time vocational training, online-qualification and coaching, and the entity’s equality plans.

2.4 European works councils and gender representation

European Works Councils (EWC) play a crucial role at the transnational level for multinational companies within Europe and beyond. Detailed data on the gender composition of European Works Councils is not available.

An analysis of 41 company case studies on European Work Councils (Weiler, 2004) looked, among other matters, at gender representation. Although the questionnaire for the case studies carried questions on the gender composition of the workforce and of the European Works Councils, information was provided only in 23 cases. In these, the under-representation or non-representation of women was striking. Only four cases reflected the gender composition of the workforce in the representation of women in the EWC. Only one of the 41 EWCs investigated was chaired by a woman. Among the key reasons given by the respondents for the absence or significant under-representation of women were the national procedures for the election or appointment of EWC members and the fact that women were not in key positions in company employees bodies at national level or in trade union organizations.

With the revision of the EWC Directive (Directive 2009/38/EC of the European Parliament and of the Council of 6 May 2009 on the establishment of a European Works Council or a procedure in Community-scale undertakings and Community-scale groups of undertakings for the purposes of informing and consulting employees), the mandatory requirements that negotiating partners must respect when establishing a Works Council were strengthened. Article 6 of the Directive on the content of the agreement between central management and special negotiating bodies (SNB) stipulates that the composition of the EWC should take into account the need for a balanced representation of employees in regard to their activities, category and gender.

The European Federation of Food, Agriculture and Tourism (EFFAT) provides an example of efforts to ensure a balanced representation of women in European Works Councils. EFFAT set up an action plan on ‘Promoting gender equality in EWCs’ on 10 October 2005. The plan requires the composition of the EWC to reflect the gender proportions of the EWC workforce. The plan also describes measures to increase the participation of women in EWCs and to put gender equality issues on EWC agendas.

Further, EFFAT policy documents on European Works Councils ensure the incorporation of the gender equality dimension in all aspects of their work (European Trade Union Confederation/BUSINESSEUROPE/UAPME, 2009). The measures include:

-
- monitoring the composition of special negotiating bodies and EWCs by gender;
 - an action plan ‘Promoting gender equality in EWCs’ stipulating what the respective national unions and EFFAT should do to boost women’s participation in EWCs and foster debate on gender-equality issues in EWCs;
 - the compilation of a list of questions on equal opportunities for women and men that could be taken up in European Works Councils. On 30 September 2009, EFFAT issued such a list of questions.

3. Gender issues in European cross-sectoral social dialogue

3.1 Key instruments and key outcomes of European cross-sectoral social dialogue

The European social partners at the cross-sectoral level have concluded a number of cross-industry Framework Agreements under Articles 154 and 155 of the Treaty on the Functioning of the European Union (TFEU). Several key outcomes of the European cross-sectoral social dialogue are strongly related to issues of gender equality.

The European social partners negotiated three agreements that have been implemented by Council Directive:

- Framework agreement on parental leave (1996);
- Framework agreement on part-time work (1997);
- Framework agreement on fixed-term contracts (1999).

In 2009, the European social partners agreed on a revision of the Framework agreement on parental leave of 1996. The revised agreement was also implemented by a Council Directive.

Four so-called autonomous agreements have been negotiated. The implementation of these autonomous agreements is the responsibility of the social partners. These autonomous agreements are:

- Framework agreement on telework (2002);
- Framework agreement on work-related stress (2004);
- Framework agreement on harassment and violence at work (2007);
- Framework agreement on inclusive labour markets (2010).

Of these framework agreements, the agreements on parental leave, part-time work, harassment and violence at work and, to some extent, the agreement on telework and on inclusive labour markets in particular are strongly relevant to gender equality.

Two frameworks of actions are other important outcomes of European cross-sectoral social dialogue. In 2005, the Framework of Actions on Gender Equality was adopted. Earlier, in 2002, the Framework of Actions for the Lifelong Development of Competencies and Qualifications was put into place.

The Framework of Actions on Gender Equality of 22 March 2005 sets out four priority areas for action:

- addressing gender roles;
- promoting women in decision-making;
- supporting work-life balance;

-
- tackling the gender pay gap.

The European social partners agreed to monitor and evaluate the implementation of the Framework of Actions on Gender Equality. They reported on the actions taken in three jointly drawn up annual follow-up reports in 2006, 2007 and 2008 and presented an evaluation report in 2009 covering the period 2005–2009.

The European Social Dialogue Committee was entrusted with the preparation of the overall European evaluation report. The report comprised national evaluation reports jointly elaborated by the social partners in the different Member States. The European social partners also reported on actions taken at the European level (European Trade Union Confederation/BUSINESSEUROPE/UAPME, 2009).

The introduction to the evaluation report highlighted the political impact of the Framework of Actions and emphasized its important role in influencing EU policy developments in the area of gender equality. The objectives of the Framework were specifically recalled by:

- the 2006–2010 Road Map on Gender Equality;
- the 2008 Communication on ‘Tackling the pay gap between women and men’, and
- the two-stage consultation on reconciliation of work, family and private life.

At the European level, the focus was mainly on disseminating the Framework to influence European policies. Among the examples given of joint actions and projects at the European level were the following:

- presentation of the Framework's rationale and objectives in 12 national capacity-building seminars;
- organization of a number of conferences and seminars in the context of the EU Presidencies;
- support of projects carried out – often financed through EU Structural Funds and EU Commission budget lines – by Members;
- translation of the Framework of Actions into various languages through the Translation Fund jointly managed by ETUC and BUSINESSEUROPE (on behalf of the European employers’ organizations).

The evaluation report further described unilateral actions taken by the European social partners. The ETUC:

- organized various training seminars;
- launched an annual 8th of March Survey in 2007 with the aim of monitoring and assessing the presence of women in the trade unions’ decision-making bodies;
- organized conferences and round-table debates.

The European employers’ organization BUSINESSEUROPE:

- participated in a European survey of women’s presence in decision-making bodies of BUSINESSEUROPE and its members in 2009;
- contributed to the European Commission’s 2009 information campaign on equal pay.

UAPME reported on a variety of measures promoting female entrepreneurship and gender equality such as:

- contribution to the European Commission’s publication ‘Diversity at work – A Guide to SMEs’ in 2009

-
- publication of the ‘Compendium of good practices of diversity and non-discrimination initiatives in European Crafts, Small and Medium-sized Enterprises and their organizations’ in 2007;
 - management of Business Support Programme III (BSP) 2008–2009 which aimed at familiarizing SME member associations with gender equality and female entrepreneurship;
 - participation in the EU project and study ‘Business Case for Diversity in SMEs’.

CEEP undertook direct actions in the area of gender equality as well as actions within the wider framework of policies promoting equal opportunities for all and through diversity management in employers’ organizations and enterprises providing services of general interest. The main findings of the ‘Equally Diverse’ project are that public service employers have an excellent track record of implementing innovative anti-discrimination and equal opportunities measures, and have proportionally more female senior managers and a narrower pay gap. CEEP focused also on specific priorities of the Framework of Actions, such as the gender pay gap. It launched – together with member organizations led by the British section – a project to provide it important background information to enable it to contribute to the review of Equal Pay legislation (European Trade Union Confederation/BUSINESSEUROPE/UAPME 2009).

3.2 Gender segregation

Gender segregation in European employment is extremely persistent, despite an increase in female employment rates and clear improvements in the participation of women in higher education. This applies to both occupational and sectoral segregation (tables 8 and 9).

Further, gender segregation has two main forms: horizontal and vertical segregation. Horizontal segregation means the segregation of women and men into different kinds of work. Vertical segregation is the segregation of women and men into different hierarchical levels.

In the Framework of Actions on Gender Equality, the European social partners deal to a certain extent with the issue of horizontal occupational segregation under priority 1 ‘Addressing gender roles’. Vertical gender segregation is addressed partially under priority 2 of the Framework ‘Promoting women in decision-making’.

Although the Framework reduces the issue of horizontal segregation to ‘stereotyped gender roles on the labour market’ and does not discuss the underlying societal structures and discriminatory practices, it sets out some actions to tackle gender segregation on the labour market. The Framework stresses that social partners have a responsibility for addressing gender roles and stereotypes in employment and in the workplace. It notes that women are over-represented in certain occupations and sectors such as care, education, cleaning and retail, and tend to be under-represented at higher occupational levels. It regards the desegregation of labour markets as crucial to achieving gender equality.

The European social partners identify key elements in the fight to remove stereotyped gender roles on the labour market as follows:

- promoting education without a gender bias and efficient and non-stereotyped career advice services to ‘enable individuals to make better informed education and career choices’;
- attracting girls and young women into technical and scientific professions;
- advancing the recruitment and retention of women and men with adequate skills at the enterprise level in sectors and occupations where they are under-represented;

-
- acknowledging and possibly enriching the skills content of female occupations in order to create more beneficial career paths and opportunities for women in female-dominated sectors;
 - raising awareness among middle managers in companies of means to promote equal opportunities;
 - fostering entrepreneurship as a career option for both women and men at sector and/or national level;
 - encouraging competence development to enable women and men to develop in their careers throughout life and to address deficits created by the structure of the education system in the past.

The 'Framework of Actions on Gender Equality - Final Evaluation Report 2009' (European Trade Union Confederation/BUSINESSEUROPE/UAPME 2009) highlighted actions taken by national social partners with regard to the priority 1 'Addressing gender roles' and gender segregation on the labour market.

In several countries (Austria, Finland, Poland Spain, United Kingdom), the social partners had cooperated with government authorities in the formulation and revision of relevant legislation such as labour codes and Equal Treatment Acts. Gender-specific considerations were integrated into collective agreements between social partners (e.g. in France), in conjunction with diversity management practices in companies.

The Framework of Actions stimulated a number of bipartite or tripartite approaches with multiple actors:

- national frameworks of action and cooperation platforms between social partners – and in some cases public authorities – in order to improve the situation of women on the labour market through positive action, incorporation of gender priorities into collective agreements and/or anti-discrimination measures (Austria, Belgium, Finland, Latvia, Portugal, United Kingdom);
- guidance and orientation programmes to encourage women to enter occupations where they are under-represented (Austria, Belgium, Netherlands);
- initiatives to stimulate girls' and women's interest in entering male-dominated professions, and vice versa;
- positive action and specific incentives for employers to recruit women in industries/sectors where they are under-represented (Germany, Portugal, United Kingdom);
- measures to improve the consideration of under-represented groups in recruitment procedures and to promote transparent job classification schemes and job evaluation structures based on neutral and objective criteria (Belgium, Czech Republic, Denmark, Spain).

Other national examples include several measures aiming at:

- fighting discrimination in access to employment;
- improving recruitment procedures and classification systems, for example by abandoning gendered titles in professional classification systems;
- developing positive action measures to fight gender segregation.

In Belgium, the Cross-Sectoral Agreement 2007–2008 (Accord inter-professionnel – AIP) placed the fight against different forms of discrimination (including gender-based discrimination) among the major priorities for work by the social partners. The agreement comprised two major approaches: combat discrimination and promote greater equality of opportunity. However, in the Cross-Sectoral Agreement 2009–2010, the explicit attention

given to gender equality in the preceding agreement was not reiterated. This was explained by the social partners as an impact of the economic recession.

In Finland, the social partners undertook a joint project in 2007 to encourage young people to make untraditional and unbiased career choices. During the previous year, they concluded a joint analysis of the gender aspects of collective agreements. For the analysis, they gathered the gender-related provisions of collective agreements and recommended that their member organizations (employer associations and trade unions) regularly monitor, for example, the state of gender equality, take gender aspects into account in negotiations and follow developments in the gender pay gap. In 2009, the social partners updated their analysis and recommendations.

In 2008, the social partners in Luxembourg agreed on an action plan covering several years (2009–2012), addressing the specific topic of promoting equality between women and men each year.

In 2008, the Spanish employers' and trade union organizations decided to extend the Interconfederal Agreement on Collective Bargaining (ANC, 2007) which included some general criteria for equal treatment and opportunities for women and men. The extension developed various measures related to the priorities of the Framework of Actions and aimed to remove obstacles to the equal participation of women in some sectors or jobs. The measures included the following:

- discriminating job titles should be abolished in the professional classification system (categories, functions, duties);
- positive action clauses in agreements should encourage women's access in those sectors where women are currently under-represented;
- selection systems, classification, promotion and training should be reviewed on the basis of neutral and objective criteria.

3.3 Women in decision-making

'Promoting women in decision-making' is addressed as priority 2 in the European social partners' Framework of Actions on Gender Equality. Referring to the partners' clear responsibility for ensuring that the overall working environment supports a more balanced participation of women and men in decision-making, the Framework states that the following policy elements are key to an improvement at all levels within enterprises:

- promoting competence-based gender-neutral recruitment in enterprises;
- retaining women in enterprises, to avoid loss of competence;
- encouraging the career development of both women and men on the basis of top management's commitment to initiatives promoting women in decision-making positions;
- promoting female entrepreneurship as a complementary way of increasing the proportion of women in decision-making and raising female labour market participation.

In their joint evaluation report on the Framework of Actions (European Trade Union Confederation/BUSINESSEUROPE/UAPME, 2009), the European social partners stressed promoting women in decision-making as a shared objective. In the long run, these endeavours should also have an impact on reducing income differentials between women and men. It was seen as important to implement the gender mainstreaming principle – in particular in regard to women in top positions.

The social partners' actions at the national level aimed at obtaining a more balanced representation of women in decision-making positions. The national actions sought to increase the number of female entrepreneurs, and/or of women in decision-making bodies

also within social partner organizations and/or bargaining units. Innovative measures adopted and described in the 2009 evaluation report included joint social partner actions and unilateral actions by trade unions.

In Austria, joint social partner actions focused on the identification of equality and discrimination at all levels within companies.

The social partners' most frequently used approach is the gathering of gender disaggregated data to enable them to make regular assessments and put forward concrete recommendations. Examples of recommendations are:

- to monitor the representation and participation of women within organizations (Denmark, Portugal, United Kingdom) or
- to put into place specific training or mentoring programmes, such as leadership courses, to attract and develop more women in leadership roles (Poland, United Kingdom).

A cross-industry agreement dealing with the issue of gender data is extension 2008 of the Interconfederal Agreement on Collective Bargaining (ANC) in Spain. The extension specified different measures related to the priorities of the Framework of Actions. To promote women in decision-making, the Agreement focused on measures to study or establish different recruitment, classification, training and promotion systems, based on technical, neutral and objective gender grounds.

In Sweden, a joint social partners' programme to promote women in decision-making was created with the 2002–2004 framework agreement for the central government sector. This work was continued and the social partners decided to put additional effort into reducing the gender pay gap in the central government sector in the 2007–2010 framework agreement.

Social partners in the United Kingdom participated in the work of the Women and Work Commission, which identified vertical segregation as one of the wide-ranging causes of the gender pay and opportunity gap and issued practical recommendations for all stakeholders to take action on.

3.4 Work-life balance and reconciliation

Two framework agreements negotiated by the European social partners and implemented as European directives are strongly related to the issue of work-life balance and reconciliation. These are the Framework Agreement on Parental Leave (1995) and the Framework Agreement on Part-time Work (1997). Other framework agreements referring to the reconciliation of professional and family life are the autonomous Framework Agreement on Telework (2002) and the autonomous Framework Agreement on Inclusive Labour Markets (2010).

The Framework Agreement on Parental Leave – 1996/34/EC of 3 June 1996 set out minimum requirements on parental leave and time off from work on grounds of force majeure. The Directive entitled mothers and fathers to an individual right to take parental leave to enable them to take care of a child for at least three months. Member States and/or the national social partners were to implement the Directive's provisions in accordance with national practices. The Directive did not mention payment of parental leave.

In 2006 and 2007, the European Commission consulted the European social partners on the reconciliation of professional, private and family life and addressed the issue of updating the regulatory framework at European Community level. The Commission encouraged the partners to review the provisions of their Framework Agreement on Parental Leave of 1996.

On 18 June 2009, a revised Framework Agreement on Parental Leave was concluded and implemented by Council Directive (2010/18/EU) on 8 March 2010. Member States were given one year to implement the Directive in their national laws. The revised Framework Agreement increases the duration of parental leave from three to four months. At least one of the four months is non-transferable between the parents in order to encourage a more equal take-up of leave by both parents. The Agreement states that it applies to all workers, regardless of their type of contract (fixed-term, part-time, etc.) It provides parents returning to work after parental leave the right to request a change in their working conditions (e.g. working hours). The revised Agreement further increases protection against any kind of unfavourable treatment as a result of exercising the right of parental leave.

The preamble to the Agreement states that in many Member States encouraging men to take parental leave has not led to sufficient results. More effective measures should be taken to encourage a more equal sharing of family responsibilities between women and men. Referring to experiences, the preamble notes that making the leave non-transferable can act as a positive incentive for take-up by fathers. Therefore, the European social partners agreed to make a part of the parental leave non-transferable. The preamble further observes that the level of income during parental leave is one factor that influences take-up by parents, especially fathers. The Agreement stipulates that all matters related to income are for consideration and determination by Member States and/or social partners according to national law, collective agreements and practice. The role of income – among other factors – in the take-up of parental leave is to be taken into account. The preamble further observes that parental leave is distinct from maternity leave.

On 6 June 1997, the European social partners concluded the Framework Agreement on Part-time Work. It was adopted as a European Directive on 15 December 1997. The Framework Agreement carries provisions important for reconciling work and family life. It sets out general principles and minimum requirements relating to part-time work. It aims at eliminating discrimination of part-time workers and at assisting the development of part-time work arrangements on a basis acceptable to employers and workers. A ‘part-time worker’ is defined as:

... an employee whose normal hours of work, calculated on a weekly basis or on average over a period of employment up to one year, are less than the normal hours of work of a comparable full-time worker.

In the general considerations in the introduction to the Agreement, the social partners stress that they attach importance to measures that facilitate access to part-time work for women and men in order to reconcile professional and family life. The purpose of the Agreement is firstly to improve the quality of part-time work and to eliminate any discrimination against part-time workers. The principle of non-discrimination implies that part-time workers are not to be treated in a less favourable manner than comparable full-time workers only because they work part-time unless different treatment is justified on objective grounds. The principle of *pro rata temporis* (in proportion to the length of time involved) applies. The second objective is to facilitate the development of part-time work on a voluntary basis and to contribute to the flexible organization of working time in a manner that takes into account the needs of employers and workers.

Employers should give consideration – as far as possible – to requests by workers to transfer from full-time to part-time work or from part-time to full-time work or to increase their working time. Employers are requested to facilitate access to part-time work at all levels of the enterprise, including skilled and managerial positions. Where appropriate, employers should facilitate access by part-time workers to vocational training to enhance career opportunities and occupational mobility.

On 25 March 2010, the European social partners ETUC/CES, BUSINESSEUROPE, UEAPME and CEEP signed a Framework Agreement on Inclusive Labour Markets. It is

an autonomous agreement in the context of Article 155 of TFEU and commits member organizations to promoting and implementing it in accordance with procedures and practices specific to management and labour in EU Member States and the countries of the European Economic Area.

In Annex 1, the European social partners make recommendations to public authorities and other actors. With regard to the adequacy of access to care, public authorities and other actors should:

- ensure the availability, affordability, sustainability and quality of social physical infrastructures such as care;
- put in place the Framework to develop workplace practices improving the work-life balance and in this way promote full use of the productive potential of the European labour force.

In 2002, the European cross-sectoral social partners agreed on the Framework Agreement on Telework. In the general considerations the social partners stress that they see:

... telework both as a way for companies and public service organisations to modernise work organisation, and as a way for workers to reconcile work and social life and giving them greater autonomy in the accomplishment of their tasks.

Despite this general statement, the Agreement does not provide specific provisions on the issue of reconciliation.

Supporting work-life balance is the third priority in the Framework of Actions on Gender Equality. The European social partners stress that in addition to employers and workers, public authorities have a crucial role to play in addressing the wider societal aspects and in providing affordable quality care facilities for children, the elderly and other dependents to allow women and men to join the labour market.

The European social partners say that the following elements are key to supporting good work-life balance:

- flexible working arrangements including leave arrangements, designed in a way that does not undermine long-term participation and position on the labour market;
- promotion of more balanced take-up of possibilities to ease work-life balance and specific encouragement of men;
- development by public authorities of strategies to guarantee the availability of accessible and affordable childcare facilities of good quality and, for example, tools such as the creation of funds by collective agreements or other means to 'mutualize' the costs of maternity or parental leave allowances.

In their joint evaluation report on the Framework of Actions (European Trade Union Confederation/BUSINESSEUROPE/UAPME, 2009), the European social partners state that the issue of the reconciliation of work, family and private life was considered by a number of social partners one of the areas where they were most active during the period 2006–2009. At tripartite level, national social partner organizations often engaged in consultations on legislative changes to leave arrangements (maternity, parental, paternity leave) or working time arrangements, such as part-time provisions or telework. In bipartite action, social partners have negotiated collective agreements in order to improve the reconciliation of work and family, at both cross-industry level and sectoral level (Italy, Spain, Sweden).

There are visible differences between countries in flexible working arrangements. The focus ranges from broadening the possibility to use part-time work to exploring ways to limit the potentially negative factors linked to voluntary or involuntary part-time work.

Table 4A in the annex to this study lists a number of other bipartite and tripartite actions taken by national social partners to promote work-life balance.

In 2008, the European social partners issued a joint progress report evaluating progress made by Member States in promoting better reconciliation of professional, private and family life over the period 1998–2008. (ETUC/BUSINESSEUROPE/UAPME/CEEP, Progress Report, 2008)

The Progress Report referred to the European Commission's second-stage consultation with European social partners on the reconciliation of professional, private and family life of 30 May 2007. It also referred to the social partners' joint letter of 11 July 2007 to the Commissioner for Employment, Social Affairs and Equal Opportunities of the European Commission expressing their commitment to:

- assess progress made under the Framework Agreement on Parental Leave;
- evaluate parental leave arrangements in connection with other work-life balance arrangements, such as flexible work organization and child care;
- determine whether joint actions need to be taken.

The Report noted that on 7 November 2007, the Social Dialogue Committee had decided to launch a consultation of national social partners and to set up an Ad Hoc Working Group on Work-Life Balance. The Progress Report remarked that there was evidence that parental leave arrangements were not being fully used for a number of reasons, including the lack or low level of income (see also CEEP Activity Report 2008).

The Progress Report observed that the Framework Agreement on Parental Leave had been transposed in Member States but it did not fully achieve objectives such as gender equality, reconciliation and sharing responsibilities between women and men.

The three main categories of instruments used by EU Member States to achieve work-life balance in practice are flexible working arrangements, leave arrangements and care facilities. A working group highlighted the important role that social partners play at all levels. In order to improve the level and quality of women's participation in the labour market, to create conditions to enable men to play a greater role in family and private life, and thus to continue to make progress on the issue of reconciliation, it was agreed that a balanced, integrated and coherent policy mix should be put in place covering three areas: leave arrangements, working arrangements and care infrastructure.

The European social partners agreed to carry out joint actions to better achieve the aims of the Parental Leave Directive as part of the wider work on reconciliation. The objective was to find the right balance to ensure that leave arrangements did not undermine efforts to increase labour market participation. Therefore actions should support workers returning from leave and prevent negative effects on their career.

With regard to working arrangements, the European social partners stressed the importance of regulating and organizing working time in a way that reconciled the demands of the job with the demands on women and men arising from family life such as caring for children or other dependent family members. A general family-friendly working time organization required flexible working time arrangements (such as adapted schedules) and possibilities for reducing or extending one's working time (such as reversible part-time work). The European social partners committed themselves to assessing if and in what form innovative and adaptable working arrangements for women and men could be promoted.

Regarding care infrastructure, the European social partners reiterated their call to Member States to accelerate progress on the so-called Barcelona targets in the succeeding two years.

The Barcelona targets aimed to achieve by 2010 the:

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- provision of childcare for 90 per cent of children between 3 years of age and the mandatory school age;
 - provision of childcare for at least 33 per cent of children under 3.

On 7 July 2008, the European social partners sent a joint letter on childcare to the Commissioner for Employment, Social Affairs and Equal Opportunities of the European Commission. The joint letter presented the European social partners' key messages on childcare and built upon the assessments of EU national social partners of the progress made in that field at the national level. The European social partners warned that without greater efforts the Barcelona targets would not be achieved by 2010 and noted that in the majority of EU countries the situation remained unsatisfactory.

There was still a significant gap between supply and demand in regard to good quality, accessible and affordable childcare infrastructures. The European social partners stressed that specific measures should be taken to give unemployed people access to childcare facilities. Although the social partners recognized the complementary role that social partners could play, they called on public authorities to ensure that childcare was affordable for all parents. The examples given of improvements included the extension of opening hours, greater flexibility in childcare offers and the abolition of pre-scheduled closing days in childcare institutions.

The social partners argued that improving the quality of childcare services was at the same time an approach to raising the quality of jobs in the sector. In view of the large number of women working in childcare services, improving working conditions could also contribute to the EU overall strategy of bettering women's access to quality employment and reducing the gender pay gap.

3.5 Gender pay gap

The principle of equal pay for women and men for equal work was incorporated in European legislation as early as the Treaty of Rome, the founding document establishing the European Union in 1957. The background for the Rome provision was the initiative of France to prevent unfair competition between countries (Weiler, 1994). The ILO Convention 100 of 1951 also referred to the principle of equal pay for 'work of equal value'. In the European Union, the principle of 'equal pay for work of equal value' was implemented only with the Equal Pay Directive in 1975. The Directive also imposed requirements in relation to the content of job classification systems.

The issue of the pay discrimination led to the extensive case law of the European Court of Justice. The European Court of Justice developed key requirements for classifications in collective agreements: transparency and gender-neutral selection of factors, application of factors and composition of the entire system (Weiler, 2001).

In the EU, there is still a persistent gender pay gap (table 10) and in some countries a widening of the gender pay gap is observable. This pronounced persistence of the gender pay gap makes it evident that such a complex issue can be tackled only if it is embedded in a comprehensive approach. Pay consists of several elements such as basis pay differentials, performance-related pay, bonuses, profit-related pay, seniority-related pay. Research demonstrates that the pay position is strongly related to social status. Improvements, for example, in basic pay (which is the key focus of the equal pay for equal or comparable work approach) often lead to new differences in other pay elements. In order to tackle the gender pay gap the entire pay structure and pay determination must be in the focus. Although the gender pay gap cannot be reduced only through collective bargaining, it is important to monitor and assess all elements of pay determination and particularly the pay structure dynamic which re-establishes relational pay positions for groups of employees even if specific regulations are modified and improved (Weiler, 2001; Weiler, 1994; Weiler, 1992).

Job evaluation as a means to achieving gender pay equity is an ambivalent tool. Depending on the system and the political intention, all steps of job evaluation can either discriminate against women or be used to re-evaluate typical women's jobs. This applies to all steps of job evaluation: job analysis and description of job elements, selection of factors, weighing of factors, assessment of jobs against selected factors, and the assignment of the calculated job value to pay grades.

The gender pay gap cannot be abolished simply with job evaluation systems or with policies to tackle the similarly persistent horizontal or vertical gender segregation of the labour market. It can be dealt with only from a comprehensive viewpoint encompassing the pay structure dynamic, the different positions of women and men, as well as societal valuation of work in a long-term process (Weiler, 1992).

The European social partners jointly addressed the issue in their Framework of Actions on Gender Equality. Priority 4 of the Framework is 'tackling the gender pay gap'. The Framework underscores the clear obligation of the social partners in all Member States to ensure that the pay systems they implement do not lead to pay discrimination between women and men. It notes that the social partners are struck by the persistence of the gender pay gap across Europe and stresses the importance of reaching a better understanding of the numerous and complex factors causing the gap. The social partners identify the elements which are critical to tackling the gender pay gap. These are:

- information on existing legislation and guidance on closing the pay gap at different levels;
- development of clear and up-to-date statistics – taking into account a wide range of variables – at sectoral and national level to enable the social partners to analyse and understand the complex causes of pay differentials;
- ensuring transparent and gender-neutral pay systems, including job evaluation schemes and paying attention to the possible discriminatory effects of secondary elements of pay.

The social partners emphasize the need to develop methods and instruments to address the gender pay issue in a systematic way that allows monitoring and evaluation as part of a wider strategy. Examples of practical tools are:

- screening job descriptions to uncover possible discriminatory elements;
- reviewing pay criteria to identify possible discriminatory aspects;
- developing toolkits for negotiators and offering practical advice;
- use of online tools providing information on wage formation and enabling individuals to compare their salaries with those of other employees.

The evaluation report on the Framework of Actions on Gender Equality considered the gender pay gap a complex issue with multiple causes to be addressed at different levels. The report placed specific emphasis on collecting information on the issues of equal pay in Member States. Several social partners (at national, sectoral and company level) developed toolkits aimed at tackling the gender pay gap in negotiations and in collective bargaining – either jointly or on a unilateral basis. Gender-specific pay statistics or sectoral surveys on the pay gap were considered effective tools for comparing the pay levels of men and women (Framework of Actions on Gender Equality, Evaluation report, 2009).

Table 4A presents some examples from EU Member States of bipartite or tripartite actions to tackle the gender pay gap. The actions range from provisions in collective agreements to achieve gender-neutral job classification and pay reviews, to participation in tripartite commissions and projects investigating the causes of and means for tackling the gender pay gap.

Despite the joint endeavours of the Framework of Actions on Gender Equality, the positions of the European social partners on the issue of tackling the gender pay differ significantly.

In their position papers, the European employers' organizations do not emphasize collective bargaining as a central instrument of social partners for tackling the gender pay gap and gender-biased pay structures. In its response of 13 October 2010 to the European Commission Consultation on the roadmap for equality between women and men 2006–2010 and follow-up strategy, BUSINESSEUROPE observed that '...the main underlying reason behind the gender pay gap is gender segregation. The focal point for future policy and action has to be on better understanding the reasons for segmentation and addressing them through better informed education and career choices for both women and men.'

In its opinion on the Commission's Communication 'Tackling the pay gap', CEEP pointed out that 15 per cent of the gender pay gap itself '... cannot be attributed exclusively, or even mainly, to directly discriminatory practices and therefore a failure to provide equal pay for equal work.' CEEP also noted that most of the gender pay gap was attributable to occupational segregation. Therefore, actions towards reducing the gender pay gap should concentrate on measures tackling occupational segregation. CEEP highlighted the importance of eliminating gender stereotypes in education and career choices. It said that the cross-sectoral European employers' organizations agreed that the current European legislative framework in relation to gender pay discrimination already provided strong protection. It stressed that '... any potential review of this legislation must therefore be accompanied by a robust assessment of the costs and benefits of any suggested changes.'

On the European Commission's Communication on 'Tackling the pay gap between men and women' of 2007 and the ETUC Resolution, the European Trade Union Confederation (ETUC) said that it considered it important to place the equal pay debate in a wider context and emphasized collective bargaining and negotiations of wages as the core business of social partners (ETUC 2008a; 2008 b). Policies which aimed to tackle the pay gap should fall into one of the following four categories:

- equal pay policies: equal pay and anti-discrimination legislation, gender-neutral job-evaluation schemes;
- wage policies: targeted wage policies for female-dominated jobs, professions and sectors;
- employment policies: tackling gender segregation;
- social policies: policies on care addressing barriers to full participation of women in employment.

The ETUC pointed out the need to shift the focus away from 'the gender pay gap' towards policies which tackled the undervaluation of women's work. Women's skills were not recognized and therefore not valued and pay grading systems were still likely to be based on male skills models. Therefore, a regular review of pay scales, job classification and job evaluation was required.

The ETUC welcomed the Commission's proposal on reviewing the legal framework. It called for obliging employers, via legislation, to produce pay audits and annual action plans covering all aspects of the pay gap on a mandatory basis. It recalled that the 2003 Employment Guidelines specified a substantial reduction of the gender pay gap but the reformulation of the European Employment Strategy in 2005 removed this target. It asked for the reintroduction of a clear target for reducing the gender pay gap in the Employment Guidelines and demanded a stronger role in monitoring and enforcing the Employment Guidelines for equal pay. On European statistics, the ETUC suggested gathering comparable data on the part-time gender pay gap and called for data on the pay gap to be broken down by sector and sub-sector.

3.6 Violence and harassment at work

The Fourth European Working Conditions Survey (EWCS, 2005) provided evidence that women tended to be more concerned with violence and harassment at the workplace, particularly bullying and sexual harassment (European Foundation, 2010). Young women faced the greatest risk of all. 'Around 6% of young women under the age of 30 report that they have been exposed to sexual harassment in the previous 12-month period, compared to only 1% of men in the same age group' (European Foundation, 2010). Regarding threats of physical violence and actual acts of violence there were no differences between young women and young men.

The cross-sectoral European social partners concluded a Framework Agreement on Harassment and Violence at Work on 26 April 2007 as an autonomous agreement. The Agreement was to be implemented in the context of article 139 of the TFEU [now Article 155] and committed the national members of BUSINESSEUROPE, UEAPME, CEEP and ETUC (and the liaison committee EUROCADRES/CES) to implementing it in accordance with national procedures and practices in Member States and in the countries of the European Economic Area within three years. A full report on implementation actions was to be prepared by the Social Dialogue Committee.

The Agreement describes different forms of harassment and violence at the workplace:

- physical, psychological and/or sexual;
- incidental or systematic patterns or behaviours;
- between colleagues, between superiors and subordinates or by third parties such as clients, customers, patients, pupils etc.;
- minor cases of disrespect to more serious acts.

The Agreement aims to increase awareness and understanding and provide an action-oriented framework for the identification, prevention and management of problems of harassment and violence at work. It defines 'harassment' and 'violence' as follows:

Harassment occurs when one or more worker or manager are repeatedly and deliberately abused, threatened and/or humiliated in circumstances relating to work.

Violence occurs when one or more worker or manager are assaulted in circumstances relating to work.

The Agreement says that awareness and appropriate training of managers and workers can reduce the likelihood of harassment and violence at work and that enterprises need to make a clear statement that harassment and violence will not be tolerated. It describes a suitable procedure for dealing with the occurrence of harassment and violence. In consultation with workers and/or their representatives, employers are to establish, review and monitor their procedures to ensure that they are effective in preventing and dealing with the issue.

On 21 November 2007, the EU social partners jointly presented the Framework Agreement at a public hearing organized by the Committee on Women's Rights and Gender Equality in the European Parliament on 'Sexual harassment in the workplace'.

In 2008, 2009 and 2010, the European social partners at the cross-sectoral level drew up joint tables showing actions taken to implement the Agreement (ETUC/BUSINESSEUROPE/UEAPME/CEEP Framework Agreement on Harassment and Violence at work, Yearly Joint Table 2010; 2009; 2008). Depending as they did on national legislation and collective agreements, the actions and the stages of implementation differed considerably between EU Member States. In some countries the social partners concluded collective agreements implementing the Framework Agreement (Denmark, Latvia, Spain:

public sector; Italy: public sector, Poste Italiane). In others, the partners recommended implementation based on legislation, often in the form of an amendment of the relevant legislation (Czech Republic).

In some countries, the social partners agreed that collective agreements or national legislation already included the provisions of the Framework Agreement (Belgium, Germany, Portugal) or even went beyond the provisions of the Agreement.

However, the social partners in several countries were discussing joint actions on implementation which included translation into the national language, studies, conferences, issuance of brochures to raise awareness on the issue, support negotiations and preparing for national implementation (Luxembourg, Slovenia, Sweden).

4. Gender issues in European sectoral social dialogue

Among the most prominent topics on the agenda of European sectoral social dialogue committees are equal opportunities, diversity management and non-discrimination, including equal treatment, equality plans at the workplace, gender pay gap, gender portrayal and positive discrimination in recruitment policies (European Commission, European Sectoral Social Dialogue, 2010 edition, 10).

In the period 2007–2009, eight sectoral social dialogue committees covered gender equality in their work programmes (table 12).

Table 12.
Gender equality in sectoral social partners' work programmes, 2007–2009

Sector	Year work programme
Catering	2007–2008
Cleaning industry	2008
Commerce	2008
Hospitals	2008–2012
Local and regional government	2008–2010
Private security	2007–2008
Railways	2008–2009
Temporary agency work	2008–2009

Source: European Commission, Industrial relations in Europe 2008

The broader topics of equal opportunities, diversity, non-discrimination in the period 2005–2010 were included in the work programmes of 14 sectoral social dialogue committees. Sexual harassment was in the work programmes of three sectoral social dialogue committees (table 13).

Table 13.
Equal opportunities, diversity, non-discrimination
in sectoral social partners' work programmes

Sector	2006	2007	2008	2009	2010
Equal opportunities, diversity, non-discrimination					
Audiovisual services			•	•	•
Contact catering	•	•	•	•	•
Central administration			•	•	•
Commerce	•	•	•	•	
Electricity	•	•		•	•
Gas				•	•
Insurance				•	
Hospitals and healthcare			•	•	•
Local and regional government	•	•	•	•	•
Railways		•	•	•	•
Road transport		•	•		
Private security		•	•		
Telecommunications	•	•	•	•	
Temporary agency work		•	•	•	•
Sexual harassment					
Horeca	•				
Electricity			•		
Local and regional government			•	•	•

Source: European Commission, European Sectoral Social Dialogue, Recent developments, 2010 edition

Issues of gender equality were taken up in a number of joint texts of the European social partners at the sectoral level (table 14). The key issues of the agreements, joint declarations, guidelines, tools, or recommendations were gender equality and equal opportunities, harassment and violence, corporate social responsibility (CSR), and representation of women in the sectoral social dialogue.

The social partners in the sectoral social dialogue with local and regional governments agreed on guidelines for drawing up gender equality action plans. They state that equality plans should be drawn up and implemented by employers in cooperation and dialogue with trade unions and employees and should have support at all levels of leadership. The social partners emphasize that 'clear and strong political backing is essential to ensure the successful development and implementation of gender equality plans.' The proposed steps for preparing a gender equality plan are:

- set up a joint employer-trade union working group;
- determine the gender composition of the workforce;
- find out where inequalities exist;
- develop a set of actions to resolve the inequalities identified;
- monitor, report on, and evaluate progress.

The guidelines describe in detail issues that can be addressed in equality plans and provides an example of an equality checklist.

The sectoral European social partners in the electricity industry (EPSU and EMCEF for the trade unions and EUROELECTRIC for the employers) and also in the gas sector (EPSU and EMCEF for the trade unions and Eurogas for the employers) issued a joint declaration on 'Harassment and Violence at Work' in November 2007 in their sectors. The joint declarations refer to the cross-sectoral Framework Agreement and call upon their affiliated member associations to implement the Framework Agreement before April 2010 in the gas and before May 2010 in the electricity sector. The sectoral social partners declared their intention to monitor the implementation of the Agreement in their respective sectoral social dialogue committees.

The European social partners in the commerce sector developed a toolkit on 'Preventing third party violence in commerce' in October 2009.

Several European sectoral social partners agreed on 'Multisectoral guidelines to tackle third-party violence and harassment related to work' on 30 September 2010. The guidelines were signed by EU-level social partners in the healthcare, education, local and regional government, commerce and private security sectors. They complement the Framework Agreement on Harassment and Violence at Work concluded by the cross-sectoral European social partners in 2007. They focus on third-party violence and harassment in the sectors covered. They aim to support actions by employers, workers and their representatives/trade unions to prevent, reduce and mitigate violence and harassment related to work. The guidelines describe various forms of work-related third-party violence and harassment and key elements of good practice and steps to tackle the problem. The European sectoral social partners involved agreed to draw up a progress report in 2012 and a final joint evaluation in 2013.

Gender equality and equal opportunities were an issue in a number of actions in the European sectoral social dialogue on corporate social responsibility (CSR). In the sectoral social dialogue committees in the hotels and restaurants sector and in contract catering, CSR initiatives contained provisions on equal opportunities, non-discrimination and fair pay. The agreement between the European Federation of Food, Agriculture and Tourism Unions (EFFAT) and the European Federation for Contract Catering Organisations (FERCO) in the contract catering sector of 31 January 2007 encourages social partners at all levels to promote equal opportunities and work against all types of discrimination and ensure the full integration of each employee in his or her working environment, regardless of his or her gender. The social partners request enterprises to develop explicit policies against discrimination in hiring, salary, promotion, training and termination of contract and to be open to a better work-life balance. The contract catering social partners recognize the right of employees in similar conditions to receive equal pay for equal work and refer to the ILO Convention (No. 100) and the relevant EU legislation. Similarly, the agreement of December 2004 in the hospitality sector between EFFAT and HOTREC (Confederation of National Associations of Hotels, Restaurants, Cafés and Similar Establishments in the European Union and the European Economic Area) emphasizes the responsibility of the social partners at all levels for promoting equal opportunities and for combating all types of discrimination. Furthermore, the agreement encourages enterprises, such as those in the catering sectors, to take concrete actions on these issues and stresses the importance of not tolerating harassment and bullying. The social partners declare that the principle of non-discrimination should also apply to all aspects of working conditions and work organization and in relation to pay levels.

Table 14.
Gender-related activities and outcomes of European social dialogue

Sector	Topic	Title	Type	Year
Local and regional government	Gender equality	Guidelines in drawing up gender equality action plans in local and regional government	Guidelines	2007
Electricity	Gender equality	Equal opportunities and diversity toolkit/ best practices guide	Tool	2006
Electricity	Equal opportunities/ diversity	Joint declaration on equal opportunities/diversity	Declaration	2003
Textile and clothing	Equal opportunities	Equal opportunities guide related to the employment and working conditions of women	Guidelines	2000
Multisectoral (healthcare, education, local and regional government, commerce, private security sector)	Violence and harassment	Multisectoral guidelines to tackle third-party violence and harassment related to work	Guidelines	2010
Commerce	Violence	Preventing third party violence in commerce – A toolkit	Tool	2009
Electricity	Harassment, violence	Joint declaration on harassment and violence	Declaration	2007
Gas	Harassment, violence	Joint declaration on violence at work	Declaration	2007
Maritime transport	Harassment, bullying	Guidelines: Equality of opportunity and diversity in the European shipping industry – Eliminating workplace harassment and bullying	Guidelines	2004
Banking	CSR	The social partners adopted a joint statement on Corporate Social Responsibility (CSR). The statement: ▪ reiterated the commitments on lifelong learning; ▪ highlighted good practice to a work-life balance such as part-time work, parental leave facilities and the use of telework; ▪ encouraged to promote policies of diversity and equality; ▪ recognised the need to promote equal opportunities for employees in relation to lifelong learning.	Declaration	2005
Contract catering	CSR	Adoption of policies on CSR that suggest areas for action, beyond legal requirements with regard to equal opportunities and non-discrimination.	Policy orientation	2007
Electricity	CSR	Compliance with equal opportunity policies and principles	Joint position	2009
		Monitoring CSR activities with a focus on equal opportunities	Monitoring	2004
HORECA	CSR	Adoption of policies on CSR that suggest areas for action, beyond legal requirements with regard to equal opportunities and non-discrimination	Policy orientation	2004
Telecommunications	CSR	Diversity at work		2007

Sector	Topic	Title	Type	Year
Railways	Representation	Joint Recommendations for better representation and integration of women in the railway sector. Status and how to apply the Joint Recommendations	Recommendations	2010
		Joint recommendations for better representation and integration of women		2007
		Final report on 'Representation and better integration of women in the different professions of the railway sector'	Follow-up	2005

Source: European Commission, European Sectoral Social Dialogue, 2010; Social dialogue text database, <http://ec.europa.eu/social/main.jsp?catId=521&langId=en>; European Commission, Industrial relations in Europe 2008

Two sectoral agreements have an impact on women's working conditions because of the high proportion of women employed in these sectors. The Framework Agreement on prevention from sharp injuries in the hospitals and healthcare sector concluded by HOSPEEM and EPSU and implemented as Council Directive 2010/32/EU of 10 May 2010 is a major achievement. The other agreement concerns the personal services sector. The Agreement on the Implementation of the European Hairdressing Certificates was signed on 18 June 2009.

5. Conclusions

An interesting aspect of the social dialogue and the search for gender equality in the European Union is the novelty of supranational legal and institutional frameworks. The common legal and institutional framework sitting above the national regulations of 27 EU Member States is not only unique but it also inspires interaction at the national and supranational levels and interchange between Member States. It affects efforts to promote and achieve gender equality and the development of social dialogue because of its role in European governance and its significant influence on social policy.

The key issues in the European social dialogue are reconciliation of professional and family life, gender segregation, gender pay gap, and violence and harassment at work. There have been important achievements in the cross-sectoral and sectoral European social dialogue. At the cross-sectoral level these include a number of Framework Agreements and the Framework of Actions on Gender Equality and the related monitoring and evaluation procedures on their implementation and results. The Framework of Actions has brought about various joint guidelines, tools, declarations, positions, recommendations and monitoring procedures. However, despite the efforts of the European social partners at the cross-sectoral and sectoral levels and the policies of the European Union, gender inequality continues to exist. Regardless of the increase in female activity and employment rates and remarkable improvements in the educational levels of women, gender segregation in occupations and economic sectors and the gender pay gap persist. In fact, statistical data reveal a widening of the gender gaps.

As regards the terminology in policy strategies and policy instruments related to gender equality, it appears that there has been a backlash. Focusing on gender stereotypes and career choices is not sufficient for achieving gender equality. The same applies to arguments that the reduction of gender segregation is a key instrument for tackling the gender pay gap. The persistence not only of gender segregation in occupations and sectors, but also of vertical (hierarchical) segregation is as strong as that of the gender pay gap. Furthermore, a look at national data on gender segregation and the pay gap shows that there is no convincing correlation observable between the two. The gender pay gap is not smaller in those countries with less gender segregated labour markets and vice versa. The issues of gender pay inequality and gender segregation are closely interrelated but arguing that one can eliminate the persistent gender pay gap by combating gender segregation only

postpones the resolution of the problem. Women's studies over some decades have highlighted, for example, that women have access to occupations and sectors when these are less interesting for men. The central focus for a strategy to achieve gender equality has to be on the societal status of women and men and the valuation of women's and of men's work. The core focus of policy strategies must be on the societal and economic structures which are the real blocks to progress. What is needed is a comprehensive strategy considering all aspects of the gender gaps and the obstacles and barriers to achieving equality as well as a related policy concept with an ambitious approach and predetermined targets.

It is also remarkable that collective bargaining, job evaluation and pay determination which are at the fore in EU policy documents are not given enough importance in the context of the gender pay gap, although these are central instruments of both the social partners and social dialogue. One example is the policy goals formulated in the Employment Guidelines 2003 which have clear indications of targets to be achieved and instruments to be used. In comparison, the formulations in the Employment Guidelines 2010 are tantamount to mere appeals for action.

There is still a massive gender representation gap in European social dialogue, decision-making and collective bargaining. On the basis of the internal representation structures that have evolved and efforts to tackle the representation gap, it can be concluded that the impetus for gender equality in social dialogue at the European level stems primarily from either the trade unions or the European Commission in tripartite activities.

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Annex

Table 1A.
European social partner organizations (highest decision-making body)

Social partner organizations	President		Members			
	Women (no.)	Men (no.)	Women (no.)	Men (no.)	Women (%)	Men (%)
Trade union organizations						
European Trade Union Confederation (ETUC)	1	0	66	178	27	73
Eurocadres	0	1	2	5	29	71
European Cockpit Association (ECA)	0	1	0	7	0	100
European Confederation of Executives and Managerial Staff (CEC)	0	1	4	30	12	88
European Federation of Building and Woodworkers (EFBWW)	0	1	2	39	5	95
European Federation of Journalists (EFJ)	0	1	2	7	22	78
European Federation of Public Service Unions (EPSU)	2	0	20	32	38	62
European Federation of Trade Unions in the Food, Agriculture and Tourism sectors and allied branches (EFFAT)	0	1	7	13	35	65
European Metalworkers' Federation (EMF)	0	1	9	81	10	90
European Mine, Chemical and Energy workers' Federation (EMCEF)	0	1	7	22	24	76
European Trade Union Federation: Textiles, Clothing and Leather (ETUF:TCL)	1	0	5	5	50	50
European Transport Workers' Federation (ETF)	0	1	8	37	18	82
Global Union: Media, Entertainment & Arts (EURO-MEI)	0	1	6	11	35	65
International Federation of Actors (FIA)	1	0	3	4	43	57
International Federation of musicians (FIM)	0	1	0	6	0	100
Fédération Internationale des Associations de Footballeurs Professionnels (International Soccer Federation) (FIFPro)	0	1	0	10	0	100
Union Network International – Europe (UNI-Europa)	0	1	16	48	25	75

Employers' organizations

Confederation of European Business (BUSINESSEUROPE)	0	1	11	72	13	87
European Centre of Employers and Enterprises providing Public services (CEEP)	0	1	1	3	25	75
European Association of Craft, Small and Medium-Sized Enterprises (UEAPME)	0	1	3	20	13	87
Airports Council International – Europe (ACI Europe)	0	1	1	22	4	96
Association of Commercial Television in Europe (ACT)	0	1	:	:	:	:
Association of European Airlines (AEA)	0	1	0	9	0	100
Association of European Public Postal Operators (POSTEUROP)	0	1	1	10	9	91
Association of European Radios (AER)	0	1	2	8	20	80
Association of Mutual Insurers and Insurance Cooperatives in Europe (AMICE)	0	1	1	28	3	97
Association of National Organizations of Fishing Enterprises in the EU (EUROPECHE)	0	1	1	4	20	80
Civil Air Navigation Services Organisation (CANSO)	0	1	0	8	0	100
Coiffure EU	0	1	1	6	14	86
Community of European Railways and infrastructure companies (CER)	0	1	0	12	0	100
Community of European Shipyards Associations (CESA)	0	1	1	15	6	94
Confederation of National Associations of Tanners and Dressers of the European Community (COTANCE)	0	1	0	4	0	100
COPA-COGECA (Committee of Professional Agricultural Organisations- General Committee for Agricultural Cooperation in the European Union)	0	2	1	9	10	90
Council of European Municipalities and Regions (CEMR)	0	1	26	104	20	80
EUROGAS	0	1	1	24	4	96
European Apparel and Textile Organisation (EURATEX)	0	1	0	27	0	100
European Association for Coal and Lignite (Euracoal)	0	1	4	30	12	88
European Association of Co-operative Banks (EACB)	0	1	0	40	0	100
European Association of Mining Industries (Euromines)	0	1	0	6	0	100
European Association of Potash Producers (APEP)	:	:	:	:	:	:
European Banking Federation (EBF)	0	1	2	29	6	94

European Barge Union (EBU)	0	1	1	10	9	91
European Broadcasting Union (EBU)	0	1	1	10	9	91
European Chemical Employers Group (ECEG)	0	1	4	21	16	84
European Club Association (ECA)	0	1	0	15	0	100
European Committee of Sugar Manufacturers (CEFS)	0	1	0	25	0	100
European Community Shipowners Associations (ECSA)	0	1	6	54	10	90
European Confederation of Iron and Steel Industries (EUROFER)	0	1	0	31	0	100
European Confederation of Private Employment Agencies (Eurociett)	1	0	2	9	18	82
European Confederation of the Footwear Industry (CEC)	0	1	4	6	40	60
European Confederation of Woodworking Industries (CEI – Bois)	0	1	0	10	0	100
European Construction Industry Federation (FIEC)	0	1	1	10	9	91
European Coordination of Independent Producers (CEPI)	0	1	4	8	33	67
European Federation of Cleaning Industries (EFCI)	0	1	6	10	38	62
European Federation for Contract Catering Organisations (FERCO)	0	1	1	4	20	80
European Federation of Insurance Intermediaries (BIPAR)	0	1	0	18	0	100
Confederation of European Security Services (CoESS)	0	1	1	15	6	94
European Furniture Industries Confederation (EFIC)	0	1	3	6	33	67
European Furniture Manufacturers Federation (UEA)	0	1	3	24	11	89
European Hospital and Healthcare Employers' association (HOSPEEM)	0	1	4	4	50	50
European Industrial Minerals Association (IMA)	0	1	3	20	13	87
European Insurance and Reinsurance Federation (CEA)	1	0	7	26	21	79
European Professional Football Leagues (EPFL)	0	1	0	10	0	100
European Rail Infrastructure Managers (EIM)	0	1	2	8	20	80
European Regions Airline Association (ERA)	0	1	0	20	0	100
European Savings Banks Group (ESBG)	0	1	3	5	38	62
European Skippers Organization (ESO)	0	1	3	18	14	86

European Telecommunications Network Operators' Association (ETNO)	0	1	2	9	18	82
Hotels, Restaurants and Cafés in Europe (HOTREC)	0	1	2	6	25	75
International Air Carrier Association (IACA)	0	1	2	14	13	87
International Aviation Handlers Association (IAHA)	0	1	1	8	11	89
International Federation of Film Producers Associations (FIAPF)	0	1	3	16	16	84
International Road Transport Union (IRU)	0	1	0	12	0	100
Performing Arts Employers Associations League Europe (PEARLE)	0	1	3	5	38	62
The Retail, Wholesale and International Trade Representation to the EU (EUROCOMMERCE)	0	1	3	19	14	86
Union of the Electricity Industry (EURELECTRIC)	0	1	2	31	6	94
Total	7	70	291	1542	16	84

– not applicable

: not available

Source: European Commission, Database on Women and Men in Decision-making (WMID)

Data collected between 17/06/2009–19/10/2009.

Definitions: European social partner organizations: employer and trade union organizations at EU level which engage in the European social dialogue – i.e. discussions, consultations, negotiations and joint actions taking place between employers and trade unions at European level as well as between them and EU institutions.

Positions covered:

- President – head of highest decision-making body
- Members – members of highest decision-making body (count includes the president)
- Executive head – usually designated as the secretary-general or managing director

Table 2A .
European social partner organizations (executive head)

Social partner organizations	Executive head	
	Women (no.)	Men (no.)
Trade union organizations		
European Trade Union Confederation (ETUC)	0	1
Eurocadres	–	–
European Cockpit Association (ECA)	0	1
European Confederation of Executives and Managerial Staff (CEC)	1	0
European Federation of Building and Woodworkers (EFBWW)	0	1
European Federation of Journalists (EFJ)	0	1
European Federation of Public Service Unions (EPSU)	1	0
European Federation of Trade Unions in the Food, Agriculture and Tourism Sectors and Allied Branches (EFFAT)	0	1
European Metalworkers' Federation (EMF)	0	1
European Mine, Chemical and Energy Workers' Federation (EMCEF)	0	1
European Trade Union Federation Textiles, Clothing and Leather (ETUF:TCL)	0	1
European Transport Workers' Federation (ETF)	0	1
Global Union Media, Entertainment & Arts (EURO-MEI)	0	1
International Federation of Actors (FIA)	0	1
International Federation of musicians (FIM)	0	1
International Organisation of Professional Football Players' Associations (FIFPro)	0	1
Union Network International – Europe (UNI-Europa)	1	0
Employers' organizations		
Confederation of European Business (Businesseurope)	0	1
European Centre of Enterprises with Public Participation and of Enterprises of General Economic Interest (CEEP)	1	0
European Association of Craft and Small and Medium-Sized Enterprises (UEAPME)	0	1
Airports Council International – Europe (ACI Europe)	0	1
Association of Commercial Television in Europe (ACT)	0	1
Association of European Airlines (AEA)	0	1
Association of European Public Postal Operators (POSTEUROP)	0	1
Association of European Radios (AER)	0	1
Association of Mutual Insurers and Insurance Cooperatives in Europe (AMICE)	0	1
Association of National Organisations of Fishing Enterprises in the EU (EUROPECHE)	0	1

Social partner organizations	Executive head	
	Women (no.)	Men (no.)
Civil Air Navigation Services Organisation (CANSO)	0	1
Coiffure EU	0	1
Community of European Railways and infrastructure comp. (CER)	0	1
Community of European Shipyard's Associations (CESA)	0	1
Confederation of National Associations of Tanners and Dressers of the European Community (COTANCE)	0	1
COPA–COGECA	0	2
Council of European Municipalities and Regions (CEMR)	3	2
EUROGAS	0	1
European Apparel and Textile Organisation (EURATEX)	0	1
European Association for Coal and Lignite (Euracoal)	0	1
European Association of Cooperative Banks (EACB)	0	1
European Association of Mining Industries (Euromines)	1	0
European Association of Potash Producers (APEP)	:	:
European Banking Federation (EBF)	0	1
European Barge Union (EBU)	1	0
European Broadcasting Union (EBU)	0	1
European Chemical Employers Group (CECG)	0	1
European Club Association (ECA)	0	1
European Committee of Sugar Manufacturers (CEFS)	1	0
European Community Shipowners' Associations (ECSA)	0	1
European Confederation of Iron and Steel Industries (EUROFER)	0	1
European Confederation of Private Employment Agencies (Eurociett)	0	1
European Confederation of the Footwear Industry (CEC)	0	1
European Confederation of Woodworking Industries (CEI – Bois)	0	1
European Construction Industry Federation (FIEC)	0	1
European Coordination of Independent Producers (CEPI)	1	0
European Federation of Cleaning Industries (EFCI)	0	1
European Federation of Contract Catering Organisations (FERCO)	1	0
European Federation of Insurance Intermediaries (BIPAR)	0	1
European Federation of Security Services (CoESS)	1	0
European Furniture Industries Confederation (EFIC)	0	1
European Furniture Manufacturers' Federation (UEA)	0	1

Social partner organizations	Executive head	
	Women (no.)	Men (no.)
European Hospital and Healthcare Employers' Association (HOSPEEM)	1	0
European Industrial Minerals Association (IMA)	1	0
European Insurance and Reinsurance Federation (CEA)	1	0
European Professional Football Leagues (EPFL)	–	–
European Rail Infrastructure Managers (EIM)	0	1
European Regions Airline Association (ERA)	0	1
European Savings Banks Group (ESBG)	0	1
European Skippers Organization (ESO)	–	–
European Telecommunications Network Operators' Assoc. (ETNO)	0	1
Hotels, Restaurants and Café in Europe (HOTREC)	1	0
International Air Carrier Association (IACA)	1	0
International Aviation Handlers' Association (IAHA)	0	1
International Federation of Film Producers Associations (FIAPF)	0	1
International Road Transport Union (IRU)	0	1
Performing Arts Employers' Associations League Europe (PEARLE)	1	0
The Retail, Wholesale and International Trade Representation to the EU (EUROCOMMERCE)	0	1
Union of the Electricity Industry (EURELECTRIC)	0	1
Total	19	58

– not applicable

: not available;

Source: European Commission, Database on Women and Men in Decision-making (WMID)

Data collected between 17 June 2009 and 19 October 2009.

Definitions:

European social partner organizations: employer and trade union organizations at EU level which engage in the European social dialogue – i.e. discussions, consultations, negotiations and joint actions taking place between employers and trade unions at European level as well as between them and EU institutions.

Positions covered:

- President – head of highest decision-making body
- Members – members of highest decision-making body (count includes the president)
- Executive head – usually designated as the secretary-general or managing director

Table 3A.
Examples of actions taken at the national level to promote work-life balance in the context of Priority 3 of the Framework on Actions on Gender Equality

Country	Bipartite	Tripartite	Level	Short description
Czech Rep.		•	National	Involvement of social partners in the tripartite consultation (Council of Economic and Social Arrangement) in the development of national policies (legal and non-legal framework) focusing on the reconciliation of family, private and professional life.
Denmark	•		National	The Danish Confederation of Trade Unions (LO) and the Danish Employers Organisation (DA) are members of the 'Project Child Care' initiative, which campaigns for fewer closing days and longer opening hours in daycare institutions.
Finland		•	National	The social partners had been involved in the amendment of Finnish legislation on family leave in 2006 and 2007. They agreed to lengthen the parental leave and childcare leave of adoptive parents and to enable parents of disabled children and children having long-term illnesses to have part-time childcare leave. The amendments also clarified rights for childcare leaves of parents living apart from their children. The family leave regime was revised with the aim of sharing the costs of family leaves more equally between all employers and encouraging fathers to take up more often parental leave. The social partners further participate in a committee dealing with the reform of the family leaves regimes, set up in August 2009 under the Ministry of Social Affairs and Health.
France	•	•	National company	A Comparative Situation Report (RSC) must be drawn up in companies with more than 50 employees. Within social dialogue a working group has worked to improve the Comparative Situation Report which has led to a modification of some indicators but also made this tool more accessible to companies. Further, a guide was developed for the use of this report by large and small companies alike. The law of 23 March 2008 introduced a new criterion in the Comparative Situation Report. Companies must now indicate the actions they put in place to ensure gender balance (e.g. encouragement not to hold meetings at the end of the day, financial assistance for childcare for employees who have to take a training course, etc.).
Latvia		•	National	Experts of the Free Trade Union Confederation of Latvia (LBAS) and the Employers' Confederation of Latvia (LDDK) work in the government commission for the improvement of childcare provisions facilitating better work-life balance.
Netherlands		•	National	In June 2007, social partners and the Government agreed at the Summit on Participation to increase the participation of women by giving more attention to the reconciliation of work and private life in the collective agreements. The goal of the Task Force Part-time plus is to stimulate women to work more hours, and to consider which conditions regarding the work-life balance (such as childcare, appropriate working hours) should be met in order to reach the mentioned objective.
Spain	•		National	In the extension 2008 of the Interconfederal Agreement on Collective Bargaining (ANC), measures related to supporting work-life balance were included which focus on: – regulations of leaves and benefits linked to maternity, paternity and any other family responsibilities – working time regulations to help balance personal and working life.
Sweden	•		National	The Swedish social partners have supported work-life balance through collective bargaining. The provisions focus for example on the possibilities for combining work and parenthood in the context of work organization, working time, work from home, on measures for further training, education or information during standard working hours, equality of normal wage trend despite absence due to parental leave, etc.
UK	•		National	The Trade Union Congress (TUC) and Confederation of British Industry (Business Europe) CBI have undertaken a number of actions since 2005 to support better work-life balance. During 2007–08, the TUC, CBI and members of Partnership of Public Employers (PPE) participated in an ongoing review commissioned by the Government of the right to request flexible working for parents of school-age children.

Source: European Trade Union Confederation/BUSINESSEUROPE/UAPME 2009.

Table 4A.
Examples of actions taken at the national level to tackle the gender pay gap in the context of priority 4 of the Framework on Actions on Gender Equality

Country	Bipartite	Tripartite	Level	Short description
Belgium	•		National	Collective labour agreement 25 of 9 July 2008: Guarantees equal pay for work of the same value, non-discriminatory – gender-neutral – job classification systems; Social partners explicitly state in the text that sectors and companies must review their job classification systems and salaries and ensure gender neutrality.
Czech Republic	•		National	Both social partners have developed projects focused on gender mainstreaming in collective bargaining because a balanced participation of women and men in negotiating teams at all levels could lead to an improvement in regard to the gender pay gap.
Denmark		•	Sectoral	In early 2009, the Government established a wage commission for the public sector with a focus on the gender-segregated labour market and equal wages. LO and DA have seats on the commission.
Finland		•	National	Since 2006, the social partners have been involved in an extensive tripartite gender equality programme (Equal Pay Programme). The national social partners participated in the drafting of the programme from 2004 to 2005. It is implemented through tripartite cooperation. Objectives of the programme: – diminish the gender pay gap, calculated on the basis of regular monthly working hours, from the present approximately 20 per cent by at least 5 percentage units by 2015; – have every fifth wage earner employed in occupations employing a 40 per cent to 59 per cent proportion of both women and men by 2012; – giving women and men equal opportunities for career advancement; – have half of all managerial posts filled by women by 2020. The programme included several research, development and training programmes to support the jointly set goals. Two major projects are related to the development of pay systems. – SAPTU project: provides information on the impact of new pay systems on women's and men's pay in the private and public sector. – TAPAS: A three-year research and development project developing pay systems on the basis of job evaluation and the employee's performance. The aim is to promote equal and fair pay and provide incentives.
Finland	•		Sectoral	Some sectors introduced in the negotiation round the pay discussion model which ensures regular wage check-ups. The negotiation round 2007–2008 was very strongly influenced by a seminar on wage policy organized by the Equal Pay Programme.
Germany	•		Sectoral	BAVC and IG BCE planned to produce joint position papers on the issue of equal pay for autumn 2009. Employers and trade unions seek to draw attention to the various causes of remaining pay differences.
Netherlands		•	National	The social partners regularly meet in the Labour Foundation to discuss the issue of the gender pay gap. In 2006, they participated in the National Working Group Equal Pay, established by the Government.. 'In 2006 the Labour Foundation revised its Checklist Equal Pay for men and women and updated the appendix of the checklist with relevant legislation and pronounced judgements in 2009 .
Portugal		•	Sectoral	From 2006–2009, the project 'Equal – To revalorise Work to promote Equality' took place in the food and beverages sector in collaboration with the ILO. Based on the analysis of 79 jobs and the identification of 8 strategic occupations a methodological guide and a function analysis grid have been developed. They are based on four factors (competence, responsibility, effort and working conditions) and are meant to be used to evaluate work value in a gender-neutral way in the food and beverage and other sectors. A training material on wage equality was also produced.

Country	Bipartite	Tripartite	Level	Short description
Sweden	•	•	National Sectoral Company	Whereas the old Equal Opportunities Act imposes an obligation to write a gender equality plan and conduct a survey of pay differentials between women and men every year, the new Act requires this only every third year and only for companies with 25 and more employees instead of 10 in the former provisions. The employer is obliged to survey and analyse: – provisions and practices regarding pay and other terms of employment that are used at the employer's establishment, and – pay differences between women and men performing work that is to be regarded as equal or of equal value. Many collective agreements had included parts of the wordings of the old Equal Opportunities Act, i.e. the annual comparisons of women's and men's salaries to discover unjust differences. The social partners have developed different means to support employers and unions at company level in the conduct of the survey and the analysis pay differentials between women and men. The social partners are members in a governmental committee investigating the costs and effects of the positive actions of the old Equal Opportunities Act.
United Kingdom		•	National	In 2004, the UK Government established the Women and Work Commission to investigate the causes of the persistent gender pay gap. The CBI, TUC and members of PPE were represented by Commissioners; trade unions, public and private sector organizations were also represented. In 2006, the Commission published 40 recommendations directed towards Government, employers and trade unions which focused on improving good practices from education into employment in an effort to close the pay gap. The Commission was unable to reach consensus around mandatory pay reviews. The employers' federation opposes the Government's plan to introduce into the Equality Bill mandatory gender pay gap reporting.
United Kingdom		•	Sectoral	Central and local Government and the National Health Service have agreed a framework for job evaluation through social dialogue.

Source: European Trade Union Confederation/BUSINESSEUROPE/UAPME 2009.