
CEEP RESPONSE TO COMMISSION RECOMMENDATION ON STRENGTHENING THE PRINCIPLE OF EQUAL PAY BETWEEN MEN AND WOMEN THROUGH TRANSPARENCY

The European Commission published its Commission Recommendation on Strengthening the principle of equal pay between men and women through transparency in March 2014. The Recommendation focuses on transparency of wage categories and presents a toolbox of measures for the Member States to make a tailor made approach to improve wage transparency. Although the recommendation focuses on measures to be taken by the Member States, the Commission also proposes actions to be taken by the social partners.

CEEP supports the Commission's objectives to promote gender equality and strengthen the principle of equal pay between men and women. Women in the EU earn on average 16.2 % less than men for each hour worked, according to Eurostat figures. Although this top-line figure covers a very complex situation, the gender pay gap seems to be persistent and progress has been made slowly. CEEP and its members are committed to promoting gender equality both in their role as employers as well as service providers, and agree that further progress is needed and are ready to contribute to the Commission's work.

As a European Social Partner, CEEP has an important role to play when it comes to tackling the gender pay gap and promoting gender equality in the labour market. CEEP therefore welcomes that the Commission acknowledges the role of the social partners and the importance of collective bargaining as a tool to promote equal pay. In this regard, CEEP wants to emphasise the importance of safeguarding and strengthening the autonomy of the national social partners and collective bargaining in the Member States.

CEEP welcomes the Commission acceptance that gender segregated statistics is important. Comparable disaggregated statistics is a valuable tool to use to address the gender pay gap since it raises visibility and helps monitor progress, or regression, with regards to gender equality. More statistics, research and analysis are therefore welcomed.

Wage Transparency, equal pay for equal work and work of equal value

CEEP welcomes the Commission's choice to address the current problems with unequal pay through recommendations to the Member States and the social partners rather than with a legislative proposal. The Recommendations must be viewed and used as just that; voluntary recommendations and guidelines for Member States and national social partners. The Member States and the national social partners should choose themselves to incorporate the proposed actions they find appropriate in their ongoing work on equal pay, with full respect to the specific national regulation and practice. CEEP would like to stress that the proposed actions, such as pay audits, job evaluations and classification criteria of work of equal value falls in the remit of the Member States' and the national social partners' competence and is not issues to address at the EU level. As an example, it is not possible or desirable to aim for a uniform job evaluation system as this would fail to take account of sectoral and/ or local specificities. It would not be possible to find a EU-wide uniform definition of job of equal value that would be universal and at the same time so precise as to be able to be transformed to and verifiable by European legislation. All actions taken must not prejudice the national, local and sectoral practices and specificities.

CEEP agrees with the Commission that pay should be transparent but wants to emphasise that all policies that touch upon wage setting are, and must remain national policies and hence a competence of the Member States and the national social partners. There is a broad variety of wage systems in the Member States, ranging from strict salary scale in some Member States and/or sectors to individually differentiated pay in others. It would not be possible or appropriate to try to regulate this at EU level. The Commission can in this regard provide guidelines and follow-up the actions taken on the national level as a voluntary support to Member States and the national social partners. However, apart from such guidelines, any further actions fall outside of the competence of the EU and there is no support for those actions in the Treaty. CEEP would therefore like to question the high level of detail that the Commission's Recommendations contains as well as how the Commission plans to follow up on this Recommendation, since the EU has no or only very limited competence in this area.

CEEP believes that the current legislative framework in this area provides strong protection but acknowledges that further progress in some cases might be needed when it comes to the application of the existing legislative framework. CEEP would also like to stress that legislation providing for equal pay for equal work of equal value is not the sole solution to the complex problem that is the gender pay gap. The pay gap has multifaceted underlying causes which must be addressed in order to eliminate the barriers facing women with regard to their full and equal participation in the labour market.

Segregation and stereotype gender roles hinder equal participation in the labour market

One has, for example, to look at the impact of occupational segregation (whereby many women are employed in relatively low paid roles) rather than assuming that women are being paid less than men for equal work. There is a horizontal as well as a vertical segregation and sectoral as well as occupational segregation of the labour market that should be addressed in order to tackle the pay gap. In order to reduce the gender pay gap the social partners and other relevant actors must therefore take actions to overcome this labour market segregation. Actions should be taken to address stereotype gender roles in education and career choices, prejudices in the workplace as well as in the labour market in large and information provided about different occupations should be gender neutral.

It is important to tackle the pay gap through specific actions and gender mainstreaming simultaneously, to use the dual approach. CEEP wants to emphasise that in order to tackle the gender pay gap one must look further than just wage-setting. It is important to acknowledge the interconnection between working conditions and living conditions; work-life balance, opportunities for full and part-time work, opportunities for parental leave and the sharing of unpaid domestic work in the household are aspects that influence both women's and men's situation in the labour market. These aspects must be taken into consideration when analysing, as well as addressing, the gender pay gap.

CEEP would here like to point out the important and unique roles that CEEP and its members play as both employers and providers of public services. To promote gender equality in the labour market there must be public services in place, such as affordable and accessible child and elderly care, other care services, public transport etc. to enable both women and men to participate in the work force on equal conditions. As a public service provider it is important to promote gender mainstreaming of services and make an impact analysis on how the design of the service influence women and men respectively.

As a general remark CEEP would also like to stress the importance of being vigilant on the impact of the crisis to gender equality but also not adding to the financial and administrative burden for employers.

CEEP and Social partners work

CEEP and its members contribute to and work with gender equality issues in various ways. The vast majority of actions and activities are being carried out at the national, local and regional and in particular work place levels. Some examples joint and unilateral social partners' examples from the European level are:

- The framework agreements on parental leave, fixed term and part time contracts, turned into EC Directives, and telework (1995, 1999, 1997, 2002)
- The revised framework agreement on parental leave, turned into EC Directive, (2009)
- The Framework of Actions on Gender Equality (2005)
- The European Social Partners project [A Toolkit for Gender Equality in practice](#), which is composed of 100 initiatives by social partners and in the workplace across Europe. The initiatives addresses 4 different priorities: gender roles, women in decision making, supporting work life balance and tackling the gender pay gap. On the website one can find nearly 30 hands-on examples on how to tackle the gender pay gap in the work place. (2014)
- The CEEP Equally diverse compendium (2007)
- CEEP Opinion on Commission Communication "Tackling the Gender Pay Gap" (2008)
- The EQ pay project run by CEEP UK supported by CEEP (2009)
- CEEP Opinion on the Strategy for Equality between Women and Men 2010-2015 (2010)
- CEEP will continue to contribute to the work of the Advisory Committee on Equal Opportunities between Women and Men.

In conclusion, CEEP is committed to work actively to promote gender equality and its members have important roles to play both as employers and as service providers. Further actions are needed to reduce the gender pay gap and CEEP welcomes in large the Commission recommendations as a set of possible, voluntary measures. Any actions taken must though be without prejudice to the autonomy of the social partners and the collective bargaining process. CEEP wants the emphasis to be upon the need to address the underlying causes of the pay gap and to use the dual approach to promote gender equality.