

Brussels, 04 April 2019

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## **CEEP ANSWER TO THE PUBLIC CONSULTATION ON THE EVALUATION OF THE RELEVANT PROVISIONS OF EU LAW IMPLEMENTING THE TREATY PRINCIPLE ON “EQUAL PAY FOR EQUAL WORK” OR “WORK OF EQUAL VALUE”**

CEEP represents employers and enterprises providing public services, or services of general interest (SGIs) in Europe. CEEP is an actor in the European social dialogue, having a voice in the European bipartite – in negotiating with trade unions – and tripartite – with social partners and representatives of the EU institutions – social dialogue at the highest level. CEEP represents the interests of its members before the European institutions.

Since CEEP is an international organisation, the country specific questions in the public consultation, are difficult to answer. CEEP and its members are committed to, and have a pivotal role to play, in advancing equality for women and men, both in their role as employers and as service providers, especially to parents and relatives of persons needing care or support. 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.

### **Gender pay gap**

With regards to the gender pay gap, CEEP wants to emphasise that there is a strong European legal framework providing women and men with the right to equal pay for equal work and work of equal value. There is no need to amend the current European legislation or to introduce new instruments. It is better to focus on the full and comprehensive implementation of existing regulation at national level, including social partner involvement in strengthening protection where appropriate and affordable for the benefit of both employers and employees.

Collective bargaining, practical tools such as guidelines and information, exchange of good practice and gender disaggregated statistics are ways to raise awareness on the importance of the topic and to tackle the gap. Comparable gender disaggregated statistics is a valuable tool to use to address the gender pay gap since it raises visibility and helps to monitor progress, or regression, with regards to gender equality. More statistics, research and analysis are therefore welcomed.

CEEP would also like to stress that legislation providing for equal pay for equal work or 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 norms 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.

### **Interconnection working- and living conditions**

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. Better family and domestic tasks' share would improve gender equality. These aspects must be taken into consideration when analysing, as well as addressing, the gender pay gap.

### **Pay and income**

There is a difference between pay and income. We need to tackle the gender income and pension gap. Absence from the labour market, whether part-time or full time, affects income in both the short and long term. The main reason is that women take responsibility for the unpaid domestic work, many women still work part-time and take considerably more parental leave and leave to care for sick children than men. This creates a huge income gap between women and men over a life cycle. Furthermore, the economy misses out on valuable work hours by women who are absent from the labour market and the work place.

The awareness of the consequences that different kinds of leave and flexible working have on income and pensions needs to increase. It is important for employees to have early information about long term effects on income and pensions; this is a responsibility for all stakeholders.

### **Public services and services of general interest**

Services, such as social and health care, public transport and housing, need to be viewed as an investment. They create jobs and are essential to enable both women and men to participate in the work force on equal conditions. To achieve gender equality in the labour market there must be a range of effective and well-funded services in place: such as child and elderly care, social and health care, transport, education etc.

### **Transparency**

CEEP welcomed the Commission's choice to address the problems with unequal pay through the 2014 Pay Transparency Recommendation. 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.

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 question the high level of detail that the Commission's Recommendations contains.

However, CEEP acknowledges that further progress in some cases might be needed when it comes to the application of the legislative framework. To tackle the gender pay gap, the Commission can continue to monitor Member States compliance with the equal pay principle in the context of the annual European Semester exercise.

### **A multiannual European strategy for Gender Equality An important political sign**

CEEP would like to reiterate the importance of having a multiannual European strategy for Gender Equality in place, in order to keep these issues high on the European agenda.