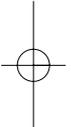


# Equality between women and men in the European Union



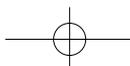
Employment & social affairs

Equality between women and men

**European Commission**

Directorate-General for Employment, Social Affairs and Equal Opportunities  
Unit G1

Manuscript completed in August 2005



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## Foreword

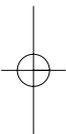
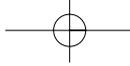
Equality between women and men is anchored in the history of the European Union and is more than ever before a key element of the strategy that aims to put Europe back on the road to growth and job creation. Already in 1957 the Treaty of Rome contained a provision imposing equal pay between women and men. It was the starting point for the development of a substantial *acquis*, based on a variety of instruments. The many directives that have been adopted since the 1970s and the abundant case law of the Court of Justice today form a comprehensive and integrated legal framework.

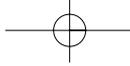
Gender equality policies have therefore greatly evolved from the days when they exclusively led to measures specifically targeted at women. A central element of the European social model and a pillar of the Community legal *acquis*, equality policy is a primary element of the Strategy for growth and employment. These economic and social reforms aim to restore the conditions of full employment and strengthen social cohesion while at the same time improve Europe's competitiveness. The implementation of these policies is also essential in meeting the challenges linked to the demographic trends facing the European Union.

We need to adopt standards and develop new tools, but most importantly to apply these standards, to develop transnational exchanges of good practices and to involve all the actors concerned. This requires better knowledge of the problems of equality between women and men. The aim of this publication is not only to serve as a reference for those involved in equality policies but also and especially to raise the awareness of all citizens of these policies.

Europe must take pride in the progress it has made. But it also needs to be bold and pursue its efforts so that equality between women and men retains its specificity and remains visible. Only in this way can progress be made in promoting the cause of equality, democracy and global advancement.

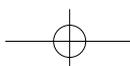
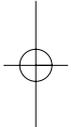
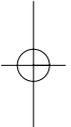
**Vladimír Špidla**  
*Member of the European  
Commission responsible for  
employment, social affairs  
and equal opportunities*

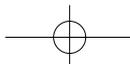
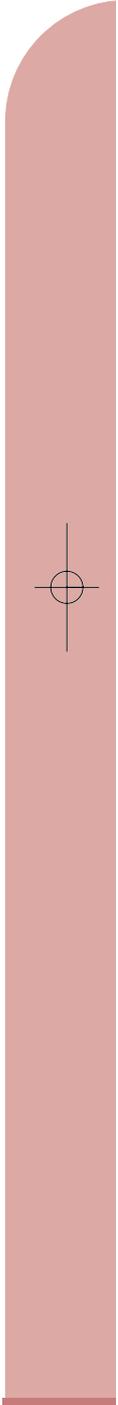
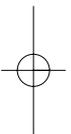
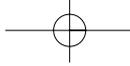




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## Introduction

Gender equality has been a key principle of the European Union since the very beginning and lies at the heart of Europe's employment and social policy. Achieving equality between women and men is a task of the EU and its full realisation requires the participation of all citizens, women and men alike, to participate and be represented equally in the economy, in decision-making, and in social, cultural and civil life.

Equality between women and men is also intrinsic to the EU's overall goal of promoting economic growth and competitiveness, better jobs and greater social cohesion. It is a key feature of the EU's approach to confront the new challenges facing economic, employment and social policies and forms part of the EU's wider strategy for growth and jobs.

It is for these reasons that the principle is enshrined in the Treaties creating the EU and setting out its policies, procedures and institutions. Already in 1957, the Treaty of Rome introduced the principle of equal pay for men and women. Subsequent milestones in European integration have added further Treaty provisions, reinforcing and extending the base for European action.

Building on these foundations, Europe has developed a long and distinguished policy tradition in promoting gender equality. A whole host of legislation has been introduced, supplemented by funding measures and, more recently, the principle of 'gender mainstreaming'—applying equality between women and men in all Community policies and activities.

But in spite of this work, big differences in the positions of women and men remain, from the workplace to the home. While gender equality is a key political objective for the EU, it is also needed to achieve Europe's economic and social goals. In a host of other policy areas, the gender dimension cannot afford to be neglected.

This brochure first explains the tools Europe uses to promote equality between women and men, and then goes on to look at the gender dimension in a number of key policy sectors, including examples of what the European Commission is doing in each area. Finally, it looks to the future and the way forward for European gender equality policy, including initiatives like the European Institute for Gender Equality.

# 1 The EU's tools for gender equality

Combating long-standing inequalities between women and men requires action on several fronts in order to be truly effective. This calls for a number of different tools to support the policy-making process. Based on the provisions laid down in the Treaties by its Member States, the EU has built up a diverse range of instruments to promote equality between women and men. This innovative policy framework ranges from legislation to funding support and from gender mainstreaming to specific measures.

## Gender equality

This is achieved when the different behaviour, aspirations and needs of women and men are equally valued and favoured and do not give rise to different consequences that reinforce inequalities.

### 1.1. The Treaties: a basis for action

The first mention of a European policy to reduce gender inequality came in the European Community's founding Treaty. But the incremental process of European integration has armed the EU with several new tools to ensure equal treatment across different walks of life. These have come through successive Treaty revisions, transforming the initial, isolated commitment to ensure equal pay contained in the Treaty of Rome to a far broader base for action.

A major breakthrough came with the Treaty of Amsterdam in 1997, which assigned the promotion of equality between women and men as one of the fundamental tasks of the EU. It also introduced a requirement to eliminate inequalities and to promote equality between women and men in all activities. Finally, it inserted a new article allowing the EU to take measures tackling all forms of discrimination based on sex, alongside a number of other grounds.

The EU's Charter of Fundamental Rights, signed in 2000, reaffirms the ban on discrimination and the obligation to ensure equality between men and women in all areas.

## Treaty provisions on gender equality

- Art 2: Promotion of equality between women and men is a task of the Community
- Art 3: Promotion of equality and elimination of inequalities should take place in all Community activities
- Art 13: The Community may take action to combat discrimination based on sex
- Art 137: The Community should support and complement Member States' equality measures in labour market opportunities and treatment at work
- Art 141: Member States should ensure equal pay for female and male workers for equal work, or work of equal value
- Art 141: The Community should ensure the application of the principle of equal opportunities and equal treatment of women and men in matters of employment and occupation

## 1.2. Legislation: enforcing gender equality

Legal acts have formed the key means of enforcing equality between men and women in the EU over the past three decades. Using the legal basis provided by the Treaties, the Union has adopted thirteen directives on gender equality since the 1970s. These have ensured, among other things, equal treatment concerning access to work, training, promotions and working conditions, including equal pay and social security benefits, as well as guaranteed rights to parental leave.

### *The role of laws*

But what do these directives mean and how are they passed? In contrast to so-called regulations, directives are framework pieces of legislation. This means Member States are required to fulfil common objectives – but have some leeway in deciding how best to do this in their own national law.

Each directive includes an agreed deadline for introduction into national law, which Member States must keep to. If they fail to do so, the European Commission can force them into taking action, involving the European Court of Justice if necessary. When directives have been introduced into national law, individuals can also rely on them in their national courts.

In addition to the directives, the EU has adopted other acts, such as decisions, resolutions and recommendations on subjects such as the balanced participation of women and men in decision-making, women's image in the media, the balanced participation of women and men in family and working life and childcare.

### *Effective implementation*

The incorporation of existing European legislation into a country's national law is one of the conditions for joining the EU, and this includes the body of European laws to promote gender equality. The ten countries that became new members in 2004 had to fulfil this requirement, as will other candidates hoping to join in the future.

But effective implementation of these laws, across all Member States, remains a challenge for the EU. Countries need the administrative capacity to fulfil the responsibilities arising from legislation. This process is much wider than law-making itself and involves civil society, non-governmental organisations, social partners, the judiciary and administration, as well as the public themselves. All of these players have a contribution to make in implementing the legal framework for gender equality into everyday life.

### Putting rights into practice

Individuals who may have been victims of discrimination can access independent assistance from specialised equality bodies in the Member States, established in line with EU legislation. These equality bodies play an important role in putting the equal rights provided by European legislation into practice.

### *An evolving framework*

The series of individual directives together form a substantial body of law, putting Europe at the forefront of gender equality on an international level. This framework has promoted women's participation in economic and social life in Europe and been crucial in transforming their status and role in society.

Moreover, the framework has been supplemented and consolidated by the European Court of Justice. A number of milestone cases have tested the legislation in practice and led the Court to consider its boundaries – adding coherence and precision to the directives. In this way, gender equality law is in constant evolution, adapting to the needs of our changing society. At the same time, cases taken to the Court contribute to effective implementation of legislation in the Member States, as individuals challenge the compatibility of national laws with the European directives.

### *Towards a simplified law*

The EU is now working to make the existing legislation more readable and accessible to the public, while strengthening its legal certainty and clarity. It intends to replace seven existing acts with a single comprehensive text implementing the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation. This is especially relevant in the context of the new Member States, as 'recasting' the legislation is an important step towards practical implementation in national law.



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## Key pieces of gender equality legislation

### **Equal Pay Directive – 1975 (75/117/EEC - OJ L 45, 19.2.1975)**

Provides that sex discrimination in respect of all aspects of pay should be eliminated.

### **Equal Treatment Directive – 1976 (76/207/EEC - OJ L 39, 14.2.1976)**

Provides that there should be no sex discrimination, either direct or indirect, nor by reference to marital or family status, in access to employment, training, working conditions, promotion or dismissal.

### **Social Security Directive – 1979 (79/7/EEC - OJ L 6, 10.1.1979)**

Requires equal treatment between women and men in statutory schemes for protection against sickness, invalidity, old age, accidents at work and occupational diseases and unemployment.

### **Occupational Social Security Directive – 1986 (86/378/EEC - OJ L 225, 12.8.1986)**

Aimed to implement equal treatment between women and men in occupational social security schemes. Amended in 1996.

### **Self-employment Directive – 1986 (86/613/EEC - OJ L 359, 19.12.1986)**

Applies principle of equal treatment between women and men to self-employed workers, including in agriculture and provides protection for self-employed women during pregnancy and motherhood.

### **Pregnant Workers Directive – 1992 (92/85/EEC - OJ L 348, 28.11.1992)**

Requires minimum measures to improve safety and health at work of pregnant women and women who have recently given birth or are breast-feeding, including a statutory right to maternity leave of at least 14 weeks.

### **Parental Leave Directive – 1996 (96/34/EC - OJ L 145, 19.6.1996)**

Provides for all parents of children up to a given age defined by Member States, to be given at least 3 months' parental leave and for individuals to take time off when a dependant is ill or injured.

### **Burden of Proof Directive – 1997 (97/80/EC - OJ L 14, 20.1.1998)**

Required changes in Member States' judicial systems so that the burden of proof is shared more fairly in cases where workers made complaints of sex discrimination against their employers.

### **Equal Treatment in Employment Directive – 2002 (2002/73/EC - OJ L 269, 5.10.2002)**

Substantially amends the 1976 Equal Treatment Directive adding definitions of indirect discrimination, harassment and sexual harassment and requiring Member States to set up equality bodies to promote, analyse, monitor and support equal treatment between women and men.

### **Goods and Services Directive – 2004 (2004/113/EC - OJ L 373, 21.12.2004)**

Applies the principle of equal treatment between women and men to access to goods and services available to the public. Extends gender equality legislation outside the employment field for the first time.



### 1.3. Financial support for promoting gender equality

Financial measures based on specific priorities are an important tool for the European Union to eliminate inequalities and to promote equality between men and women. They complement the basic infrastructure of legislation with more focused actions to promote equal rights for women and men in practice.

#### *Gender Equality Programme*

The funding programme linked to the EU's Framework Strategy on Gender Equality for 2001-2005 (the programme has been extended until end-2006) allocated EUR 50 million to fund activities in five fields: economic life, equal participation and representation, equal access and full enjoyment of social rights, civil life and gender roles and stereotypes. It aims to:

- **Promote and disseminate** the values and practices underlying gender equality;
- **Improve understanding** of gender equality issues by **evaluating** policies and practice, monitoring their implementation and **assessing** their effects;
- **Develop the capacity** of players to promote gender equality, in particular by supporting exchange of information and good practice and networking at European level.

Funding is awarded to public and private bodies and institutions (such as national, regional and local authorities, equality bodies, social partners and NGOs) to support activities promoting gender equality. These activities should have a transnational nature, involving partners from several countries.

#### *Funding for women's organisations*

The EU has for a long time provided support for European-level organisations working to promote equality between women and men. Funding for the period 2004-2005 amounted to EUR 2.2 million. Supported organisations include the European Women's Lobby and others active in the field of gender equality.

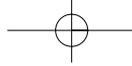
#### **PROGRESS**

From 2007-2013, a new programme for employment and social inclusion will bring together funding activities in employment, social protection and inclusion, working conditions, combating discrimination and promoting gender equality. The PROGRESS Programme will take over the work of the Gender Equality Programme – while making equality between women and men a theme for EU action across all the strands of the Programme.

#### *Structural Funds*

The four European Structural Funds (ESF, ERDF, EAGGF, FIFG)<sup>1</sup> aim to achieve economic and social cohesion in the European Union. Resources are targeted at specific measures to bridge gaps between the more and the less developed regions and promote equal opportunities between different socio-economic groups. The concept of equal opportunities for women and men was introduced as an essential element in the Community's economic and social cohesion policy in 1994, and has been a priority objective of the Structural Funds since then.

<sup>1</sup> *European Social Fund, European Regional Development Fund, European Agricultural Guidance and Guarantee Fund, Financial Instrument for Fisheries Guidance.*



## The European Social Fund: making gender equality a priority

Since 1993, the European Social Fund has explicitly made equal opportunities between men and women one of its four priorities for intervention. The Fund supports both specific measures to improve women's access to and participation in the labour market as well as gender mainstreaming – taking equality for women and men into account within all policy fields.

The ESF no longer operates through a 'target group' approach but many programmes take into account the socio-economic inequalities between women and men. ESF offers support for equality between women and men across the whole spectrum of labour market activities. In addition, support is given to measures designed to develop and support childcare strategies, to provide greater flexibility in access to education and training, as well as specific targeting of activities for women (e.g. business start-ups).

Specific actions to promote gender equality supported under the ESF amounted to nearly EUR 4 billion between 2000-2006. It is difficult to put a figure on the overall investment in gender equality, but the inclusion of funds supporting mainstreaming actions would boost this figure significantly.

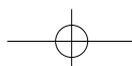
### 1.4. Mainstreaming the gender dimension

The tools outlined above have enabled the EU to make major strides in promoting equality between women and men and together form a robust policy framework. Moreover, the obligation to eliminate inequalities and promote equality in all EU activities is enshrined in the Treaties.

In practice, this means assessing how policies impact on the life and position of both women and men – and taking responsibility to re-address them if necessary with a view to promoting gender equality. This is the way to make gender equality a concrete reality in the lives of women and men, and forms the basis for gender mainstreaming.

#### *A strategy for mainstreaming*

The Commission first started work on gender mainstreaming in the early 1990s, developing a more consistent approach following the UN Women's Conference held in Beijing in 1995. Since then it has steadily grown in importance. Gender mainstreaming was at the heart of the thinking behind the European Commission's Framework Strategy on gender equality 2001-2005. This spelt out in more detail the EU's Treaty obligations in mainstreaming and included five priority objectives for promoting gender equality: in economic life, in decision-making, in social and civil life and in changing gender roles and stereotypes. It also has two strategic objectives: to integrate gender equality in the EU's external relations (including development) and in the enlargement process (when new countries join the EU).



### *The role of benchmarks*

Gender statistics, indicators and benchmarks play an essential role in promoting equality between women and men. They are a tool for gender mainstreaming and are needed to monitor progress in implementing the gender dimension in different policy fields. This goes hand in hand with the use of statistics as indicators in other areas of social policy, like employment, social protection and social inclusion.

To make it work, the commitment to gender mainstreaming also needs to permeate the whole organisation, be it the European Commission or a national or regional civil service. Mainstreaming should not be dependent on a few dedicated individuals, but an automatic, reflex throughout an organisational structure.

### *Supporting groups*

The European Commission is aided in its work by an Advisory Committee on Equal Opportunities for women and men and a High Level Group on gender mainstreaming.

The *Advisory Committee on Equal Opportunities for women and men* was set up by the Commission already in 1981. It assists the Commission in formulating and implementing activities aimed at promoting equality between women and men and works through preparing and delivering opinions to the Commission. The Advisory Committee is composed of representatives from Member States' ministries and gender equality bodies, EU social partners, the European Women's Lobby and representatives of international and professional organisations and other associations, including the EFTA countries.

The *High Level Group on gender mainstreaming* consists of senior government officials from the Member States with responsibility for gender equality policies. It is a forum for an exchange of views on matters related to gender equality. Focus has been set on the follow-up of the Beijing Platform for Action in the Council and gender mainstreaming.

A *Group of Commissioners on fundamental rights, anti-discrimination and equal opportunities* develops policy and ensures the coherence of action taken by the Commission in the areas of fundamental rights, combating discrimination, equal opportunities, equality between women and men, and the social integration of minorities. It also makes sure that the gender equality dimension is taken into account in all relevant Community policies and actions.

### *Progress in different policy areas*

Gender mainstreaming has gone further in some policy areas than in others. Employment, social inclusion, economic and social cohesion policy, Structural Funds (in particular the ESF), science and research, and external relations provide some examples of good practice at EU level.

## 1.5. Specific measures addressed to the underrepresented sex

In addition to the gender mainstreaming approach, the EU has undertaken a series of specific measures over the years – especially in the field of employment. These are concrete actions designed to improve the situation of women and men in society, sometimes comprising legislation, but more often targeted projects and financial programmes.

This is complementary to the mainstreaming approach, which aims to tackle inequalities through broader, policy-integrated action. Where mainstreaming identifies policies which have a different impact on women and men, specific measures can be used to address the negative effects. For example, when looking at the fields of study chosen by men and women in higher education, specific measures could be used to address the shortfall of women in science by encouraging more female students to opt for scientific disciplines.



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## 2. Policy areas

### 2.1. Employment

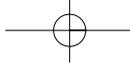
#### 2.1.1. The gap between women and men at work

Both women and men are central to Europe's economy and ability to compete on a global level. Yet the rate of employment for women of working age continues to lag behind that of men. From an economic perspective, this represents a huge untapped resource with the potential to provide a major boost to the European economy. At the same time, women's weaker participation in the labour market exposes them to a higher risk of poverty and social exclusion, in particular in older age. Bridging the so-called employment gap is thus both an economic and a social challenge for the EU.

#### *Gaps between groups*

In 2004, the employment rate for women in what are now the 25 EU Member States was 55.7%, compared to 70.9% for men, representing a gap of 15.2%. Nevertheless, women have been the major beneficiaries of job creation since the launch of the European Employment Strategy (EES): of the 14 million new jobs created between 1997 and 2004, 9 million were filled by women.





But while women’s employment has grown in virtually all age groups, the gap between older women and older men remains the highest at 19.3%. Immigrant women also have a significantly lower employment rate compared to the working age population as a whole (both EU and non-EU citizens). Particular attention must be paid to mobilising the full potential of female employment and to boosting labour market participation of older women and immigrant women.

**The challenge of ageing**

As the EU’s population continues to grow older, Europe’s social protection systems are coming under threat. Closing the employment gap by promoting women’s participation in the labour market can help to ensure the sustainability of these systems. This would provide financial reinforcement for state pension systems while allowing women to become more economically independent and earn better pensions of their own.

The EU is therefore working to boost female employment rates, as a part of its wider economic and social objectives set out in Lisbon in 2000. EU leaders fixed a target for raising women’s labour market participation to 60% by 2010. A target rate of 50% was also set to mobilise the potential of older workers. Strong efforts will be required by all Member States and the EU as a whole in order to meet these targets, in particular to increase the employment rate of older women.

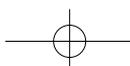
**Absolute gender gap in employment rates (women and men aged 15-64) in EU Member States – 1998 and 2004**

(Difference between women’s and men’s employment rates %)



Source: Eurostat.

Notes: Top value of a bar is men’s employment rate and bottom value is women’s employment rate.



## Common priorities for job policies

Coordinating the employment policies of the EU's Member States is important to achieve common priorities for jobs at EU level, like increasing the number of women in work.

The European Employment Strategy is a framework for agreeing on shared objectives in employment policy so that the EU can pursue common policy goals. It aims to deliver a rolling programme of planning, monitoring, examination and readjustment.

The elimination of gender gaps is an explicit component of the European Employment Strategy.

In assessing the National Reform Programmes (plans in each Member State on putting common employment guidelines into practice), the European Commission tracks the gender gaps (like the employment gap, the pay gap, labour market segregation, differences in career and wage structures and gaps in the ways and means of reconciling work and family responsibilities).

The Commission has made several formal recommendations to the Member States in this respect. These have included reviewing tax and benefit systems acting as a barrier to female employment and developing comprehensive strategies to tackle the gender gaps in employment and unemployment.

The guidelines developed under the EES have also been aimed at involving social partners in tackling these gaps.

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## 2.1.2. The gender gap in unemployment

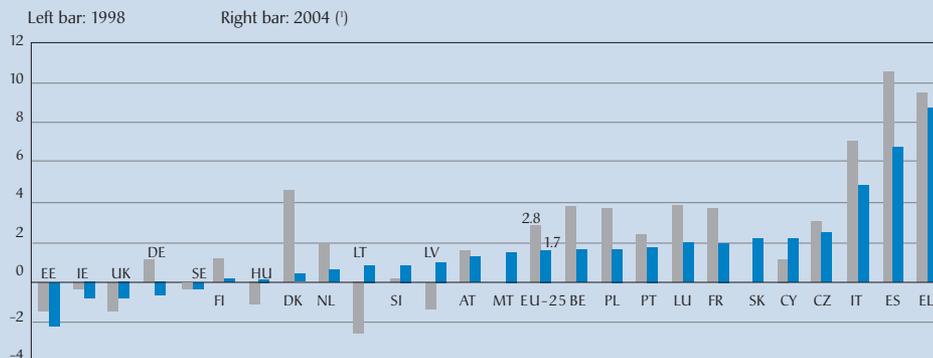
While the ongoing gap in economic activity rates between women and men risks impeding Europe's growth, a similar gap exists among those who are unemployed, showing that women are still disadvantaged when it comes to looking for a job.

The average unemployment rate for women across the EU was 10% in 2004, compared to 8.3% for men, leaving a gap of 1.7 percentage points.

Action to tackle the higher rate of unemployment among women goes hand in hand with increasing the female employment rate.

### Absolute gender gap in unemployment rates (women and men aged 15 years and over) in EU Member States – 1998 and 2004

(Difference between women's and men's unemployment rates %)



Source: Eurostat.

Notes: A positive gap indicates higher unemployment rates for women in comparison with men, while the opposite is true for a negative gap.

(¹) Exceptions to the reference year: EL and IT: 2003. Data are not available for 1998 for CY, MT, SK. EU-25 is estimated without missing countries.

## 2.1.3. Gender pay gap

Equal pay for work of equal value is a basic principle in the EU. Despite this, women continue to earn less than men. The gender pay gap<sup>2</sup> across the 25 EU countries has remained very high over the last few years, with greater inequality in the private sector than the public sector. Closing this gap therefore remains at the top of the EU policy agenda.

### A fundamental principle

The principle of equal pay for *equal work* was laid down in the Treaty of Rome as the EU's first legal provision on gender equality. The concept was interpreted broadly by the European Court of Justice to cover equal pay for *work of equal value*. This was the definition used in the 1975 legislation, which prohibited discrimination on the grounds of sex in all aspects of pay for work deemed to be of equal value. In the EU, pay differentials between men and women based solely on gender are therefore not permitted.

<sup>2</sup> Difference between men's and women's average gross hourly earnings as a percentage of men's average gross hourly earnings.

### *Underlying causes*

As a result of the legislation, many women have won legal battles to gain the right to equal pay with men. But in practice there is still a gap between men and women's pay of 15%.<sup>3</sup> This continuing disparity has a number of underlying causes, including segregation of occupations and sectors of work for women and men, differences in education and training, interruption of careers, the way in which jobs are classified and valued and wage formation systems used and more generally, traditions and social norms regarding women's educational and occupational choices and labour market participation behaviour.

In addition, part-time work – which is generally less well paid than full-time work – is far more prevalent among women than among men: 30.4% of women work part-time, compared to only 6.6% of men.

### *The role of social partners*

The process determining wages also has an inevitable effect on the wage gap. Since collective wage bargaining still plays an important role in most EU countries, the social partners are key players in tackling the gender pay gap.

In 1996, the European Commission issued concrete advice for employers and collective bargaining partners to take account of the gender pay gap. This Code of Conduct,<sup>4</sup> aimed directly at those negotiating pay, seeks to make wage formation systems gender-neutral and to detect cases of gender discrimination in pay structures. In March 2005, social partners at European level adopted a framework of actions on gender equality. The pay gap is included in this.

### *Reducing the gender pay gap*

Achieving a substantial reduction of the gender pay gap is one of the targets included in the policy guidelines of the European Employment Strategy, and can only be achieved by following a multifaceted approach. In this way, Member States remain committed to addressing the problem of the pay gap by tackling its underlying causes.

#### **Equal Pay Directive of 1975**

This landmark piece of legislation outlawed pay discrimination based on gender. It implemented the principle contained in the EU Treaty that pay should be equal for both sexes where the work carried out is of equal value.

The principle includes all aspects and conditions of remuneration. Where a job classification system is used for determining pay levels, it has to be based on the same criteria for both men and women.

Employees wronged by failure to apply the principle have the right to judicial recourse in order to pursue their claims.

Any collective agreements, wage scales, wage agreements or individual job contracts which are contrary to the equal pay principle can be declared null and void. Member States have to ensure that the principle of equal pay is applied and that effective means are available to make sure that it is observed.

Employees are protected against dismissal by an employer as a reaction to a complaint or to any legal proceedings taken to enforce compliance with the equal pay principle.

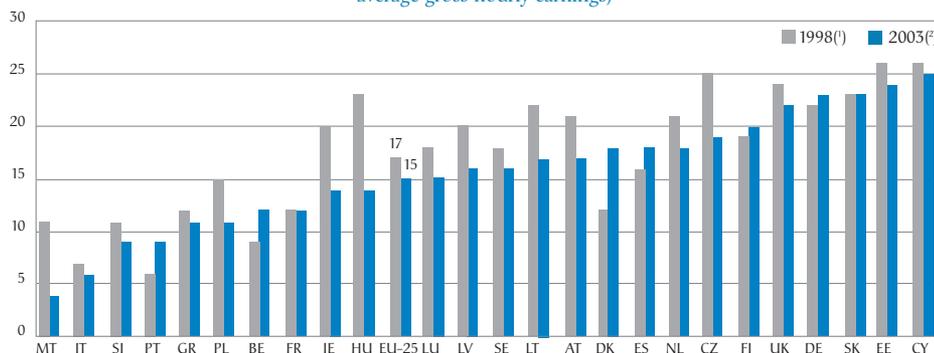
They should be informed of the provisions of the legislation.

<sup>3</sup> Eurostat, estimate 2003.

<sup>4</sup> COM/96/0336 FINAL.

## Pay gap between women and men in unadjusted form in EU Member States – 1998 and 2003

(Difference between men's and women's average gross hourly earnings as a percentage of men's average gross hourly earnings)



Source: Eurostat.

Notes: EU-25 estimates are population-weighted averages of the latest available national values adjusted where possible, to take into account a change in the data source.

Exceptions to the reference years: (1) 1999 for PL and SK; 2000 for MT. (2) 2001 for BE and IT; 2002 for SI and FI.

Changes in data sources are estimated to have increased the respective gender gaps in DK (by 4 percentage points), DE (by 1pp), ES (by 3pp), FI (by 4pp) and UK (by 2pp).

### 2.1.4. Gender imbalance at work

One of the key factors behind wage differentials between women and men is the ongoing division of jobs and areas of work by sex. In principle all women and men have equal access to different occupations in Europe. But the labour market is characterised by continuing gender 'segregation', despite some progress in breaking down traditional barriers.

Today, many sectors and occupations remain firmly identified as either 'male' or 'female'. The differences are more marked in some Member States than others. Across the EU as a whole, around half of all women employees work in either health and social services, education, public administration or retailing – while a disproportionate number of men work as technicians, engineers, finance professionals and managers.

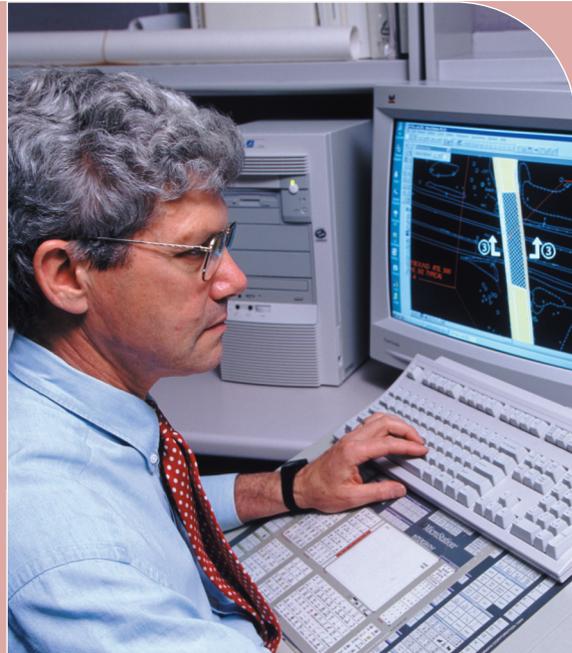
#### *Tackling skills gaps*

These labour market imbalances have many causes, some based on culture and tradition. But with the pressure of an ageing population, they risk exacerbating skills gaps in certain sectors and occupations where few women work. For example, a number of key economic sectors traditionally dominated by men (like science, technology, engineering and construction) are experiencing shortages of skilled labour. On the other hand, the care sector – dominated by female employees – is also suffering shortfalls. These gaps could be partly filled by encouraging more women (or men) to enter the sectors. In this way, tackling the gender gap also serves to tackle skills gaps.

Monitoring trends in gender segregation is important in order to measure progress in tackling imbalance and identifying sectors with potential for increasing the female employment rate.

### *Developing ways to reduce imbalance*

A number of EU-funded projects are taking on segregation in the labour market as part of the EQUAL programme. These projects are testing and developing innovative ways to address gender imbalances at work – and sharing the good practices which come out of their results. They range from challenging gender stereotypes in education, improving the reconciliation of working and private life for women and men to providing mentoring schemes for women starting work in 'male' domains.



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## **EQUAL – promoting equal opportunities in the job market**

In addition to the EU's Gender Equality several other programmes and initiatives in the employment, social, education and culture policy areas also support projects and organisations promoting equality between women and men.

An important source of funding in employment is the EQUAL Initiative. With a budget of over EUR 3 billion between 2000 and 2006 – matched by national funding – EQUAL is one of the EU's main instruments for promoting a more inclusive jobs market. The promotion of equality between women and men is integrated in the different themes of the programme as well as being targeted through specific actions.

Financed through the European Social Fund, each EQUAL project has a transnational dimension – enabling pooling of experience and ideas between similar projects in different EU countries.

This helps to create an innovative environment to tackle discrimination and inequality in the labour market, introduce gender mainstreaming in employment policies and practices and feed new approaches into mainstream employment and social policy.

## 2.2. Balanced participation in decision-making

While fewer women than men are present in the European job market as a whole, they are particularly underrepresented when it comes to senior, decision-making positions. This is true both for politics and for public and private sector management. Given the fundamental principle of equality between women and men in the EU, this represents something of a democratic deficit. Traditionally, few women have occupied senior posts in politics and business in Europe.

### *Positive effects*

Balanced participation in decision-making is a key element of democracy and a positive factor for society, as decisions then take into account the needs and interests of the population as a whole. At the same time, the problem of under-representation serves to reinforce itself: the fewer the women who make it to top jobs, the fewer examples there are to inspire other women to do the same.

### *Addressing imbalance*

The EU has long recognised the need to address gender imbalance in decision-making and has tried to encourage the process of change in attitudes needed to challenge the dominance of influential jobs by men. In 1996, the EU's Council of Ministers made a formal recommendation to Member States to introduce legislative, regulatory and incentive measures to promote balanced participation in decision-making. These should address the public and private sectors as well as the political sphere.

Promoting equal participation and representation of women and men in decision-making is also one of the objectives of the EU's Gender Equality Programme, which funds activities implementing the equal treatment principle. These include monitoring progress in improving gender balance at national and EU level, and establishing and maintaining full and updated statistics on women in decision-making, across all sectors.



### *EU institutions: leading by example*

The number of women Members of the European Parliament has steadily increased with each election over recent years, reaching 31% in 2004, significantly higher than the average for national parliaments. Meanwhile, the European Commission has taken measures to promote equal opportunities among its staff. These include targets for women employed in senior management positions. Actions include addressing barriers to women's career development and the provision of mentoring, training and more flexible work arrangements.

#### Measuring equality in society's top jobs

Improving statistics on the gender balance in decision-making and monitoring progress in this field are crucial to addressing the under-representation of women. For this reason, the European Commission set up a project to collect, analyse and publish data on women and men in decision-making positions. The project – a web-based database – aims to create awareness while monitoring progress on gender equality and the position of women in the decision-making process.

The scope of the project covers decision-making positions in major organisations across three broad domains:

- Political (heads of government, ministers, members of parliament);
- Public sector and judicial (senior civil servants, top judges);
- Social and economic (companies, financial institutions, NGOs).

The database gives a comparative overview of women and men's participation in decision-making in EU institutions, Member States, EEA countries and applicant countries at European and national level.

➤ Database on women and men in decision-making:  
[http://europa.eu.int/comm/employment\\_social/women\\_men\\_stats](http://europa.eu.int/comm/employment_social/women_men_stats)

### 2.3. Balancing work and private life

A good work-life balance – reconciling competing time demands at home and work – is key to boosting women's participation in employment and encouraging men to take up more responsibilities in the home. Helping people reconcile work and private life opens up access to paid employment. At the same time, it aids social inclusion by reducing the risk of poverty.

This is also crucial in the context of Europe's ageing society. As the population gets older, a better work-life balance for men and women also has the potential to boost birth rates by promoting incentives and removing obstacles to private choices. In 2005, the European Commission launched an open debate on how to tackle these issues – and the role the EU should play – through a public consultation on demographic change.

### 2.3.1. Childcare: allowing women to work

Provision of adequate facilities for childcare is fundamental to allowing women to take up jobs and carry on working throughout their lives. Affordable, accessible and quality care services are thus the main tool to open up women's access to paid employment. At the same time, childcare is just as much an issue for men as for women. Sharing family responsibilities can help both men and women achieve a better work-life balance.

Women with small children continue to show employment rates 13.6% lower than women without children while men with small children show 10% higher employment rates than men without children. Women perform most domestic work and consequently have less time for paid work.

#### Setting targets for childcare provision

In 2002, EU leaders meeting in Barcelona agreed on targets for the provision of childcare facilities under the broader agenda for economic growth and jobs – with the aim of raising employment rates for women and men. Under these targets, Member States should boost the provision of care to cover 90% of children between three years and school age, and 33% of those up to three years old by 2010.



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The EU has also urged Member States and the social partners to initiate awareness-raising activities to encourage men to share responsibilities for the care of children.

### 2.3.2. Caring for other dependents

Many women have other family commitments which keep them out of employment, like caring for sick or elderly relatives. This is particularly the case among older women, the age group with the lowest rate of activity on the job market. The challenge of reconciling work with caring for other dependents is only likely to grow with the ageing of European society, as more and more people take on responsibilities looking after elderly relatives.

The EU has recommended that Member States take urgent action to guarantee a suitable level of care provision for dependents other than children – to avoid the withdrawal of women, in particular, from the labour market.

### 2.3.3. Combining parenthood with a career

The right to take leave from work for parental responsibilities is an important means of reconciling private and professional life and for promoting equality for women and men. Parental leave schemes can allow women and men to take time out for family reasons while continuing their professional paths by subsequently returning to work.

#### *Sharing family responsibilities*

Promotion of adequate parental leave – shared by both parents – is another theme of the EU's growth and jobs agenda. Member States are being encouraged in particular to facilitate men's possibilities to take up leave, by developing financial and other incentives. Sharing family responsibilities in this way can help both women and men achieve a better life-work balance.

A sharing of parental leave can also help to avoid potential negative effects of extended leave on women's employment prospects – namely the disincentives linked to poor wage prospects and benefit systems together with the risk of outdated skills and potential job loss after long periods of absence from the labour market.

EU-funded projects have also addressed the need to support reintegration of parents returning to work after a period of leave. This is often a big step, which can be made easier by using mechanisms like ongoing training and contact with colleagues during the period of leave.

### Legal rights to parental leave

In 1996, the EU agreed on minimum standards for parental leave. The legislation, based on an agreement between the social partners, provides for non-transferable leave of at least three months for all parents of children up to a given age (defined by Member States).

Workers have the right to return to the same job at the end of the leave period, or an equivalent position. Individuals can also take time off when a dependant is ill or injured.

A separate directive from 1992 on working conditions for pregnant workers, workers who have recently given birth or are breast-feeding gives women a statutory right to maternity leave of at least 14 weeks.



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#### 2.3.4. Flexible working patterns

Balancing work and family pressures can also be facilitated through more flexible work patterns. New forms of working, like variable hours, job sharing and increased part-time work, can help men and women to enter or remain in work while still being able to manage responsibilities at home.

The EU has encouraged employers and unions to promote flexible work arrangements to aid the reconciliation of professional and private life. Special attention should be paid to men in order to promote a change of workplace culture in support of gender equality.

## 2.4. Social inclusion and social protection

### 2.4.1. Social protection schemes: making work pay

Making work pay is essential to increase women's participation in the labour force. Social protection schemes, including both tax and benefit systems, should provide financial incentives for women to take up, remain in, and return to work rather than penalising them. Modernising social protection schemes can thus help to provide more and better jobs for women and men.

As part of the strategy for growth and jobs, the EU is working to remove financial as well as non-financial disincentives to women's participation in the labour market. These include tax and benefit barriers that encourage long career breaks with negative consequences on individuals' level and entitlement to pensions, and obstacles to moving from benefits to paid employment. In this context, the European Commission has presented good practices developed at national level using social protection to help balance work and family life.

### 2.4.2. Social inclusion for women and men

Building a more inclusive Europe is one of the objectives of the EU Treaty. The Social Inclusion Process has, since 2000, set out common objectives for the Member States to combat poverty and social exclusion. This includes establishing national action plans every two years detailing measures to promote inclusion.

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#### *Women face higher poverty risk*

In 2003, women were at greater risk of poverty than men in 17 of the EU's 25 Member States. Single parent families, predominantly run by women, are at the highest risk of poverty, with many depending on a minimum income. The average risk of poverty for this type of household is more than twice the overall rate for the EU. Due to their lower rate of labour market participation, women are in general more vulnerable to fall into the poverty trap. Without independent incomes, they are more likely to face financial difficulties when confronted with family breakdowns and domestic violence.



The gender perspective is therefore a key aspect of the EU's social inclusion agenda, with Member States being committed to mainstreaming equal opportunities across each stage of the policy process. The European Commission assesses the extent to which Member States put this into practice in their individual national action plans.

### 2.4.3. Pensions: equal treatment for women and men

The challenge of ageing and ensuring the financial sustainability of national pension systems is one faced by all EU countries. They have established common objectives on pensions as the basis for cooperation on the modernisation of these systems. Each Member State has drawn up a strategy for securing adequate and sustainable pensions in its own national context.

One of the common objectives is specifically to ensure equal treatment between men and women in national pension provisions. Member States are committed to examining how well their schemes meet the needs of both women and men. They are also required to report back to the European Commission on this.

The EU has urged national governments to adapt pension systems (and other social benefits) to a context where women are employed to the same extent as men and aspire to the same career opportunities. They should also be adapted so that both men and women can share domestic tasks and care responsibilities.



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## 2.5. Mainstreaming in other policy areas

### 2.5.1. Women in education & training

Recent decades have witnessed major changes in education enrolment in Europe. Women now outnumber men in upper secondary and university education in most EU countries and represent 58% of graduates in the Union as a whole. Women are also closing the gender gap at the highest academic level, making up 41% of PhD graduates. Nevertheless, the different areas of study still show traditional gender patterns, with men continuing to dominate the sciences, mathematics, informatics and engineering.

While women's increased qualifications have had a positive effect on their employment rate, pay levels, and promotion to managerial positions, imbalances in subject choices in education still feed through to gender segregation in the labour market.

Policies in the field of education and training are important tools for gender equality. The EU's Socrates (education) and Leonardo da Vinci (training) programmes refer explicitly to the promotion of equal opportunities.

**Erasmus**, an action under the Socrates programme, focuses on higher education. It encourages the mobility of university students across Europe and includes the promotion of equal opportunities as one of its objectives. Data from the programme show that the majority of participants are women: 61% for the academic year 2001-2002. The European Commission intends to continue to support and monitor the Erasmus mobility of women.

The **Leonardo da Vinci** programme supports and supplements Member States' lifelong training policies. It funds transnational initiatives to improve quality, foster innovation and promote the European dimension in vocational training. In 2004 alone, 15 projects specifically targeting women were financed with three priorities: education and training, new forms of apprenticeship and counselling. They promote women's employability and access to jobs in growth areas or traditionally male-dominated sectors.

### 2.5.2. Women in science: boosting innovation

Europe's position as a leading knowledge-based economy is reliant on mobilising its full capacity for innovation. But while women students are well represented in higher education as a whole in the EU, they remain too few in scientific and technological fields. Encouraging women to study these subjects and subsequently follow careers in science and technology could provide a boost to Europe's research and development performance.

The EU has established a target for increasing the total number of graduates in mathematics, science and technology – by at least 15 % by 2010 – while at the same time improving the gender balance among them. Monitoring and research into the role of gender in research is also taking place.



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### 2.5.3. Women's rights in the accession process

Respect for equal treatment between women and men is an essential requirement of EU membership. This is an integral part of the strategy by which countries prepare to join the Union, and includes defending women's civil and human rights. These preparations serve to strengthen public awareness of gender equality in the countries concerned – and encourage policy action to eliminate discrimination and inequalities faced by women. The opening up of EU programmes and financial assistance to candidate countries also supports their efforts to better address gender-related issues.

Based on its experience of the 2004 enlargement, the EU is continuing to monitor gender equality in Bulgaria, Romania and Turkey, as well as to promote it in its new European neighbourhood policy.

### 2.5.4. Mainstreaming in development aid

Mainstreaming gender equality issues in development policy is one means by which the EU can promote equality between women and men worldwide. This is inextricably linked to the main political goal of EU development cooperation, reducing poverty – which disproportionately affects women – and the UN Millennium Development Goals.

The EU has taken a number of concrete steps to mainstream gender concerns in development, including training on gender issues, systematic use of sex disaggregated data, and gender analysis in policy and programmes. The European Commission also circulates best practices in the field and has produced a handbook for frontline staff on mainstreaming in development cooperation work, including financing of projects related to gender equality.

### 2.5.5. Gender equality at international level

In 1995, the Beijing Platform for Action was backed by 189 countries at the UN's landmark conference on the situation of women in the world. The Platform set out 12 areas for improvement, ranging from poverty and human rights to health and education. These were reviewed at a tenth anniversary conference held in New York in 2005, which reaffirmed the Beijing Platform, underlined its close relationship with the Millennium Development Goals, and pledged to take further action for its implementation.

The EU is committed to improving women's situation in line with these internationally agreed goals – both within Europe itself and at a global level. It regularly assesses progress in meeting its commitments on the basis of a set of core indicators covering the objectives agreed in Beijing – notably on the economy and decision-making.

### 2.5.6. Gender-based violence and trafficking

Violence against women constitutes the single most prevalent and universal violation of human rights and exists in all countries and across all social classes. The European Commission works, in collaboration with Member States, to combat violence against women in all its forms. The attention is on prevention, effective and adequate support to victims, and initiatives focusing on the perpetrators in order to end the circle of violence.

The EU's **DAPHNE** programme is a crucial instrument to combat violence against women. It gives financial support mainly to NGOs helping victims of violence or working on preventive measures to combat violence. From 1997-2003, around 300 projects were co-financed. DAPHNE II will cover the period 2004-2008, with a budget of EUR 50 million in support for actions to prevent and combat violence against women, young people and children in the Member States.

## 3 Looking forward: future initiatives for gender equality

The EU's work to improve gender equality over the past three decades has helped transform the position of women in European society. EU legislation has provided a solid framework for equal treatment and has been supplemented by funding and other targeted measures. Today, gender concerns are mainstreamed across European policy-making. But persistent gaps in women's pay and employment levels and the difficulties in balancing home and work life faced by both men and women remain major challenges for the EU and its Member States.

### *The new Social Agenda*

As part of its new Social Agenda, the EU will continue its work to achieve equality between women and men. Extending equal opportunities to everyone in society is one of the priority



areas of action for the period 2005-2010. This will include further action to tackle issues such as the gender pay gap, getting more women onto the labour market, training, breaking the glass ceiling, participation in decision-making and balancing work and family life for both women and men.

Social partners will continue to play an important role in enhancing gender equality in the workplace. The organisations representing employers and employees at EU level reasserted this commitment by agreeing on a framework of actions in 2005.

### *Support for work with gender equality*

The EU also intends to set up a European Institute for Gender Equality. Its role will be to support the European Commission and the Member States as they work to promote gender equality and in so doing give it more visibility.

The Institute will be an independent centre of excellence at European level. It will:

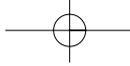
- Gather, analyse and disseminate reliable and comparable research data;
- Stimulate research and exchanges of experience between policy-makers, experts and stakeholders;
- Raise awareness of gender equality policies;
- Develop tools to support gender mainstreaming.

### *Future policy framework*

In 2006, as the Framework strategy comes to an end, the Commission will present a communication on the future development for equality between women and men to tackle the remaining challenges for gender equality.

### *A new funding programme*

Finally, gender equality will form one of five areas covered by the new PROGRESS Programme funding European social policy from 2007. The programme will finance studies, awareness-raising campaigns and the exchange of information and good practice; monitoring and evaluation exercises and networking initiatives. The section devoted to gender equality is expected to have a budget of EUR 50.3 million over seven years.



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