



Gender sensitive collective bargaining

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'Decent work for workers in the public services: collective bargaining in the public sector'

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Why is gender sensitive collective bargaining important?

- Collective bargaining is an effective way to promote gender equality
 - A tool for taking account of the needs of *all* workers, particularly women who predominate in more precarious and lower paid jobs in the public services
 - The elimination of discrimination, decent work for women, equal pay for work of equal value, violence against women etc. are union issues as they affect workers' rights
 - Women account for a growing proportion of union members – its about representation!
 - Women's work is increasingly precarious and in unprotected employment (temporary, involuntary part-time work, and in low paid sectors)
- Unequal gender norms, roles and relations impact negatively on gender equality
 - Gender norms that value male authority and privilege increase inequality for women and men
 - Gender roles in the family and the workplace limit women's employment participation and advancement
 - These impact on gender relations in work, family and society
- Existing legislation on gender equality is poorly implemented, and is reactive rather than proactive
- Collective bargaining is recognised in the EU and the UN as a tool to promote gender equality, although it is poorly embedded in legislation

The benefits...

- Creates fairer and more equal workplaces
- Quality jobs and better conditions of employment
- Good for women's livelihoods and the economy, particularly in addressing inequality, poverty and low incomes across the lifecycle
- Promotes women's independence and autonomy
- Basis for economic growth and recovery
- Enhances the profile of unions, and impacts on union recruitment and organising

Gender inequalities in employment are the result of multiple factors

This requires unions to address these issues in multiple ways:

- Direct and indirect discrimination
- Pay setting and collective bargaining coverage
- Undervaluation of women's occupations and skills
- Occupational segregation
 - Horizontal: clustering of women into separate low paid occupations and sectors that under-value their skills
 - Vertical segregation: under-representation of women in higher paid and higher status jobs (in both traditionally male and traditionally female occupations)
- Stereotypes and assumptions about women's roles and the value of women's work in traditional female jobs.

Gender gaps in employment

- Persistent gaps exist (gender pay gap on average 16%, pensions pay gap average of 39%)
- Across Member States the gender pay gap varied by 27.5 percentage points, ranging from 2.5 % in Slovenia to 30.0% in Estonia.
- Differences exist between the public and private sector. The highest pay gap in the public sector was in Hungary (24%), and within the education sector Estonia (25%) has the highest pay gaps.
- The gender pay gap tends to widen for part-time workers – this varies by 39 percentage points, with the highest gaps in Spain (31.8 %), Portugal (26.1 %) and Slovakia (24.4 %).

Women's care and domestic responsibilities

- A combination of care responsibilities and the structure of the labour market mean that women are:
 - over-represented in low paid, temporary and part-time work
 - have fewer opportunities for career advancement
- Women's care responsibilities and the unequal balance of paid and unpaid work
 - Women spend on average 26 hours a week on care activities, compared to 9 hours spend by men (Working Conditions Survey, Eurofound 2013)
 - Score of an average of 38.8 (out of 100) across the EU – the lowest gender equality score of the eight domains of gender equality (European Institute for Gender Equality, Gender Equality Index)

Example: Italian unions have negotiated at workplace level to encourage reconciliation of work and family life. A 'social gender equality model' analyses gender equality in sectoral and company agreements across five domains: flexible working hours; training; support measures to supplement the family economy; working time, the reconciliation of work and family life, and childcare; and the organisation of work.

Gender mainstreaming: a tool

- There is substantial and widely documented evidence to show that collective agreements that are gender sensitive impact positively on gender equality
- Gender mainstreaming is a tool to uncover deep seated, structural gender inequalities and for applying gender-neutral criteria, for example, in wage setting.
- Gender mainstreaming is a goal of both the European Union and the UN (under CEDAW and the Beijing Platform for Action)
- Specific tools for gender mainstreaming include gender impact assessment:
 - What is the impact on women and men?
 - What measures are needed to redress this?
 - Are there any gaps?
 - Are positive actions necessary?
 - Have women been consulted?
- Aim to carry out gender impact assessment of:
 - Union policies and decision
 - Collective bargaining agreements

Example: Gender mainstreaming strategy introduced by the Belgium trade union confederations, led to collective agreements being assessed for their gender impact; collective bargaining teams were trained in gender mainstreaming techniques and a handbook produced to guide negotiators

Successes...

- ETUC 'Bargaining for Equality' survey showed an awareness of and attached significant importance to the goal of gender equality. Different elements of this progress include:
 - Increasing feminization of unions (where women make about 45% of ETUC membership);
 - Evidence of a greater priority in union decision-making structures of the need for union policies and strategies focused on gender equality;
 - The important influence of EU gender equality legislation;
 - The strong commitment from EPSU on gender equality;
 - Some key EU social dialogue achievements, such as the European Social Partner Framework of Actions on Gender Equality (ETUC et al. 2005) and the CEMR/EPSU (2007) Guidelines on drawing up gender equality plans in local and regional government.
- Evidence also that where women are protected by trade unions and collective agreements the gender pay gap narrows

ETUC 'Bargaining for Equality' survey

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

The role of collective bargaining

- Key mechanism for wage setting
- Evidence consistently shows that collective bargaining contributes positively to reducing pay inequalities between women and men
 - Estimates suggest that 1% increase in social dialogue 'coverage' reduces the gender pay gap by 0.16%.
 - Collective approaches and less individualised measures result in better employment conditions and a smaller gender pay gap.
 - Pay systems are more likely to be transparent enabling discrimination to be addressed.
 - Gender pay gap can be reduced through compressing wage dispersal across a sector or company (by reducing the gap between high and low paid workers).
 - The gender pay gap is lowest in countries where there overall equality is higher, where workplaces provide for balance between work and family life, and where there is a positive impact from collective bargaining.
- However, variations across the EU
 - Coverage of collective bargaining
 - Scope and level of collective bargaining
 - Recognition and enforcement of bargaining rights

Collective bargaining: issues raised in the survey

Clear evidence from the survey of a more hostile environment for collective bargaining

- Problems with collective bargaining coverage and extending existing agreements
- Deterioration of collective bargaining in countries most affected by the crisis
- Trend to decentralisation and individualisation of bargaining
- Problems in integrating specific gender considerations into collective negotiations and convincing employers to negotiate
- Economic crisis has refocused attention, and in most country no gender impact assessment has been carried out of austerity measures and wage cuts
- Problems in implementing legislation requiring collective agreements/negotiations on equality

Gender inequality & the economic crisis

- Substantial evidence that the economic crisis has negatively affected women in the public sector (pay cuts, austerity measures leading to reduced services for childcare/elder care etc.).
- However, there has been little or no gender impact assessment of the impact of the crisis on women. For example, country Specific Recommendations (from the European Commission) give a limited focus to gender equality considerations.
- The ETUC survey found that:
 - Few unions report on the introduction of specific measures to address gender inequalities between women and men in the light of the economic crisis.
 - The most common reason is that the gender pay gap has narrowed during the economic crisis (downwards) and men's wages have been most affected.
 - Many report that unions are still trying to keep a lens on gender equality issues and the gender pay gap/pay inequalities between women and men – in some cases there are success stories.
 - However, persistent difficulties in keeping GPG and pay inequalities between women and men on union agendas, particularly in crisis hit countries.

Gender disaggregated data: a tool for gender sensitive bargaining

- Half of all unions responding to the ETUC survey had access to some form of disaggregated data to inform collective bargaining
- Variations in the quality and quantity of disaggregated data available - wage data is frequently not transparent
- 2014 European Commission Recommendation on wage transparency

Norway: Gender disaggregated data prepared for collective bargaining rounds under the tri-partite Technical Calculation Committee

Collective agreements to reduce pay inequalities between women and men

	Confederations	Federations	All
Pay increase low paid workers	34% (12)	17% (2)	30% (14)
Low pay of women in female dominated sectors	26% (9)	0%	19% (9)
Transparency in pay systems/job classification	26% (9)	25% (3)	26% (12)
Job evaluation/low value of women's work	20% (7)	25% (3)	21% (10)
Pay surveys/pay audit	23% (8)	25% (3)	23% (11)
Training and career development	43% (15)	25% (3)	38% (18)
Reconciliation of work and family life	51% (18)	42% (5)	49% (23)
Gender sensitivity performance related pay	6% (2)	0%	4% (2)
Other	6% (2)	25% (3)	11% (5)

Union strategies

- **Just over a half of unions responding to the survey had put in place strategies/ policies on gender equality.**
- **Examples of specific measure identified in the survey:**
 - Training for collective bargaining teams (carried out by nearly half of unions)
 - Guidelines for collective bargaining (carried out by 40% of unions)
 - Improving the representation of women in collective bargaining (carried out by 38% of unions)
 - More unions are now carrying out gender impact assessments of collective agreements.
- **Specific areas covered in negotiations include:**
 - Negotiations to provide gender disaggregated data
 - Increase pay of low paid workers, including negotiating increase in minimum wages and pay increases for low paid workers in female dominated industries
 - Job evaluation/job classification free from gender bias
 - Reconciliation policies
 - Career development and training.

Example: Pay increases for low paid workers

'Raising the floor' has been an important strategy to reduce the gender pay gap. 30% of unions responding to the survey had negotiated additional pay increases for low paid workers in order to reduce the gender wage gap.

- **Finland:** 'Equality allowances' introduced in 1988-2005 collective bargaining rounds (2% for employees in female-dominated occupations in the public sector; of this, 1.5% is allocated to low-paid employees). Government agreement for 2007-2010, 0.2% of the government payroll was used to reduce the gender pay gap.
- **Germany:** Ver.di has negotiated sector-specific minimum wages in low-wage sectors e.g. care and waste sectors. However, employers have been reluctant to implement agreements. The union also included a flat rate element in its public sector pay negotiations which create higher percentage increases for the low-paid.
- **Iceland:** Good example of how low paid workers were protected during the crisis and how pay inequalities have been reduced.

Example: Reconciliation of work and family life

Nearly half of unions responding to the survey had progressed agreements on the reconciliation of work and family life.

- **Bulgaria:** focus on company level bargaining to improve reconciliation of work and family life. Examples of two agreements that have extended annual paid leave entitlements for working mothers.
- **Italy:** examples of company agreements to improve work-life balance signed on the basis of union strategies on equality bargaining and a strong legislative framework.
- **Belgium:** ABVV-FGTB 2012 Equal Pay Day brochure ('On en fait plus, on gagne moins que les hommes'), highlights problems of reconciliation of work and family life and labour flexibility on women's pay. Aims to promote good practice on work-life balance in companies.

Example: Wage transparency

Agreements on pay surveys/pay audits reported in nearly one quarter of respondents.

- Examples of company level agreements to carry out pay surveys/company reports in Austria, Sweden, Finland, UK

Agreements on gender neutral job classifications and job evaluation in just over a quarter of respondents.

- Examples of agreements on gender neutral job classification and job evaluation in Belgium, Iceland, Finland, UK

Conclusions from the survey

- Collective bargaining can make a real difference.
- Negative impact from the economic crisis - drift towards more precarious work, and it is becoming harder to address the issue in collective bargaining.
- Difficulties in accessing transparent data and importance of wage transparency.
- Unions can play a key role in changing deep-seated and structural gender inequalities, although in the context of the crisis this requires new thinking about how gender can be more effectively integrated into union strategies, policies and representation.
- Overall the main problems continue to be occupational segregation, women's care responsibilities, low pay and under-valuation of women's work and the growth of insecure and precarious work.
- New issues are coming onto union agendas in areas such as gender based violence in the workplace, in public places and in the home.

Vision for gender equality...

- Having a vision of a gender-equal society:
 - **recognises** that gender differences and inequalities are harmful to women and men, to the economy and to society, and that women and men are of equal worth
 - **values** the participation of women and men in their unions and in the workplace in formulating gender appropriate policies and services
 - **redistributes** resources through collective bargaining / union action that are proportionate to identified needs
 - **challenges** gender assumptions and stereotypes

Gender sensitive collective bargaining: recommendations for unions

1. Promote collective bargaining to reduce gender inequalities
2. Carry out gender impact assessment of collective agreements
3. Integrate a gender perspective in all negotiations/agreements
4. Analyse the impact of the economic crisis on women
5. Develop gender mainstreaming tools and checklists for bargaining (including tools and criteria for gender-neutral job evaluation and job classification)
6. Address underlying and structural causes of inequality, e.g. occupational segregation, low pay, under-valuing of women's work
7. Lobby for mandatory pay audits / gender equality action plans
8. Provide regular training and guidelines for union negotiators
9. Ensure gender balance on collective bargaining teams
10. Plan for gender equality issues to be put on the agenda of union meetings, conferences, negotiating tables

Thank you!

