



# Focus Group on Equal Opportunities

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## Gender Equality: mainstreaming and policies

**Mercedes Tarazon**  
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# EU and Gender Equality

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Although there has been significant progress in gender equality over the last decades, inequalities still exist.

The EU strategy has focused on equal treatment legislation, gender mainstreaming, integration of the gender perspective into all other policies specific measures for the advancement of women

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# EU and Gender Equality

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Gender Equality Strategy for 2020-2025 period has set the objectives of ending gender-based violence, challenging gender stereotypes, closing gender gaps in the labour market, achieving equal participation across different sectors of the economy, addressing the gender pay and pension gaps, closing the gender care gap and achieving gender balance in decision-making and in politics.

The Strategy pursues a dual approach of gender mainstreaming combined with targeted actions, and intersectionality is a horizontal principle for its implementation.

Binding pay transparency measures have been set as one of the first deliverables of the Strategy

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# Gender Mainstreaming

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The (re)organisation, improvement, development and evaluation of policy processes, so that a gender equality perspective is incorporated in all policies at all levels and at all stages, by the actors normally involved in policy-making.

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Source: Council of Europe, 1998

# Gender Equality Plan (GEP)

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An equality plan is a set of ordered measures, proposed after the diagnosis of the company or organization, aimed at eliminating the barriers that limit and hinder equal opportunities between men and women and discrimination based on sex within the workplace.

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## CROATIA

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Croatia ranks 20th in the EU on the Gender Equality Index.

Croatia's score is 10.0 points below the EU's score. Since 2010, its score has increased by 5.6 points. About half of the increase has been achieved since 2017.

Croatia's ranking has improved by five places since 2010.

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Source: EIGE, 28 October 2020

# CYPRUS

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Cyprus ranks 21st in the EU on the Gender Equality Index.

Its score is 11 points lower than the EU's score. Since 2010, Cyprus's score has increased by 7.9 points (+ 0.6 points since 2017). Cyprus has improved its position by six places since 2010.

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Source: EIGE, 28 October 2020

# FRANCE

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France ranks 3rd in the EU on the Gender Equality Index.

Its score is 7.2 points higher than the EU's score. Since 2010, France's score has increased by 7.6 points (+ 0.5 points since 2017).

France has improved its position by four places since 2010.

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Source: EIGE, 28 October 2020

# GREECE

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Greece ranks 27th in the EU on the Gender Equality Index.

Greece's score is 15.7 points below the EU's score. Since 2010, its score has increased by 3.6 points, with a slight increase of 1.0 point since 2017. Its ranking has remained the same since 2010.

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Source: EIGE, 28 October 2020

## ITALY

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Italy ranks 14th in the EU on the Gender Equality Index.

Its score is 4.4 points lower than the EU's score.

Since 2010, Italy's score has increased by 10.2 points (+ 0.5 points since 2017).

Its ranking has improved by eight places since 2010.

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Source: EIGE, 28 October 2020

# MALTA

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Malta ranks 15th in the EU on the Gender Equality Index.

Malta's score is 4.5 points below the EU's score. Since 2010, its score has increased by 9 points (+ 0.9 points since 2017).

Malta has improved its position by four places since 2010.

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Source: EIGE, 28 October 2020

## SLOVENIA

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Slovenia ranks 11th in the EU on the Gender Equality Index.

Slovenia's score is 0.2 points below the EU's score.

Since 2010, its score has increased by 5.0 points, although it has slightly decreased since 2017 (-0.6 points). Slovenia's ranking has dropped by one place since 2010.

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Source: EIGE, 28 October 2020

# SPAIN

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Spain ranks 8th in the EU on the Gender Equality Index.

Spain's score is 4.1 points above the EU's score.

Since 2010, its score has increased by 5.6 points. A slight increase (1.9 points) has been achieved since 2017. Spain's ranking has remained the same since 2010.

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Source: EIGE, 28 October 2020

# Legislative and policy framework

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EU Directives

Transposition by Member States

National developments

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# CROATIA

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- Gender Equality Act (2003)
  - Antidiscrimination Act (2012)
  - Equal pay is periodically addressed by the Ombudsperson for Gender Equality in her annual reports. A detailed survey of the causes for the gender pay gap was conducted by the Ombudsperson in 2010.
  - The Office for Gender Equality developed a National Policy for Gender Equality 2019-2022
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# CYPRUS

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- Law on equal treatment between men and women in employment and vocational training (2002)
  - Law on equal pay between men and women for equal work or work of equal value, implements EU equal pay provisions (2002)
  - Law on combating racial and other forms of discrimination (2004). This Act institutes the Equality Body with power when investigating sex discrimination complaints.
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## FRANCE (1/2)

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Law for real equality between women and men (2014) promoted an integrated and transversal approach to gender equality

The Service for Women's Rights and Gender Equality (SDFE) is responsible for implementing action plans with a gender mainstreaming dimension.

Inter-ministerial Plan for gender equality at work 2016-2020 aimed to combat structural inequalities between women and men in employment.

Law on equality and citizenship (2017)

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## FRANCE (2/2)

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Law for Freedom to Choose a Professional Future (2018)  
Provisions aimed at promoting professional equality between women and men, particularly in terms of pay and combating sexual and gender-based violence at work.

Decree developing this Law:

- details on the indicators to be used to measure pay gaps between women and men
  - reporting obligation for companies with at least 50 employees.
  - obligation to provide for wage catch-up measures
  - penalties for noncompliance
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# GREECE (1/2)

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National Plan 2016-2020 (February 2017):

It covers six areas:

- Social inclusion of women facing multiple discrimination;
  - Combating violence against women;
  - Labour market, reconciliation of professional and family life;
  - Education, training, stereotypes, media, culture, sports;
  - Health;
  - Equal participation in decision-making.
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## GREECE (2/2)

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Law 4604 (March 2019) on promoting substantive gender equality, preventing and combating gender-based violence

Measures to strengthen the gender policy and government actions towards gender mainstreaming.

Each Ministry should:

- develop quantitative and qualitative indicators on gender issues for the purposes of the assessment of gender mainstreaming in all relevant measures and policies;
  - analyse the consequences of draft laws through mandatory gender impact assessments; and
  - publish an online progress report on gender-based discrimination.
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# ITALY

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- Decree on equal treatment for men and women as regards access to employment, vocational training, promotion and working conditions (2005)
  - Equal Opportunities Code (2006) which provides for positive action measures in employment
  - Decree on the Commission for Equal Opportunities between Men and Women (2007)
  - In terms of equal pay policy, both a bill on salary transparency (2015) and the bill on exclusion from public contracts of employers who infringe pay equality legislation (2016) are currently suspended
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# MALTA

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- Employment and Industrial Relations Act (2002) prohibits direct or indirect discrimination on grounds of sex in relation to all aspects and conditions of remuneration
  - Equality for Men and Women Act (Chapter 456 of the Laws of Malta, 2003 amended in 2007, 2009, 2012, 2014 and 2015)
  - National Commission for the Promotion of Equality (set up in 2003)
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# SLOVENIA (1/2)

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- Equal Opportunities for Women and Men act (2007)
- Employment Relationship Act (2013)
- Protection Against Discrimination Act (2016)
- Adoption of a set of Guidelines for Gender Mainstreaming in the Work of Ministries 2016-2020.
- Two gender equality bodies:
  - Established under the Ministry of Labour, Family, Social Affairs and Equal Opportunities (2012)
  - The Advocate of the Principle of Equality (independent body, 2016)

## SLOVENIA (2/2)

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- National programme for Equal Opportunities for Women and Men (2015–2020) focused on eight priority areas:
    - economic independence;
    - reconciliation of professional and private or family life;
    - knowledge society without gender stereotypes;
    - social inclusion;
    - health;
    - balanced representation of women and men;
    - violence against women;
    - gender equality in foreign policy and international development cooperation.
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# SPAIN (1/7)

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October 2020 Two new laws include provisions that aim to guarantee equal pay between men and women and a more detailed regulation regarding equality plans which were already in place.

## Equal pay

Royal Decree-Law 902 (October 2020), concerning equal pay between men and women, applies to all labour contracts subject to the Workers' Statute, including company directors and senior executives.

Principle of pay transparency established by means of four mechanisms: job assessments, pay registry, pay audits and the right of all employees to be informed.

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# SPAIN (2/7)

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## Job assessments

All companies, regardless of workforce size, must offer equal pay for positions that are of the same value (and not solely for the same job).

As this may be difficult in practice, the law includes provisions that help to determine when positions are of equal value. 'Equal value' means that the nature of the functions or tasks involved, the level of studies, professional capabilities or training required to carry out the position and those factors which strictly apply to job performance and the working conditions in which the activities take place are equivalent (not equal).

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# SPAIN (3/7)

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## Pay registry

All companies must have a pay registry where the real amounts paid to all employees are recorded (whether as salary or benefits).

This registry must include a breakdown by sex, professional group, professional category or job type and the nature of the remuneration.

Employee representatives must (1) be contacted before the registry is drawn up and every time the pay register is changed and (2) have access to all of the registry's contents.

If there are no employee representatives, employees can have access to the pay registry, with certain limitations.

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# SPAIN (4/7)

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## Pay audits

A pay audit must be included in companies' equality plans and aims to:

- prove that the company's remuneration system guarantees the effective equality between men and women;
  - highlight situations in which equality cannot be reached, so that this can be corrected, prevented and avoided; and
  - ensure transparency and traceability regarding the remuneration system.
  - For objectives to be met, the audit must analyse the company's remuneration system and establish an action plan to correct any examples of unequal pay.
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# SPAIN (5/7)

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## Equality plans

Obligation to negotiate and draw up equality plans existed in some cases since 2007, Royal Decree-Law 901 (13 October 2020) clarifies some aspects and contributes to their implementation and effectiveness.

All companies must respect the principle of equality of treatment and take all necessary steps to ensure this.

- The following companies only must have an equality plan: companies with 50 or more employees;
  - companies with collective bargaining agreements which set out this obligation;
  - companies on which the labour inspection has imposed this obligation further to a penalizing procedure.
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## SPAIN (6/7)

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Equality plans are voluntary for other types of company.  
All companies (regardless of their size) during negotiations with employee representatives must:

- adopt measures in order to avoid any sort of gender discrimination;
  - promote working conditions that avoid sexual or gender harassment; and
  - set up specific procedures to prevent these types of harassment and provide a channel of communication for those who wish to make a complaint.
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# SPAIN (7/7)

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## Scope of equality plans

The new regulation sets out that it is possible to negotiate an equality plan at the company group level.

## Lifecycle of equality plans

- Negotiation
  - Approval
  - Registration
  - Expiry
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**Thank you for your  
attention**

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