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P8_TA(2015)0351

Equal opportunities and equal treatment of men and women in matters of employment and occupation

European Parliament resolution of 8 October 2015 on the application of Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (2014/2160(INI))

(2017/C 349/11)

The European Parliament,

- having regard to Articles 2 and 3 of the Treaty on European Union (TEU) and Articles 8, 10, 19 and 157 of the Treaty on the Functioning of the European Union (TFEU),
- having regard to Directive 2006/54/EC of the European Parliament and the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast) ⁽¹⁾,
- having regard to the Commission recommendation of 7 March 2014 on strengthening the principle of equal pay between women and men through transparency,
- having regard to the Commission communication of 6 December 2013 entitled 'Report on the application of Directive 2006/54/EC of the European Parliament and the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast)' (COM(2013)0861),
- having regard to the Commission communication of 21 September 2010 entitled 'Strategy for equality between women and men 2010-2015' (COM(2010)0491),
- having regard to the Commission communication of 5 March 2010 entitled 'A Strengthened Commitment to Equality between Women and Men, A Women's Charter' (COM(2010)0078),
- having regard to the European Pact for Gender Equality (2011-2020) adopted by the Council on 7 March 2011,
- having regard to the case-law of the Court of Justice of the European Union (CJEU), based on Article 157 TFEU,
- having regard to the Gender Equality Index Report of the European Institute for Gender Equality,
- having regard to the provisions of the International Labour Organisation (ILO) Part-Time Work Convention of 1994, which requires countries to incorporate into their public procurement contracts a labour clause including the issue of equal pay,
- having regard to ILO Convention on Equal Remuneration of 1951,
- having regard to Article 11(1)(d) of the Convention on the Elimination of All Forms of Discrimination against Women, adopted in UN General Assembly Resolution 34/180 of 18 December 1979,
- having regard to the report of the European Agency for Fundamental Rights of December 2014 entitled 'Being Trans in the European Union',

⁽¹⁾ OJ L 204, 26.7.2006, p. 23.

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- having regard to its resolution of 12 September 2013 on the application of the principle of equal pay for male and female workers for equal work or work of equal value ⁽¹⁾,
 - having regard to its resolution of 24 May 2012 with recommendations to the Commission on application of the principle of equal pay for male and female workers for equal work or work of equal value ⁽²⁾,
 - having regard to the European Implementation Assessment of Directive 2006/54/EC produced by the Directorate-General for Parliamentary Research Services,
 - having regard to Rule 52 of its Rules of Procedure,
 - having regard to the report of the Committee on Women's Rights and Gender Equality and the opinion of the Committee on Employment and Social Affairs (A8-0213/2015),
- A. whereas the equal treatment of men and women is one of the fundamental principles of EU law;
- B. whereas discrimination based on sex, racial or ethnic origin, religion or belief, disability, age or sexual orientation is prohibited by EU law;
- C. whereas economic independence is a prerequisite for European citizens, both women and men, to exercise control and make genuine choices in their lives;
- D. whereas Directive 2006/54/EC refers expressly to CJEU case law, which lays down that the principle of equal treatment for men and women cannot be confined to the prohibition of discrimination based on the fact that a person is of one or other sex, but that it also applies to discrimination arising from a person's gender reassignment;
- E. whereas the principle of equal pay has been enshrined in the Treaties since the very beginning in 1957; whereas the principle of equal pay for work of equal value is now recognised under Article 157 TFEU and incorporated in the recast Directive 2006/54/EC (hereinafter the 'recast Directive');
- F. whereas the 'recast Directive' was intended to make EU legislation in this area more coherent, bring it into line with CJEU case-law and to bring about the simplification and modernisation of the relevant equality laws at national level, thus contributing to the improvement of the situation of women in the labour market; whereas the proportion of women in senior management posts in companies operating in the EU was still below 18 % in 2014;
- G. whereas the 'recast Directive' introduced some novelties, such as implementation of the equal opportunities principle and the definition of the concept of indirect discrimination, and protection from discrimination arising from the gender reassignment of a person, and made explicit reference to the reconciliation of work and private and family life; whereas a key challenge for all Member States is the correct application and enforcement of the rules on equal pay, as established by Directive 2006/54/EC, and whereas the impact of these novelties in Member States remains limited; whereas, despite the significant body of legislation in force for almost 40 years, the actions taken and the resources spent, progress in this area is extremely slow and the gender pay gap still exists, standing at an average of 16,4 % across the EU, but with significant differences between Member States;

⁽¹⁾ Texts adopted, P7_TA(2013)0375.

⁽²⁾ OJ C 264 E, 13.9.2013, p. 75.

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- H. whereas, among other factors, wages are now more frequently negotiated on an individual basis and this contributes to the lack of information and transparency in employee wage structure, creating an environment where gender bias and discriminatory pay structures remain hidden from employees and/or their representatives and are therefore extremely difficult to prove, thus hampering the effective implementation of the equal pay for equal work principle, which is also hindered by the lack of legal certainty regarding the concept of work of equal value and by procedural obstacles;
- I. whereas greater equality between men and women benefits the economy and society in general, and narrowing the gender pay gap helps to reduce poverty levels and increase women's lifetime earnings and is vital for employment growth, competitiveness and economic revival; whereas the pay gap is even more pronounced among women with multiple disadvantages, such as women with disabilities, women belonging to minorities and unqualified women; whereas single-parent families are to be found much more frequently among the working poor, and the proportion of single parents is higher for women than for men; whereas the gender pay gap thus has a serious impact on living conditions and on the life opportunities of many European families;
- J. whereas employment rates are generally lower among women than men: whereas in 2013 the employment rate for men stood at 69,4 % in the EU-28, as compared with 58,8 % for women ⁽¹⁾;
- K. whereas limited progress has been made with regard to women's employment rates and the level of occupational and sectorial segregation of women and men into different types of jobs remains relatively high, with some vocational categories being mainly occupied by women and those sectors and occupations tending to be less well-paid or valued, despite the existing framework at EU and national level; whereas this situation also has an impact on the gender pay gap over the course of a lifetime; whereas vertical segregation, whereby women feature predominantly in part-time work and lower-paid occupations or are in lower-level positions in the hierarchy, also contributes to the gender pay gap; whereas horizontal and vertical segregation form obstacles to the professional development of women and result in lower levels of visibility and representation for women in the social and public spheres, and as such contribute more broadly to greater inequalities, and whereas overcoming them and having more women enter into higher positions in organisational hierarchies would provide positive role models for young women and girls;
- L. whereas employment levels are lower in rural areas and, moreover, many women are not included on the official employment market and are therefore not registered as unemployed or included in unemployment statistics, resulting in specific financial and legal problems in terms of maternity and sick leave, acquisition of pension rights and access to social security, as well as problems in the event of divorce; whereas rural areas are disadvantaged by the lack of high-quality employment opportunities;
- M. whereas empowering women and girls through education, especially in the fields of science, technology, engineering, and mathematics, as well as encouraging women to participate in vocational training and lifelong learning programmes across sectors, are important elements in promoting equal treatment and equal opportunities in employment; whereas women's skills and competences are often undervalued, as are the professions and jobs in which women predominate, without this necessarily being justified by any objective criteria;
- N. whereas Directive 2006/54/EC stipulates that Member States may, with a view to ensuring full equality in practice between men and women in working life, maintain or adopt measures providing for specific advantages in order to make it easier for the under-represented sex to pursue a vocational activity or to prevent or compensate for disadvantages in professional careers ⁽²⁾;

⁽¹⁾ http://ec.europa.eu/eurostat/statistics-explained/index.php/Employment_statistics

⁽²⁾ Article 3 of Directive 2006/54/EC and Article 157(4) TFEU.

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- O. whereas motherhood and care for children, the elderly, sick or disabled family members and other dependants represent additional or sometimes full-time work that is almost exclusively carried out by women; whereas this work is rarely paid and is not adequately valued by society, even though it is of enormous social importance, contributes to social welfare and can be measured by economic indicators such as GDP; whereas this results in the widening of the income gaps that exist between women and men and detrimentally impacts women's career paths through the 'costs' of the years spent out of the labour market or of reduced hours due to part-time arrangements, and consequently also increases the pension gap between men and women; whereas the impact of these elements on lifetime earnings varies across the Member States depending on the level of support offered to parents, including childcare provision, by either legislative measures or collective agreements;
- P. whereas the pay gap between women and men widens after retirement, pension gaps being thus considerably higher than pay gaps; whereas women receive on average 39 % less in pensions than men; whereas this situation is caused by social and economic factors such as occupational and highly segregated labour markets, undervaluing of women's work, the higher proportion of women working part-time, lower hourly wages, and less years in employment; whereas this increases the risk of poverty for women in retirement; whereas more than a third of older women in the EU have no pension whatsoever;
- Q. whereas certain categories of women are at risk of multiple discrimination in employment and occupation, among them women belonging to ethnic minorities, lesbians, bisexual women, transgender women, single women, women with disabilities and older women;
- R. whereas the 'recast Directive' clearly indicates that any forms of less favourable treatment in relation to pregnancy or maternity leave constitute discrimination; whereas it also clearly provides for a guarantee of return to work after maternity leave to the same or equivalent job and for protection from dismissal for men and women when they exercise the right to parental and/or adoption leave;
- S. whereas social partners (trade unions and employers) and civil society organisations play a very important role in fostering equal treatment and promoting the concept of work based on equal pay;
- T. whereas equality bodies are present in all Member States, but their work and impact varies greatly depending on their level of independence and their competences and resources; whereas such bodies should be adequately supported and strengthened in the performance of their tasks, with regard to the promotion, monitoring and support of equal treatment in an independent and effective manner;
- U. whereas Parliament has repeatedly called on the Commission to review existing legislation in order to tackle the gender pay gap; whereas closing that gap would represent a means of increasing employment rates among women, improving the situation of many European families, and decreasing the risk of poverty for women, especially at pension age;
- V. whereas closing the gender gap would represent a means of achieving the objectives of the Europe 2020 strategy in terms of employment and reduction of poverty and ensuring the free movement of workers as a basic European freedom; whereas, according to the European Added Value Assessment ⁽¹⁾ conclusions, a one-percentage-point decrease in the gender pay gap will increase economic growth by 0,1 %;
- W. whereas traditional gender roles and stereotypes still exert a great deal of influence over the division of labour in the home, in education, in careers, in the workplace and in society in general;

⁽¹⁾ European Added Value Assessment, 'Application of the principle of equal pay for men and women for equal work of equal value', produced by Parliament in 2013.

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Overall assessment

1. Notes that, in general, Member States have brought their national laws into line with EU law⁽¹⁾; points out that simply transposing correctly the provisions of the 'recast Directive' into national law has proved insufficient for achieving the full application and effective enforcement thereof, and that differences in pay for men and women persist;
2. Regrets that although the Member States were obliged to transpose only those 'substantive changes' brought about by the 'recast Directive', transposition of the Directive has been of a sufficiently clear and correct nature in only two Member States, with matters still outstanding in the remaining 26; points out, however, that these changes had not been clearly identified; underlines the fact that the Commission's efforts to monitor implementation were limited in their impact as regards ensuring a coherent approach and securing the necessary guidance in order to allow for effective implementation at national level;
3. Highlights the fact that Member States did not seize the opportunity to simplify and modernise their legislation on equal opportunities and equal treatment of women and men in matters of employment and occupation; points out that Member States are not only expected to transpose the directive but also to ensure the monitoring of the implementation of the principle of equal pay and the enforcement of all available remedies for pay discrimination;
4. Regrets that the Commission has still not adopted the legislative initiative which it had undertaken to present last year in order to promote and facilitate effective implementation of the principle of equal pay in practice; calls, therefore, on the Commission to identify the weak points of the 'recast Directive' and to prepare, as a matter of urgency, the legislative proposal that would replace it, providing in that proposal for more effective means of supervising the implementation and enforcement of the directive in Member States;
5. Points out, furthermore, that fear of losing their job has caused many women to abandon the option of reconciling work and family life by means of a shorter working day or similar formulas, making a balanced family life difficult, and that this has exacerbated the falling birth rates in some Member States; asks the Commission to assess this trend and the measures different governments have taken to counter the phenomenon, and to put forward measures to lessen the effects of the crisis on equal treatment at work and the work-life balance;

Application of the equal pay provisions

6. Highlights that while the differences between the employment rates and pay levels of men and women may have been reduced slightly in recent years, this is not the result of an improvement in the position of women, but of the fact that men's employment rates and pay levels have fallen during the economic crisis;
7. Underlines the fact that in accordance with CJEU case-law, the principle of equal pay must be observed in respect of each of the elements of remuneration granted to men and women;
8. Reiterates the need for clear harmonised definitions, for comparison at EU level, of terms such as gender pay gap, gender pension gap, remuneration, direct and indirect pay discrimination, and, especially, work treated as 'equal' and work of the same value; considers that, in line with CJEU case-law, the value of work should be assessed and compared based on objective criteria, such as educational, professional and training requirements, skills, effort and responsibility, work undertaken and the nature of tasks involved; points out that due to the various types of work contracts that exist, both statutory and contractual, the current calculation of the gender pay gap can lead to a distorted understanding of the problem of equal pay; calls on the Commission to analyse these possible distortions and to propose adequate solutions, including the introduction of mandatory pay audits for companies listed on stock exchanges in the EU Member States, except for small and medium-sized companies (SMEs), and the possibility of sanctions in cases of non-compliance;

⁽¹⁾ According to the Commission report on the application of the recast Directive (COM(2013)0861).

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9. Calls on the Commission and the Member States to map the application of the existing job evaluation and classification systems, which vary considerably; calls on the Commission to introduce guidelines for gender-neutral job evaluation and classification systems, including specific measures such as the proportional representation of women and men on evaluation committees, the development of gender-neutral job descriptions and of weighting grids, and the definition of clear criteria for assessing the value of work; calls on the Member States to introduce and use clear and gender-neutral job evaluation and classification systems based on the Guidelines published by the Commission, so that they can detect indirect pay discrimination related to the undervaluation of jobs typically done by women;

10. Maintains that job evaluation and classification systems should preferably be based on collective bargaining;

11. Points out that a clear and harmonised job classification system and greater wage transparency will improve access to justice; notes that several Member States have already taken specific wage transparency measures; underlines the disparity that exists between these measures, and takes note of the 2014 Commission recommendations on wage transparency, although regretting their non-binding nature; calls on the Member States to actively implement those Commission recommendations through transparency and continued positive action via legislation, as this has proven to be successful, by introducing recommended and tailor-made wage transparency measures; calls on the Commission to evaluate the real impact of these recommendations, including the requirement for companies to report regularly on average remuneration by category of employee or position and disaggregated by gender; calls on the Commission to include in its new legislative proposal the measures mentioned in the 2014 Commission recommendations on pay transparency, the gender pay gap, and equality bodies' powers; calls on the Member States to exert pressure on unequal pay practices and to promote wage transparency as requested by trade unions and gender equality bodies, among other stakeholders;

Application of the equal treatment provisions

12. Stresses the importance of combating indirect discrimination in pension schemes, not only in occupational schemes but also in the practices of statutory pension schemes; emphasises that the CJEU has made it clear that occupational pension schemes are to be considered as pay and that the principle of equal treatment therefore applies to those schemes as well, despite the fact that the distinction between statutory and occupational pension schemes is problematic in some Member States and that the concept of occupational pension schemes is unknown in others, potentially leading to indirect discrimination in the labour market; recognises that women's access to occupational pension schemes is more restricted, owing to shorter working hours, shorter length of service and horizontal and vertical gender segregation in the labour market, and the gender pay gap, and that contribution-based schemes rarely take care-related breaks and involuntary part-time work into account; calls on the Commission to examine the impact of the shift from statutory state pensions towards occupational and private schemes on the gender pension gap; calls on the Commission to monitor closely and report on the implementation of this principle, as the transposition has proved to be unclear in some Member States;

13. Calls on the Member States to safeguard their maternity entitlements and to take measures to prevent the unfair dismissal of employees during pregnancy and when returning to work after maternity leave; calls on the Council to finally adopt a common position on the revision of the directive on the implementation of measures to promote improvements in the health and safety at work of pregnant workers, workers who have recently given birth and women who are breastfeeding (the 'Maternity Leave Directive'); calls on the Council to adopt as soon as possible a common position on the proposal for a directive on improving the gender balance among non-executive directors of companies listed on stock exchanges and related measures;

14. Notes that in the implementation of the provisions on protection against discrimination in relation to maternity leave and paternity and/or adoption leave, there are significant differences between Member States; underlines the need to address in a coherent way at national level the specific challenges that exist, including the differences of both a sectoral (public-private) and an organisational nature (the latter both between companies and between large, small and medium-sized companies), the situation as regards atypical and part-time contracts, and the practices of terminating fixed-term contracts in the protection period and inducing voluntary job resignations;

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15. Calls on the Member States and the Commission to take steps to combat all forms of multiple discrimination, to ensure application of the principle of non-discrimination and equality in the labour market and in access to employment, including discrimination against ethnic minorities and persons with disabilities and discrimination on the grounds of gender, age, religion or belief, sexual orientation and gender identity, and in particular to adopt social protection measures to ensure that women's pay and welfare entitlements, including pensions, are equal to those of men with the same or similar experience doing the same job or a job of equal value;

16. Calls on the Commission and the Member States, by creating effective monitoring systems, to take supervisory and control measures to improve the collection of data on cases of harassment and discrimination on the grounds of sex, including as regards discrimination related to pregnancy and maternity and other forms of leave; believes that in these cases provision should also be made for a penalty system, but that efforts should be made above all in terms of prevention, to make services accessible to pregnant women or new mothers which can help them balance their pregnancy or maternity with their occupation without being forced to choose between job and family, as still all too often happens; calls on the Commission to include an assessment of the implementation of Article 26 (regarding sexual harassment) in its evaluation report on the implementation of Directive 2006/54/EC;

17. Calls on the Commission to propose clear measures to combat sexual harassment at the workplace more efficiently; regrets the fact that, despite EU law protecting individuals from discrimination in employment, 30 % of trans jobseekers experienced discrimination when looking for a job and that trans women were the most likely to have felt discriminated against in the year preceding the European Union Agency for Fundamental Rights' LGBT survey; points out that this is a violation of the Charter of Fundamental Rights of the European Union; calls on the Commission to closely monitor the effectiveness of national complaint bodies and procedures in the context of the implementation of the gender equality directives with regard to gender identity, gender expression and gender reassignment; calls on the Commission to provide the Member States with expertise on ways forward to address discrimination in the area of employment on the grounds of 'sex characteristics'; calls on the Commission to support and encourage the Member States in including trans and intersex people in diversity training and to work with employers on workplace measures, e.g. promoting anonymous recruitment procedures; calls on the Member States to use European Social Fund (ESF) funding to actively tackle discrimination against trans people in line with CJEU case-law;

18. Considers it to be regrettable that many Member States have failed to introduce explicit protection from discrimination related to gender reassignment when transposing the directive, and calls on the Commission to hold Member States accountable; reiterates the importance of Member States clearly including in their national legislation the prohibition of any discrimination based on sexual orientation or gender identity; believes that the current legal protection accorded by the directive to those who intend to undergo, are undergoing, or have undergone gender reassignment should be extended to all transgender people; calls, in this connection, for the explicit inclusion in any future recast of a ban on discrimination on grounds of gender identity;

19. Points out that access to justice in this field is limited due to several causes, such as the length or costs of the procedures, the challenges faced by equality bodies in some Member States, the lack of wage transparency, the absence of free legal aid, the fear of stigmatisation or suffering reprisals should victims speak out about discrimination in the workplace; underlines the fact that the application of the burden of proof rule also poses problems in several Member States, thus making the defence of women workers difficult since they often have no access or only limited access to the relevant information and, moreover, fear losing their job; calls on the Member States and regional and local authorities to take an active role in providing assistance to victims of discrimination, either directly or through support for equality bodies, trade unions, community organisations and NGOs working in this field; points out that a relevant solution for improving access to justice in this field would be to give independent equality bodies the power to provide assistance to victims of discrimination, including free legal aid, as well as the right to represent individuals in cases of pay discrimination; suggests in this regard that confidential reporting systems be introduced in the Member States to enable women to report possible instances of inequality of treatment in the workplace;

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20. Calls on the Commission to assess, exchange and compare the existing best practices and to disseminate the results of this assessment as regards the effective measures that Member States could take to encourage employers, trade unions and organisations involved in vocational training to prevent all forms of gender-based discrimination, in particular as regards harassment and sexual harassment in the workplace, through enhancing access to employment, offering further vocational training and promoting best practices;

21. Calls on the Commission and the Member States to take measures to facilitate and improve the access of women to lifelong learning, vocational training, and mentoring networks across Europe, especially in male-dominated sectors, and to disseminate best practice;

Promotion of equal treatment and social dialogue

22. Reiterates that equality bodies should have the competences and adequate resources and personnel to monitor and report effectively and independently on the legislation which promotes equality between women and men; stresses that the independence of equality bodies needs to be ensured in all Member States, and that the precise institutional form of these bodies is the responsibility of the Member States;

23. Calls on the Commission and the Member States to encourage social partners (trade unions and employers), civil society and gender equality bodies to promote the monitoring of equality practices in the workplace, including flexible working arrangements, with the aim of facilitating the reconciliation of work and private life and further scrutiny of collective agreements, applicable pay scales and job classification schemes in order to avoid any direct or indirect discrimination against women; stresses also the importance of other instruments such as codes of conduct, research, and exchanges of experience and good practice in the area of gender equality with a view to ensuring better protection against discrimination;

24. Takes the view that data protection must not be put forward as an excuse for not publishing annual wage reports at workplace level;

25. Calls on the Member States to strengthen the obligations for large and medium-sized enterprises to ensure the systematic promotion of equal treatment and to provide the appropriate information on a regular basis to their employees, including on issues of equal pay; reiterates that the introduction of financial penalties for employers who do not respect wage equality is likely to be a relevant means to close the gender pay gap;

26. Calls on the Commission and the Member States to strengthen the institutional mechanisms for implementing equality between women and men, for instance by ensuring that, as far as the principle of equal pay is concerned, inspection and enforcement agencies have the necessary technical, human, and financial resources, and to encourage the social partners to measure the equality dimension of collective agreements;

27. Draws attention to the need to strengthen public labour inspection arrangements and to adopt methods for measuring the value of work and, for example, pinpointing occupations in which pay is low and the employees are mainly female and which thus imply a form of indirect wage discrimination;

28. Calls on the Commission and the Member States to step up significant awareness-raising measures as regards the rights of the victims of discrimination on the grounds of sex; underlines the need for cooperation by all stakeholders, including equality bodies, social partners (trade unions and employers) and NGOs, in order to address stereotypes about the work of women and men and how they impact on the value of work and low pay, including in accessing jobs, and that companies select the most qualified candidates on the basis of a comparative analysis of their qualifications by applying pre-established, clear, neutrally formulated, non-discriminatory and unambiguous criteria;

29. Points out that one of the novelties introduced by the 'recast Directive' is the reference to the reconciliation of work, private and family life; calls on the Commission, after consultation with Member States and social partners (trade unions and employers), to develop specific measures to secure stronger rights for men and women in this field; stresses that the development of public childcare facilities in accordance with the Barcelona objectives is particularly necessary in this regard;

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30. Calls on the Commission and the Member States to spread and raise public awareness relating to equal pay and the pension gap, and to direct and indirect discrimination against women at work at European, national, regional and local level; calls on the Commission to establish a European Year for combating the gender pay gap;

31. Observes with interest that many women opt for self-employment as this is the only way of working which allows them to combine their family and working lives; notes, however, that in many Member States welfare protection and benefits for the self-employed do not compare with those of employed workers;

Recommendations

32. Reiterates its call on the Member States to implement and enforce recast Directive 2006/54/EC consistently, and to encourage the social partners (trade unions and employers) and NGOs to play a more active role in fostering equal treatment, including by means of action plans to address any gender pay inequalities, with concrete actions and outcome monitoring at company, sectoral, national and EU level;

33. Calls on the Commission, following its report on the application of the 'recast Directive' and this resolution, to revise the recast Directive 2006/54/EC, as has already been called for by Parliament, in particular in its resolution of 24 May 2012, which contains specific and clear recommendations;

34. Underlines the fact that gender-neutral job classification and evaluation systems, as well as wage transparency, are indispensable measures to foster equal treatment; calls on the Commission, in this connection, to include these measures in its proposal for a new directive replacing the 'recast Directive'; points out that only a harmonised approach is compatible with the free movement of workers as a basic European freedom;

35. Points to the need to find a job evaluation method free from gender bias, enabling jobs to be compared on the basis of their scale and complexity so as to determine the position of one job in relation to another within a given sector or organisation, whether the jobs in question are held by women or men;

36. Calls for balanced gender representation on company management boards;

37. Calls on the Commission to introduce in the new directive mandatory pay audits for companies listed on stock exchanges in the EU Member States, except for small and medium-sized companies (SMEs) to highlight the gender pay gap, and introduce sanctions at EU level that would exclude companies failing to meet their responsibilities with regards to gender equality from the public procurement of goods and services financed from the EU budget; calls on the Member States to do the same with companies financed with public subsidies;

38. Calls on the Member States to act in an exemplary manner themselves in regard to combating unequal pay for women in government, public institutions and public companies in general;

39. Calls on the Commission to introduce common standards and checks to ensure the independence and effectiveness of national equality bodies;

40. Calls on the Member States to take the necessary measures to ensure that victims of unequal treatment and discrimination, particularly those who are victims of multiple discrimination, are entitled to proportionate compensation in accordance with the legal provisions in force;

41. Calls on the Member States to take the steps required to reverse the burden of proof, ensuring that it will always be the employer who has to prove that such differences in treatment as might have been found to exist have not resulted in any discrimination;

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42. Stresses the need to increase efforts at national and EU level to combat the persistence of stereotypes, through awareness-raising campaigns aimed at all levels of society, greater media involvement, strategies to encourage women to choose careers and professions in which they are less well-represented, and the incorporation of gender issues into education and vocational training;

43. Underlines the fact that only the effective implementation of the equality treatment principle would lead to a real improvement of the situation of women in the labour market, and that this requires real political will and strategic cooperation between different actors at European, national, sectoral and organisational level; calls, therefore, on the Commission to draw up an active strategy, complete with points of reference, goals and time-bound targets, for reducing inequality indices in the field of employment and unemployment, as has been done successfully in other areas such as, for instance, reducing the number of road accidents in the EU;

44. Calls on the Member States to actively apply gender budgeting in order to promote the improvement of the situation of women in the labour market; calls on the Commission to promote exchanges of best practices in gender budgeting;

45. Emphasises the importance of taking positive measures that foster the involvement of women in political and economic decision-making; points out that binding quotas have proved to be one of the best ways of achieving this aim;

46. Points out that positive measures are also needed to incentivise the less well-represented sex to enter certain professions where there is clear horizontal gender segregation;

47. Calls on the Commission to look into the factors leading to pension gaps and to assess the need for specific measures to reduce this gap at EU and national level, including by means of legislative and/or non-legislative measures;

48. Invites the Member States and the Commission to take appropriate measures to reduce the gender gap in pensions, which is a direct consequence of the gender pay gap, and to assess the impact of new pension systems on various categories of women, focusing in particular on part-time contracts and atypical employment;

49. Calls on the Commission and the Member States to oppose inequality in pay between the sexes in all relevant EU policies and national programmes, in particular in those geared towards the fight against poverty;

50. Calls on the Commission to conduct a study that would compare the respective situations of working mothers, mothers who choose to stay at home, and women without children, so as to shed more light on the position of each of these groups of women on the labour market, specifically looking at levels of employment, pay and pension gaps and career development;

51. Emphasises the relevance of having reliable, comparable and available quantitative and qualitative indicators, as well as gender-based statistics, for ensuring the implementation of and follow-up to the Directive, and recalls in this regard the role of the European Institute for Gender Equality; calls on the Member States to provide Eurostat with annual high-quality gender pay gap statistics so that it is possible to assess developments throughout the EU;

52. Calls on the Commission to conduct a study into how procedures related to the official recognition of the gender reassignment of a person, or the absence of such procedures, affect transgender people's position on the labour market, particularly their access to employment, level of remuneration, career development and pensions;

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53. Points out that the country-specific recommendations in the framework of the European Semester should include targets to reduce the gender pay and pension gaps, discrimination and the risk of poverty among elderly women, and to effectively implement equal treatment principles;

54. Calls on the Commission to study carefully the employment situation of women in the third sector, the social economy and the collaborative economy, and to propose as soon as possible a strategy to promote and protect the jobs and situation of women in those sectors;

55. Calls on the Member States to step up their efforts to combat undeclared work and precarious jobs; highlights the high levels of undeclared work performed by women, which negatively impact on their income, social security coverage and protection, and have a bad effect on the EU's GDP levels; stresses the need to particularly address domestic work, which is performed mostly by women, as a special challenge, as this work falls mainly within the informal sector, is singularised and by its nature invisible, and therefore requires the development of tailored measures to tackle it efficiently; deplores, furthermore, the abuse of atypical forms of contract, including zero-hours contracts, in order to avoid having to comply with employment and social protection obligations; regrets the fact that there has been an increase in the number of women trapped in in-work poverty;

56. Stresses that the Commission should propose actions to: (a) decrease the gender pay gap; (b) increase the economic independence of women; (c) improve labour market accessibility and career progression for women; (d) fundamentally increase equality in decision-making; and (e) remove discriminatory structures and practices related to gender;

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57. Instructs its President to forward this resolution to the Council and the Commission.
