

**THE CHALLENGE OF MAINSTREAMING FOR TRADE UNIONS
IN EUROPE:
how can trade unions foster gender equality in the workplace and in daily life?**

**FINAL REPORT OF MSU PROGRAMME
(*Mainstreaming and Unions*)**

Austria – Belgium – Denmark – France – Italy – the Netherlands

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INTRODUCTION

Massive participation of women in the labour market was one of the major transformations in 20th century Europe. There was unquestionable progress in equality between men and -: besides women's increased economic activity, the level of their qualifications rose and they had access to qualified jobs, that had previously been reserved for men... Nevertheless, the list of gender inequalities - including in those countries, that were most advanced in this area - is long: employment rates, that are lower than those of men, above-average unemployment in most countries, occupational segregation, unequal pay, status and working hours, unequal sharing of domestic chores within families...

Equality in work and life in general has, thus, become an important theme of national and European policy. In European employment strategy, notably, this issue has been widely asserted.

In recent years, the European Commission has promoted a new approach to equality through the concept of gender mainstreaming, i.e., *“integrating equality in all policies and by all actors involved”* (c.f. Box N° 1).

Box N° 1 – Gender mainstreaming: definitions and issues

The “concept” of mainstreaming first appeared in 1985 during the third United Nations World Women's Conference in Nairobi. Then, it was a matter of promoting the role of women and including “*women's values*” in work on development (Council of Europe, 1998). After years of formulating a strategy for developing such an approach, the platform, that was adopted at the United Nations Fourth World Conference on Women in Beijing (1995), was more explicit: “*governments and other actors should promote active and visible policy of mainstreaming a gender perspective into all policies and programmes, so that before decisions are taken, an analysis is made of the effects on women and men respectively*”. (Beijing, 1995).

At the same time, within the European Commission, the third and fourth action programmes promoted new more explicit efforts regarding mainstreaming. A text was adopted on this in 1996 (European Commission, 1996).

According to the Council of Europe, mainstreaming is “*the (re)organisation, improvement, development and assessment of decision-making processes in order to incorporate the prospect of gender equality in all fields and at all levels by actors who are generally involved in drawing up policy*” (Council of Europe, 1998).

In other words, gender mainstreaming proposes a new conception of gender equality, which is not dealt with apart and separately from decision-making, but in an integrated and permanent way. Given such rationale, there are no longer economic policies, negotiations and action on the one hand; and on the other, the issue of occupational equality, which is seen independently and is aimed at correcting earlier inequality.

There are therefore two essential dimensions to this approach: it is firstly a matter of conceiving equality permanently and upstream at the very moment when policy is being drawn up. Secondly, it is a matter of involving all actors, who have a decision-making role, i.e., obviously public actors, but also social and local actors (companies, unions, local councillors, etc.).

It should be recalled that mainstreaming should not be an alibi for slowing down or removing specific actions and budgets for equality, but, on the contrary, makes it possible to adjust to the development of an integrated approach. Thus, most research does not emphasise giving up a specific approach in favour of mainstreaming, but rather combining both policies: “*Mainstreaming is generally presented as a new strategy towards gender equality and its supporters emphasise that, in no case, should it replace “traditional” policies. (...) It is, in fact, complementary*”. (Council of Europe, 1998).

Amongst levers of action for disseminating gender mainstreaming, trade union confederations can play an essential role, by incorporating equality in all their practices and strategies. This approach is also essential for improving the place of women and equality within trade unions. Two main lines are, therefore, sought: on the one hand, internally, promoting the place of

women in leadership bodies of representative trade union confederations and, on the other, as far as strategies are concerned, consolidating the issue of equality in all action and bargaining in both a transversal and permanent way.

The objective of this research programme is therefore to apply the concept of gender mainstreaming to the trade union field – to activities that have already been carried out or started, by crossing conceptual analysis and respective national situations. It also involves developing a comparative approach between European countries, which are rarely brought together in this way – namely **Austria, Belgium, Denmark, France, Italy** and the **Netherlands**. This approach is interesting, because it observes mechanisms, that are operating in these different countries, where gender mainstreaming is taken into account in different ways – or almost ignored – by trade union actors, depending on specific societal configurations, which should be highlighted. How has the issue of mainstreaming been introduced – or not – in these countries? What relationship can be observed between specific policies and actions, aimed at equality, and the methodological innovation introduced by gender mainstreaming? What role do trade unions play in processes, that are favourable/unfavourable to equality, and what is their attitude to mainstreaming? During this research programme, we will attempt to answer, at least partly, all these questions.

The aim of this report is to provide a synthesis of the main results, which have been collected by each partner in the six countries concerned, throughout the research programme.

The first part is made up of three sections: an overview of the situation of women in the different labour markets and some indicators regarding national equality policies; a comparison of industrial relations systems (ways in which unions are organised and function, features of collective bargaining, relationship between different levels of bargaining, role of legislation and its relationship with collective bargaining); and, finally, initial results of our study of the issue of gender mainstreaming in the various trade unions. All three aspects are linked: it is not possible to understand the place given to equality in trade unions, without referring to the position of women in the labour market and the place of gender equality in public policies. The nature of industrial relations in each country also plays a role in explaining the dissemination of gender mainstreaming within unions.

The second part presents the results of studies of three sectors, namely the metal industry, commerce and public services. It is based on surveys, which were made of national sector-level unions and shows the difficulties of applying gender mainstreaming policies, which have been adopted by trade union confederations, in affiliated sector-level unions.

The third part is based on case studies of enterprises regarding two major themes, namely equal pay and working time / work-life balance.

FIRST PART: GENDER MAINSTREAMING APPROACH AND TRADE UNION CONFEDERATIONS

SECTION I – SITUATION OF WOMEN IN THE LABOUR MARKET AND NATIONAL EQUALITY POLICIES

1. Data on women's employment

The situation of women in the labour market varies significantly from country to country in Europe and, notably, in the countries covered by our study, even if our analysis shows that there are points of convergence.

In all European countries, but to varying degrees, the traditional model of temporary or definitive withdrawal of women from the labour market, because of the presence of children, is tending to diminish. But, given the economic crisis, women's right to employment is regularly threatened – this is notably the case for mothers. They more frequently come up against obstacles than men do in relation to incorporating the labour market (difficulties of access to a real career; greater vulnerability regarding unemployment, etc.). They also face contradictions more frequently (declared policies favourable to women's employment, but absence of adequate childcare, etc.).

Such points of convergence between the countries covered by this study clearly need to be refined: firstly, **Denmark, France** and, to a lesser extent, **Austria** experienced earlier development of women's economic activity and full-time work is the norm in these countries (part-time work accounts for under a third of women's employment). In the **Netherlands** – and partly in **Belgium** - increased women's economic activity is more recent and is based, especially in the former country, on the growth of part-time work (women's employment in the **Netherlands** is mainly part-time; it is also more than 40% in **Belgium**). Finally, **Italy** is still marked by limited participation of women in the labour market (the rate of women's employment is only 39%); part-time work, which is on the increase, remains very significantly below the European average (16% for women, compared with 33% in Europe).

Table 1: Principle indicators of employment and unemployment in 2000

	A	B	DK	F	I	Neth.	EU15
Total employment rate	68,3	60,5	76,3	62,2	53,5	73,2	63,3
Men	77	69,5	80,8	69,3	67,5	82,4	72,5
Women	59,4	51,5	71,6	55,3	39,6	63,7	54
15-24	53,1	29,1	66	29	25,9	69,2	40,3
25-54	82,2	77,4	84	78,8	67,9	81,8	76,6
55-64	28,9	26,3	55,7	29,7	27,8	38,3	37,7
Full-time equivalent employment rate	63,5	60,5	69,3	58,7	51,7	57,2	57,9
Men	76,2	74,4	76,9	69,2	67	74,6	71
Women	51	46,6	62,2	48,7	36,7	40,1	45,3
Total unemployment rate	3,7	7	4,7	9,5	10,5	2,7	8,2
Men	3,2	5,7	4,2	7,8	8	2	7
Women	4,3	8,8	5,3	11,5	14,4	3,7	9,7
Long-term unemployment rate	1	3,8	1	5,9	6,4	0,8	3,6
Men	1	3,1	0,9	3,5	4,9	0,7	3
Women	1	4,8	1,2	9,5	8,8	1,1	4,4
Total part-time rate	16,3	20,8	21,3	16,9	8,4	41,1	17,7
Men	4,1	5,8	10,2	5,4	3,7	19,2	6,2
Women	32,2	40,5	34,1	31	16,5	70,5	33,3

Source : Eurostat

To summarise, three forms of discrimination remain problematic in all of the countries studied:

- Occupational segregation, in which it is difficult for public authorities to intervene, as there are sometimes contradictory debates (thus, in **Denmark**, some feminist movements consider that the presence of men and women in all occupations is not always synonymous with equality, but corresponds rather with employers' recruitment aims). Vertical segregation is not only the responsibility of public authorities, but also the result of barriers within private companies, which it is also difficult to intervene in (**France** and **Austria**, where there is no legislation in this area). Finally, individual and/or family choices concerning the courses of study and training chosen are marked by internalisation of social and cultural standards and perceptions.
- Pay gaps, which are largely explained by persisting occupational segregation. Besides isolated experiences (**Denmark**, the **Netherlands** and **Belgium**), it seems extremely difficult to reduce them.
- Job insecurity and difficulties of accessing stable jobs and careers are another feature of women's employment in Europe, that take different forms (involuntary part-time work, fixed-term contracts, "para-subordinate" jobs and undeclared jobs).

2. Equality policies and the place of gender mainstreaming in the countries covered by the study

On 15 December 1997, the extraordinary meeting of the Council of Europe in Luxembourg on employment adopted the first employment guidelines, that were to be implemented in 1998. Each member State thus committed itself to adopting a common structure in annual national action plans. This structure is based on four "pillars", which aim at improving the functioning

of labour markets. Firstly, reinforcing ability to integrate the unemployed - especially the long-term unemployed – in occupations, around the theme of employability; secondly, developing an entrepreneurial spirit, by reducing administrative and tax constraints when setting up new companies; thirdly, improving companies' ability to adapt, in order to modernise work organisation, notably via agreements on working time and flexible work contracts; finally, the will to reinforce equal opportunities is the subject of a whole pillar – the fourth one: “*Member States must deal with gender discrimination and take appropriate measures to enable men and women to reconcile working life and family life and facilitate the reintegration of men and women in economically active life*” (Council of Europe Resolution, 1997).

After the first national action plans in 1998, the European Commission made a rather lukewarm assessment of the place given to the fourth pillar by the majority of member States. In order to reinforce this aspect, the idea of mainstreaming was introduced during the preparation of the 1999 plans. The new 19th guideline emphasises that member States “*will adopt an approach that aims at gender mainstreaming when implementing the guidelines of the four pillars*” (OJ, EC, 1999).

When one studies the content of the various national action plans, one can see that this approach is on the agenda of all countries, but concrete results are at different stages. Using as a basis and in a simplified way, studies of women's employment in Europe (Fagan, 1998 and Fouquet et al., 1999¹), one can identify the use of three very different concepts of mainstreaming:

- In one group of countries, notably Nordic countries, mainstreaming is used in its broadest meaning – it is effectively a matter of integrating equality in all economic policies and actions – upstream of measures. This approach, therefore, intervenes directly in the way the labour market functions – kinds of jobs, pay gaps, recruitment and promotion criteria, working conditions and time, etc. and also regarding reconciling working life and family life. **Denmark** is an example of this situation. The **Netherlands** only partly implements this approach.
- In a second, bigger group of countries (**Austria, France and Belgium**), there is an intermediate situation – without having totally adopted a really integrated approach to mainstreaming, there are some interesting elements² in these plans, which could change the traditional place given to equality within their national configurations.
- In a third group of countries (including in Europe, Southern countries and “insular” countries, namely the **United Kingdom and Ireland**), mainstreaming exists, but seems to still be interpreted in a limited way. It concerns precise areas of equality, but generally

¹ Partly using C. Fagan and J. O'Reilly's approach, A. Fouquet *et al.* incorporate various areas in the definition of gender social contract, which varies depending on the country: «*a political dimension whose values are expressed in national social protection systems, a domestic dimension, which considers differences in family models, and finally an occupational dimension*» (Fouquet *et al.*, p. 106). This study is interesting because it defines four typical kinds of configuration: Nordic, continental, "Southern" and "insular" models. France is in an intermediate position between the Nordic and continental models.

² For example, **France** has introduced inter-ministerial agreements on equality in order to raise awareness and assess the place of equality in all areas (notably, education, transport and employment...). Moreover, the idea of negotiating equality in all fields of collective bargaining has been introduced. **Belgium** has introduced a non-discriminatory approach to assessing functions, which involves social partners. In **Austria**, quantitative objectives regarding the place of women in each employment policy measure are respected.

dimensions, that are outside the labour market, for example, action on the educational system, in order to promote women's education and training or improve childcare facilities. **Italy** partly illustrates this position, even if there are major efforts, such as, for example, with law 53/2000 on reconciling working and family life for women and men. This law associates measures that foster reconciling private and occupational spheres in the area of work (parental leave, leave to look after dependants and training leave, etc.) and also in society (generalisation of "city times", plans for regulating hours and four-cornered negotiations, that bring together other actors of civil society, alongside social partners). An "integrated" approach – and no longer an exclusively "women's" approach – now appears in all political programmes and collective bargaining.

Box N° 2 – Gender mainstreaming in public policies

When examining the implementation of this concept in the countries of our study, the first dimension adopted concerns the way in which ministries function and the kind of political impetus that is chosen.

Thus, in **Denmark** - where the way in which the labour market is regulated is quoted as an example (structuring role of collective bargaining) – a minister is in charge of mainstreaming (the minister of social affairs and equality), but at the same time all 20 government ministers are each considered responsible for equality in their particular field. But for all that, a "dual approach" (specific and transversal action) is implemented via the activities of a ministry in charge of these issues. Since June 2000, mainstreaming is written into the law on equality, guided by the ministry for equality and relayed into each ministry. Thus, the minister of employment is responsible for mainstreaming in the area of employment and should monitor each law and measure from a gender point of view and assess their impact in terms of equality. A steering committee composed of high ranking representatives of all ministries has been formed, with a view to monitoring the implementation of mainstreaming in the central administration and in order to exchange experiences and launch ideas through pilot projects, as well as monitor the progress of projects initiated in each ministry.

The **French** ministerial approach to introducing gender mainstreaming was chosen by the European Commission as an example of good practice. In 2000, an inter-ministerial committee devoted to equality really introduced this approach, committing each ministry to equality agreements (procedures for women's access to all grades and training, as well as raising awareness about equality...). For example, an agreement between the equality and education ministries made it possible to set up internal training on equality and develop tools for raising pupils' awareness, at all levels.

Also, in **Austria**, efforts were firstly made with a view to fostering a transversal approach to equality. But women's associations and the opposition are doubtful as to the future of equality policy since the change of government in 2000. Indeed, one of the first measures of the new government was to abolish the equality ministry, whose activities have been transferred to the ministry of social security and generations and an inter-ministerial committee that is responsible for mainstreaming... There is, therefore, a big risk of diluting this issue, which is now far from being a priority.

In the **Netherlands**, in the 1980s, the government decided that coordination of "emancipation" measures should be carried out by the ministry of social affairs (and no longer the ministry of culture). This corresponds with a change in the role attributed to labour issues in emancipation and with a challenge to the "male breadwinner" model, which had predominated until then. Since then, various structures aim at integrating mainstreaming – an inter-departmental commission for emancipation (responsible notably for producing reports on the effects of measures retained by each department) and an "emancipation monitor", who is responsible for assessing results on a two-yearly basis.

In **Belgium**, the ministry of employment and labour is also responsible for equal opportunities. Policy, therefore, focuses greatly on women's working conditions and on consolidating their position in the labour market. In order to attract the attention of all ministries regarding a gender perspective, the ministry of employment and labour initiated a step in the direction of gender mainstreaming in 2001. This project aims at helping all ministries through training and advice, in order to foster the creation of strategic equal opportunities objectives in each

ministry. The importance of such a process has been confirmed by the majority of public services staff, even if results are still insufficient.

Finally, in **Italy**, the equal opportunities department (1983) and the commission for equal opportunities (1984) are both bodies that have contributed to fostering equality. The commission is made up of members of political parties, associations, women's movements, employers' organisations and trade unions. Women trade unionists have worked with these bodies and developed important initiatives. From 2000-2001 onwards, new resources have been promoted, that are aimed, for example, at reinforcing "equality advisors", who are responsible for monitoring the implementation of law on equality, creating a national network for exchanging experiences regarding good practices and introducing new criteria for fostering the promotion of women in sectors, where they are under-represented...

The way gender mainstreaming is incorporated in policy contains, however, two contradictions:

- Firstly, all the reports emphasised the desire of each country to reinforce women's employment, in line with the recommendations of the employment summits in Lisbon (March 2000) and Stockholm (March 2001). But, the contradiction between the quantitative objective and a more qualitative objective of improving the quality of employment is particularly great, regarding women's employment. Indeed, how can women's employment be promoted, without raising the issue of the kind of jobs on offer (low level of qualifications and little recognition of "informal" skills) and the types of employment status proposed (fixed term contracts and part-time work)? Few countries have really succeeded in resolving this contradiction. Thus, the issue of the increase in part-time work (observed in all the countries studied, except for **Denmark**) shows the ambiguity of these policies – in the **Netherlands**, notably, measures that protect part-time work have been introduced, but they have not prevented the development of short part-time work, which affects women and also young people in general.
- Secondly, problems of reconciling family life and working life are now written into the programmes of all European countries. But, there is a gap between announced principles and actual results – children are still often looked after by mothers, via leave, which is sometimes long, but remunerated to varying degrees. There is still not enough choice for other forms of childcare, that are adapted to the families' needs. So long as the right to childcare does not really exist, the existence of real occupational careers for mothers will remain problematic. Access to the right to leave with sufficient remuneration is, of course, an aim that should be pursued, notably to encourage more fathers to take advantage of it. But it does not mean that it is not necessary to develop diversified childcare structures, which correspond with families' needs (high quality care, proximity, flexible hours, reasonable cost, etc.) But, in three of the countries studied, provision remains well below needs (**Austria**, the **Netherlands** and **Italy**).

SECTION II – INDUSTRIAL RELATIONS SYSTEMS IN THE COUNTRIES COVERED BY THE STUDY

In order to understand the position of women in unions better, it is necessary to outline the framework of industrial relations in each country. Our initial hypothesis observes a link between industrial relations systems and the degree of gender mainstreaming in unions. The diversity of industrial relations in Europe renders our task difficult – each country in the study has adopted its own legal and industrial principles. It is, however, possible to identify - in broad outline, as internal developments are very complex - two typical models:

- On the one hand, “integrated” - so-called “neo-corporatist” - industrial relations systems, such as in **Denmark**, the **Netherlands** and **Austria**. These systems are marked by a form of strong social partnership, that aims at both economic and social stability³. Thus, in **Denmark**, LO played up until now a very institutionalised role and often influenced societal debates, drafting of legislation and social development. In **Austria**, OeGB – the only trade union confederation, which has the monopoly of bargaining – had, until the change of government in 2000, the informal right to nominate the minister of social affairs and a major direct impact on legislation concerning economic issues and social investment... Since 2000, OeGB’s political influence is challenged. In the **Netherlands**, the biggest trade union confederation was NVV, which originated from socialist and social-democratic traditions, and the second was NKV, which was related to catholic traditions. They came together within FNV. CNV comes from protestant traditions and Unie MHP organises executives. Unions are part of a strong tripartite relationship, in which intensive consultations between government and social partners on all essential socio-economic issues are a feature.
- On the other hand, industrial relations systems, that are historically marked by non-cooperation between the State and social partners and a trade union movement that is termed “revolutionary” or based on “class struggle” (**France** and **Italy**). In **France**, trade union divisions are strongly marked by diverging ideological concepts of the role of trade unions. The five representative trade union confederations have very different traditions in the area of collective bargaining - on the one hand, claiming “reformist” unionism (CFDT, CFTC and CFE-CGC) and, on the other, maintaining “opposition” unionism (partly CGT and FO). But positions vary greatly over time, depending on the political context and bargaining issues. In **Italy**, political traditions have always been strong in trade union confederations. The main confederation, CGIL, was created by political parties. For decades, this confederation was the union of communist (PCI) and socialist (PSI) employees, and also some ultra-left minorities from the mid-sixties. During the last twenty years, **Italy** came closer to the first model through via important social pacts, but the recent period has been marked by a return to practices of strong trade union opposition and mobilisation.
- **Belgium** is in an intermediate situation between the above models and is marked, notably, by the distinction between Christian and Social Democratic trade union movements and by a desire for strong social partnership. FGTB, the second trade union confederation, claims to represent democratic socialism and its union practice is influenced by this ideological approach. CSC’s constitution (Christian union) states the denominational

³ For a more detailed and precise view of industrial relations, c.f. notably H. Slomp, *Les relations professionnelles en Europe*, 2000, pub. *l’Atelier*

nature of the union. CGSLB says it is seeking a freer and more equitable society on liberal industrial bases, as reiterated in its congresses. It claims to be independent of all political parties.

Box N° 3 Representative national trade union confederations

Denmark: Danish Confederation of Trade Unions (LO), Salaried Employees' and Civil Servants' Confederation (FTF) and Danish Confederation of Professional (academic) Associations (AC).

Netherlands: Dutch Trade Union Federation (FNV) is the most powerful trade union national confederation (merger of NVV and NKV); National Federation of Christian Unions (CNV) with a protestant tradition and Executives Federation (UNIE-MHP).

Austria: Austrian Trade Union Federation (OeGB) and Union of monthly paid white collar employees (GPA).

Belgium: Belgian General Federation of Labour (*FGTB/ABVV*), Confederation of Christian Unions (CSC/ACV) and Belgian General Centre of Liberal Unions (CGSLB/ACLVB and VSOA/SLFP).

France: General Confederation of Labour (CGT); French Confederation of Christian Workers (CFTC); French Democratic Confederation of Labour (CFDT, which was founded following the development of the majority non-religious trend in the CFTC, which changed its name); *CGT-Force Ouvrière* (CGT-FO), and General Confederation of Executives (CFE-*CGC*).

Italy: Italian General Confederation of Labour (CGIL), Italian Confederation of Workers' Trade Unions (CISL) and Italian Union of Labour (UIL).

1. Trade union configurations

The industrial and political history of each country has shaped different forms of trade unions in Europe. It is impossible to take into account all differences here, but, on analysis, two factors stand out in particular:

1. Firstly, in countries with conflictual traditions, **pluralism – and sometimes even trade union division – reigns**. **France** has 5 trade union confederations, which are representative at national level, plus various autonomous or category-specific unions. Radical unions, which are often the result of splits from the big trade union confederations, have emerged in recent years. **Belgium** and **Italy** have 3 main trade union confederations. In all three countries, there are inter-sector and sector-level (i.e. horizontal and vertical) union structures. However, in the “cooperation” model, the union movement is mainly united and one major confederation predominates. Divisions appear, however, along occupational lines, as, for example, between white and blue collar workers (in **Denmark**, **Austria** and **Belgium**). In the **Netherlands**, divisions between occupations no longer exist and there hardly remains any separation between employees and executives, except that the latter can join either FNV or a specific executives' union. Unlike **Denmark**, there is more choice for employees of this country to join different confederations besides FNV (CNV and Unie-MHP now organise a third of the number of members that FNV has). In **Belgium** - where a distinction is made between private sector and public sector unions – there is also the issue of linguistic communities, which is reflected in union structures (community-based bodies, which are called “inter-regionals” within inter-sector organisations).

2. Secondly, the **number of union members and the principles of membership** vary from country to country. In some countries, such as the **Netherlands** and **France**, the rate of unionisation is not the only indicator of the real influence of unions.

* In **Denmark**, the rate of unionisation (more than 87%) is the highest in Europe, because labour rights are linked to membership. Employees are union members, mainly in line with their qualifications and occupations, not according to their sector of activity. For example, in order for the bargaining system to work, the unions concerned co-operate in the framework of a cartel, such as “CO-industry” for manual workers. LO, the big national trade union confederation has 23 affiliated unions with 1.4 million members in private industry, retailing, services and the public sector. FTF (civil servants) has a more complex structure with 106 affiliated unions and 450,000 members, 75% of whom are in the public sector. Finally, AC (academics) has 22 affiliated unions with 240,000 members.

* In **Austria**, the world of work is organised in both a highly centralised and unified way. The Austrian national trade union confederation (OeGB) was recognised in 1947, as the only legitimate employees’ union, in partnership with AK⁴ (*Arbeiterkammer*: chamber of labour), which all employees have to be part of and BR (*Betriebsrat*: works councils that are elected in companies with more than 35 employees). Many rights in the sphere of codetermination are guaranteed to employee representatives at the level of the establishment or company. Generally speaking, the specific Austrian system, based on all 3 pillars, ensures a high level of cohesion and cooperation beyond ideological divisions. The rate of unionisation is slightly above the European average.

* In the **Netherlands**, we have identified the essential role played by unions in the bargaining model – notably as a consultative partner of the government concerning crucial socio-economic issues. Paradoxically, if one takes the rate of unionisation as the only indicator, one could think that overestimation is involved – only 27% of employees think it useful to join a union. But, this shows, rather, that membership is not the only criteria that should be taken into account when judging the strength of a union, because union influence does not directly result from trade union membership. This frequently leads to public debates on trade union legitimacy, but, because of the inter-related nature of trade unions with the social-economic structure of the country, this situation has not led to great shifts in industrial relations. As work on industrial relations in the **Netherlands** confirms, trade unions are apparently hardly contested⁵.

* In **Belgium**, no official institution is in charge of collecting data regarding trade union membership. Even the unions themselves rarely publish membership figures. According to a recent study, membership of both of the main trade unions (CSC and FGTB) is growing after a loss of members in the 1980s. In 2000, FGTB had 39 % of total trade union membership (with 7 occupational unions and 18 regional structures); CSC is the biggest confederation with 53,8 % of all union members (17 occupational unions and 22 regional structures). There has been an increase in union membership amongst white collar employees.

⁴ *Kammer für Arbeiter und Angestellte*, or « *Arbeiterkammer* » for short : chambers of labour are principally in charge of research, training, information and consumer protection, as well as drawing up draft laws within the Austrian system of social partnership. AK also play an important role in representing employees in disputes inside companies.

⁵ C.f. notably references analysed in Wierenk (2000).

* **Italy** has a unionisation rate of 36-37%, which is relatively high, given the Italian model of industrial relations and the development of its labour market (job insecurity and unemployment). National trade union confederations have, in absolute terms, increased membership (including pensioners), but it has declined relatively in relation to the whole of the economically active population. Between 1980 and 1998, union membership decreased by 28% in relation with the economically active population (including autonomous unions, which are powerful in the civil service). For the main confederation, CGIL, membership dropped by 34%.

* **France** has the lowest unionisation rate in Europe (less than 9% today, taking all national trade union confederations together), in spite of – or because of – the existence of many trade union confederations. Unlike neighbouring countries, such as **Belgium** and **Denmark**, the French trade union movement is based on activists. It is not a service-based union movement, in as much as no labour and social rights are linked to being a union member. Moreover, the place of unions in French society does not depend only on them: the employment situation, job insecurity and unemployment, etc., are not without consequences regarding drops in membership, which are significantly more marked in the private sector than in the public sector. Moreover, government and employers have an impact on the role and place of unions in French society: trade union repression still exists in the private sector and should not be forgotten. Depending on their political colour, governments can contribute to greater or lesser institutionalisation of the union movement (management of part of social protection and participation in consultative bodies, etc.). Depending on the period, unions in **France** are similar to an almost neo-corporatist model or, on the contrary, are highly oppositional with mobilisations, that can seem to foreign observers disproportionately big.

Table 2 - Rate of unionisation in the countries covered by the study (%), 2000

Country	Rate of unionisation
Denmark	87.5
Belgium	69.2
Austria	46.0
European average	43.8
Italy*	35.4
The Netherlands	27.0
France	9.1

* 1998 figure. Source: EIRO and national figures

2. Trade unions and new socio-economic issues

For 20 years, trade union representativeness in most industrialised countries has significantly declined. No model seems to really avoid negative figures published by various comparative studies. Many reasons are put forward to explain this decline. Five groups of factors are decisive in relation to the new social composition of labour:

- a) *The political context*: countries, where the neo-corporatist model predominates (**Denmark**, **Austria** and partly the **Netherlands**), have recently undergone major political changes, which tend to jeopardise previous social compromise. Thus, in **Denmark**, the liberal-conservative government has decided to “*set people free*” by various measures (liberalising part-time work and, above all, dismantling the tripartite model in a considerable number of committees and councils). Likewise, in **Austria** the recent

government clearly showed its desire “to break definitively with social compromise and Austrian ‘neocorporatism’”. (Dufour, 2000).

- b) *Economic factors*: for all the countries of the study, the economic context plays against unions – developments of sectors of activity (industrial restructuring, development of services to companies, the public and individuals and development of new information and communications technologies); work reorganisation and development of small economic units, that have been accompanied by dispersal of traditional groups; globalisation, relocation and sub-contracting... exclusion of the section of employees, who were the “hard core” of union membership (effects of early retirement and unemployment...).
- c) *Socio-demographic factors*: growth of “new” groups in the labour market with weak union traditions (ethnic minorities, young people, part-timers and white collar employees in new information and communications technologies); changes in the labour market with a relatively high proportion of employees, who have higher education (and a relatively stronger position in the labour market, and, therefore, less of an incentive to join a union). These factors have been greatly emphasised in the case of the **Netherlands, France and Belgium**.
- d) *Organisational factors*: development of flexibility and job insecurity in working relations; new forms of participation in work organisation (stronger involvement in their work and identification with their company for some employees; more distant relationship with work for others) and greater labour market mobility.
- e) *Cultural and ideological factors*: rise of individualisation and loss of collective references in work; distancing from political and social life, rise in support for conservative right-wing and even populist parties...

3. Collective bargaining systems and their relationship with legislation

The relationship between legislation and collective agreements and the way collective bargaining functions partly reflects industrial models that have been presented above: in the “cooperation” model, collective agreements play a preponderant role (especially in **Denmark**, where the State only intervenes if negotiations fail, as was the case regarding the dispute on leave). In **Austria**, the **Netherlands** and also **Belgium**, there is a more balanced distribution of fields of intervention between legislation and bargaining and this issue leads to many debates. There are many wide-ranging collective agreements, which generally cover all employees (85% in **Denmark**⁶; 80% in the **Netherlands** and almost 100% in **Austria**).

In **France** and **Italy**, however, legislation plays a preponderant role, even if the influence of collective agreements is far from being negligible. For example, in **France**, almost 90% of employees are covered by collective agreements as a result of the principle of agreements being extended by the State (this is less the case in **Italy**). Permanent collective bargaining – not only “hot” negotiations⁷ - is becoming more widespread in both of these countries.

⁶ C.f. S.K. Andersen (2000).

⁷ A distinction is made between “hot” and “cold” negotiations: in the former case – which occurs frequently in models that are not very corporatist - negotiations take place at the end of a conflict; whereas, generally, in co-determination models, negotiations are “cold” and regular – conflict only arises if negotiations fail.

In all countries, collective agreements are tending to be decentralised down to company level. But decentralisation does not always mean the same thing, depending on the bargaining model. In countries, where there is strong centralised bargaining, this decentralisation process does not, however, mean that the role of centralised collective agreements declines. This level of bargaining increasingly becomes a general framework, leaving more space to company-level bargaining (**Denmark**, the **Netherlands** and also **Belgium**). In the Danish case, it is called “centralised decentralisation”, as central agreements - which are no longer inter-sector agreements, but only sector-level ones - are a framework for decentralisation (Andersen, 2000). However, when central bargaining is weaker, the decentralisation process at local level can run a real risk of individualising situations, depending on the balance of forces and trade union involvement (as in **France**).

Moreover, some sectors (notably services) and some categories of employees (with insecure jobs, part-time work, immigrants...) are not always well-covered by agreements, even in countries where agreements are important (**Austria**, **Belgium** and **France**).

4. Indicators of conflictuality

Finally, analysis of industrial relations systems implies taking into account the level of labour disputes. Despite ILO’s efforts to harmonise data (Yearbook of Labour Statistics, 2001), statistical comparisons remains difficult, as national definitions vary or are incomplete (whether public employment is taken into account or not and calculation methods, etc.). Following on from M. Aligisakis’ work (1997), we have attempted to compare some data on the number of days on strike – and with every reservation that implies.

Generally, we observe a reduction of labour disputes in the last two decades. But recent data show a certain increase in the number of days on strike and sharp increases in recent years (in **France** in 1995, in **Denmark** in 1998 and more recently in **Italy**). There seem to be more conflicts in southern European countries (**Italy** and **France**) – in line with the “opposition” industrial model, even though trade unions are not always very big. In “cooperation” models, it is logical for there to be few or no conflicts (**Austria**, the **Netherlands** and partly **Belgium**). Only **Denmark** has a higher rate, because in 1998, there was a big strike movement on working time with a high level of participation (1317 days for 1000 employees).

Tableau 3 : Indicators of conflictuality in the countries covered by the study

	Total number of days on strike 1991*	Total number of days on strike 2000	Days on strike /1000 employees Average 1990-1999**	Days on strike /1000 employees 1999**
Austria	58,341	2,947	4	0
Belgium***	66,500	87,100 (1998)	29	8
Denmark	70,000	124,800	173	38
France****	497,300	807,758	77	72
Italy	2,985,000	884,100	159	62
Netherlands	96,356	9,432	22	11

* ILO, 2001.

**Davies (2001)

*** not including the public sector

**** not including agriculture and public administration

To summarise and conclude this first part, it would appear that the interpretation of industrial relations systems, adopted here, remains valid: on the one hand the so-called “neo-corporatist” model still predominates in **Denmark, Austria** and partly in the **Netherlands** and **Belgium**. On the other hand, there is a more hybrid model, that we have called “opposition” model with little cooperation between the State and social partners, which is still observed in **France** and partly in **Italy**. In this context, legislation plays a very central role in the industrial field, because of the lack of strong social partnership.

The development of these models and the trade unions involved is, however, more complex. Firstly, we have observed very varied unionisation rates, even within each “pole”. Thus, **Italy** has a higher unionisation rate than the **Netherlands**. This is because in the latter country, union membership is no longer – as in **Denmark** – a necessary condition for defending labour rights and obtaining social advantages. It is, therefore, not possible to identify a direct link between trade union membership and the influence of unions. Though, at both extremes (**Denmark** and **France**), we know that people join unions for totally different reasons: social cover in the first case and “militant” action in the second.

Given similar developments in the labour markets of these countries, converging elements can be emphasised: sometimes hard conflicts appear in countries, where cooperation is the general rule (**Denmark**, for example, regarding working hours); there is a trend of institutionalising industrial relations (consultations and signing agreements with a view to social peace) in countries, where there is a tradition of opposition, notably in **Italy** during the past two decades, except for the current period, when labour mobilisation has come back into force. Moreover, in countries of the second group, such as **France**, where laws seem still to be decisive, a change in their role can be observed: instead of imposing standards, they are now introducing incentives (notably regarding departure from established social order and introduction of collective agreements, as in the area of working hours with the recent laws on the 35 hour week).

In all the countries covered by this study, trade union’s audience is challenged to varying degrees – this is notably reflected in a drop or stagnation of membership. There are many different socio-economic reasons for this decline (development of service jobs, decline in male working class jobs, that were the “king pin” of trade union membership, aspirations of new categories of employees, break-up of labour statuses, etc.). This loss of legitimacy can also be identified via political changes in **Denmark** and **Austria**, where there is a determination to limit the institutional power of unions by liberalising bargaining procedures to a greater degree.

Thus, in all of these countries covered by this study, decentralised bargaining is developing to varying degrees and in various forms. In fact, in all of these countries, it means that roles between the State and social partners and between different bargaining levels (central, sector and local...) are being restructured.

Finally, bargaining themes are very similar in these countries and we should emphasise that, everywhere, the issues of working time and leave are developing, which are not unrelated to our study.

SECTION III – PLACE OF EQUALITY AND GENDER MAINSTREAMING IN TRADE UNION STRUCTURES: APPRAISAL AND PROSPECTS

It is usually emphasised that at the beginning, the trade union movement ignored women on the whole – or, at least, feminist movements. The working class movement stemmed from trade guilds, the first resistance societies and mutual aid organisations, which were structures based on an exclusively male world. In all the countries covered by the study, the point of reference is the skilled craft worker, the miner, the metal industry worker with no recognition or visibility of women at work. Various factors, which we will only mention⁸, explain this lack of recognition:

- Firstly, women's work was considered transitory – a lesser evil, but not an end in itself. Although the number of women workers increased throughout Europe at the end of the 19th century, unions refused the principle of women's work, except in specific jobs. Gradually, access was admitted to sewing and the luxury clothing industry, but not to difficult work in factories. The image of women seamstresses developed, but they either worked at home or in small workshops, far from the areas where unions organised...

- Women's work was very quickly seen as a threat to working class men: women's qualifications were not recognised by apprenticeships, but were most often based on assumptions about women's nature (dexterity and meticulousness, etc.), which could represent a risk of competition regarding pay, which was, indeed, very low in sectors, where women's work developed. If factories were opened up to women, such risks probably increase... This did happen in some sectors, such as printing, where women entered on low pay, thus provoking competition, without trade unionists, however, demanding equal pay for men and women at the beginning...

- Finally, trade unionists sought to give working class men an image that corresponded with morality of those days, namely, that of a working man, "who was clean, with well ironed clothing and a well-kept home"... Therefore, the legitimate and natural place of women was at home as mother and wife – and not at work...

Then, gradually, women's work and their place in unions were recognised. An essential question – in particular from the point of view of our research - then emerged: should specific women-only unions be set up or, on the contrary, should women join male structures? The choice between "autonomous or mixed" structures is a crucial one and is far from being straight forward. Amongst the countries covered by this study, two exceptions have been observed to mixed structures, which predominate: **Denmark** has kept a women's union, KAD, which is a union of women workers, that was founded in 1901 and still organises only women and represents women's interests in almost all union cartels during collective bargaining. Another interesting special case is that of the **Netherlands**, where an important change occurred more recently: at the congress in 1981, namely the congress where NVV and NKV merged, and where the "Action for Women" programme was adopted, which set out important points of view on equality. After many debates, it was decided to accept within the confederation a new women's union bringing together women, who carry out non-paid work (mothers without jobs or voluntary workers working for associations...). This union was open to all women and no longer only to the partners of male trade union members, and has become an attractive organisation, which makes original proposals in the area of

⁸ On the history of women and unions, c.f, for example, for France: M.H. Zylberberg-Hocquard (1981).

emancipation. This trade union has voting rights within the confederation, but, however, cannot bargain with employers on anything to do with salaried work.

Besides these exceptions, unions chose mixed structures, rather than autonomy, either straight away or gradually. In **Austria**, where women were both employees and union members very early on – at the end of the 19th century - policy was to promote “women’s” sections or departments, rather than women’s unions. In **France**, in CFTC, men’s and women’s unions existed simultaneously until 1944. In CGT, some women’s unions were created (“women shop assistants” and “seamstresses”). These women’s unions gradually disappeared. But results regarding equality and women’s presence in union leaderships show the existence of resistance inside unions in all cases.

Relations between feminist movements and the union movement have historically been complex in most countries. In the beginning, in some trade union confederations (in **France**, **Belgium** and **Italy**), there was defiance against such movements, that were considered to be bourgeois. Later, feminist movements were gradually accepted and have even greatly contributed to this dimension being taken into account more, as in the **Netherlands**.

1. From unionisation of women...

It is difficult to draw up homogenous statistical data for all six countries of the study – some trade union confederations do not always provide gendered data about their members. Moreover, union bodies have different names in each confederation. However, in order to have minimum bases for comparison, we have drawn on studies carried out by the European Trade Union Confederation (ETUC) in 1993, 1998 and 2002, which we have added to with data collected by our national experts.

The ETUC estimates that the share of women union members is 40% in Europe and observes major differences between countries, ranging from one to seven. Our MSU survey confirms this general trend (c.f. Table 4). The share of women union members in the six countries covered by our study ranges between 18% and 50%.

In **Denmark**, **Belgium** (CSC), **Italy** (CGIL) and **France** (CFDT), the share of women members is high and close to parity. But there are different reasons for these similar results – in **Denmark**, the socio-economic environment encourages women to join a union (general high level of unionisation, that is linked to access to labour and social rights and a high rate of women’s economic activity); in **Belgium**, the general high rate of unionisation is certainly the decisive factor, because women’s economic activity is relatively low. As for the CFDT (**France**), the rate of feminisation is explained by its trade union base, which is more centred on the service sector than that of the CGT. However, in **Italy**, neither the rate of unionisation (average), nor, above all, the share of economically active women can explain this dynamism... It is, therefore, possible to consider that CGIL’s awareness of gender issues and the introduction of quotas and an anti-discriminatory standard in its structures, have been fruitful.

For the other trade union confederations (**Austria**, the **Netherlands** and CGT, **France**), low unionisation of women can be explained by a generally lower rate of unionisation and the nature of women’s jobs. Indeed, trade union membership is still marked by the predominance of traditionally male-dominated sectors (industry and big companies...), while women’s employment is developing throughout Europe in services (retailing, health and public

services...). Unions have difficulty in recruiting in these sectors, especially as the jobs, that are created there, are often atypical (fixed-term contracts and undeclared work, etc.) and/or part-time. Unions are traditionally present, above all, in big industrial male-dominated companies, where union rights are great (as in **France**). Many women work precisely in areas, where unions are weak (less structured sectors union-wise and those with weaker collective bargaining, notably in catering and retail jobs). *A contrario*, development of women's public employment (in education, administration and health) are new areas of support for unions (in the **Netherlands**, notably). Finally, it can also be recalled that women are also more often excluded from the labour market than men – either because they are economically inactive or unemployed.

2. ...to their participation in union leadership

All studies emphasise persisting discrepancies between women's rate of unionisation and their participation in union leadership bodies. No country escapes this observation – even in unions, where women's rate of unionisation is higher than that of men, women are under-represented in the leadership. Our study confirms this result – whatever the national context (nature of industrial relations and place of equality in policies) and whatever the share of women union members and the level of their participation in the labour market, there is a deficit of women's representation in union leadership bodies in all countries... Thus, according to our data, supplemented by those of the ETUC, the share of women delegates to congress is about 30%. In **Austria**, the **Netherlands** and **Belgium**, about 20% of congress delegates are women, whereas CGIL (**Italy**), FO (**France**) and FTF (**Denmark**) are above the European average.

We have chosen two indicators amongst all leadership bodies of trade union confederations, namely the share of women in executive committees and in "bureaux" or daily leadership bodies⁹. Only in two countries, amongst those covered by our study, do women account for at best a third of executive committee members (**Denmark** and the **Netherlands**). Elsewhere, women account more often for close to a quarter of members or even less than 20% - the European average is 25% (ETUC, 2002). At the European level, the situation is more balanced in daily leadership bodies (32% women on average). This is not observed in the countries of our study, where the situation seems very varied: some trade union confederations have adopted parity – CGIL (**Italy**) and CGT (**France**), whilst others have no women in this leadership body – CGSLB (**Belgium**) or only around 10% - CGC and CFTC (**France**), CISL and UIL (**Italy**) and CSC (**Belgium**).

Including in unions, where women are a majority, they are still under-represented (for example, the civil servants union FTF (**Denmark**) has 70% women members, but "only" 50% women in leadership positions).

Finally, there is a unique instance in Europe, which we will come back to - at its last congress in 1999, CGT (**France**) adopted parity (i.e. 50:50 representation) for both of these leadership bodies (Executive Committee and its daily leadership body, called "Confederal Bureau").

⁹ In order to have an element of comparison, we have identified, on the one hand, executive committees, that have about thirty to fifty members, who represent all affiliated organisations, and are elected during Union Congress and, on the other hand, confederal "bureaux" or daily leadership bodies, which are smaller and carry out daily leadership of the trade union confederation.

In order to refine the data, we have attempted to identify developments of feminisation of these structures over the last ten years on the basis of the last ETUC study. For all European countries, the share of women in all these structures is increasing (by 8% in congress delegations, 10% in executive committees and 16% in daily leadership bodies). As for the six countries of our study, progress seems slower. It is, however, significant for FGTB (**Belgium**), LO (**Denmark**) and CGT (**France**).

Table 4: Women's unionisation, economic activity and representation in the leadership of trade union confederations in 1993 and 2002

Country	Trade union confederation	General rate of unionisation (%)	Share of women trade unionists 2000 (%)	Share of economically active women (%)	Share of women congress delegates		Share of Women in Executive Committees			Share of women in "bureaux" / daily leadership bodies			
					1993 (%)	2002 (%)	1993 (%)	2002 (%)	2002 (Absolute figures)	1993 (%)	2002 (%)	2002 (Absolute figures)	
Austria	OeGB	39.8	32,3	44	<i>14</i>	<i>17</i>	8	16,6	10/60	29	20	2/10	
Belgium	FGTB	69.2	33	42.5			7	27.5	11/40	20	29	2/7	
	CSC		47,6					18	18.5	3/35	13*	11	1/9
	CGSLB		39					21*	14	3/21		0	0/8
Denmark	LO	87.5	49	46.9	30	30	14	22		14	33		
	FTF		+/-70					37*	50			26	
	AC		36		29	18	40	0	50				
France	CGT	9	28	45.6		28	25.2	48	43/90	35,7	47	8/17	
	CFDT		42					37	30,5	11/36	29	22,2	2/9
	CGT-FO		45		35	45	30	12	6/49	8	23	3/13	
	CFTC		40			31		13,6	6/44		12,5	2/16	
	CFE-CGC		18,5			8,7		30			11,1	1/9	
Italy	CGIL	35.4	49	38.5		40	34*	38	60/156	25*	50	6/12	
	CISL		40					31	7	7/47			
	UIL		18		18	20	12	12	18/45	13*	12		
Netherlands	FNV	27	28	43.2	20	25	19	21	3/14	29	40	2/5	
	CNV				27*		14	2/14					

Source: MSU survey; in *italics*: ETUC, 1993 and 2002; in *italics* with *: ETUC, 1999

3. Obstacles and levers of a gender mainstreaming approach

Gender mainstreaming - “an integrated approach to equality” - is still far from being a process, that is really implemented by trade unions. The idea of “integrating” the issue of equality between men and women in unions is not, however, a recent one. But, as C. Rogerat (1995) recalled for **France**, integration occurred before in a different way: *“Indeed, it was a matter (in the sixties and seventies) of including women in unions and assimilating them on the basis of the dominant model”*.

The gender mainstreaming approach is completely different and new, as it is now composed of a dual strategy: maintaining specific actions, whilst, simultaneously, developing a transversal gender approach in all union practices and ensuring that the issues of the place of women and equality are present all the time. Moreover, this approach is made up of two inseparable aspects:

- The place of women in union structures and their representativeness is an unavoidable element of mainstreaming.
- A really transversal and integrated approach to equality presupposes that, besides representativeness, the issue of equality and a gender perspective are incorporated in all trade union strategies and practices (struggles against occupational inequalities and incorporating equality in collective bargaining, etc.).

Although these developments are still slow within each national trade union confederation, at the European level, this approach has been developed by action carried about by the ETUC. In 1992, the ETUC women’s committee introduced the term in reference to the Commission’s third action programme on equal opportunities: *“The term, mainstreaming, corresponded with expectations of women in the ETUC’s women’s committee, who were worried that women’s actions were becoming “ghettoised” in specialised structures. (...) They demanded, above all, that the women’s committee participate in the ETUC’s standing committees and that leaders of these committees be aware of gender issues in their area and that confederal secretariats and their departments within standing committees have responsibility and resources to promote gender policies in their activities”* (Cockburn, 1997). Since this initiative, a women’s conference is organised before each ETUC congress (every four years). The ETUC’s constitution has been amended, so that the women’s committee can be represented in each decision-making structure (congress, executive committee, organising committee and some standing committees).

In the ETUC’s equality action plan, that was adopted in 1995 and renewed in 1999, the principle was confirmed: *“a perspective of equal opportunity and treatment of women and men is necessary, in order to reflect women’s interests as well as those of men in trade union policies and programmes. (...) Unions should guarantee the expression of collective and individual problems of women in all union policies, programmes and collective bargaining.”* (ETUC, 1995). In 1999, the plan promoting equality in the ETUC and affiliated unions was more explicit with three objectives: firstly, ensuring representativeness of women in collective bargaining and decision-making bodies; secondly, *“incorporating equality between men and women in all areas of union policy (gender mainstreaming)”*. The principle of pay equality was also announced.

Essential principles of mainstreaming were thus contained in this action plan, which also stated in its introduction: *“We want to draw attention to links between all three objectives. The more women are present in collective bargaining processes, the greater the chances of themes related to equality – including equal pay - being dealt with”*.

Following up this approach, the draft ETUC equality plan for 2003 maintains amongst its objectives: *“including gender mainstreaming, firstly, in collective bargaining (by training negotiators and including this theme in collective bargaining...); (...) and thirdly, explicitly taking into account the “equality” dimension in all policies”*¹⁰.

It has to be really noted today that these declared principles - in the framework of the ETUC – are not always reflected within the national trade union confederations, which have been chosen for our study. One of the initial results of our surveys emphasises that few trade unions have really experimented gender mainstreaming, even if the general principle of “integrating equality in union policies” has recently been introduced in many trade union confederations: LO (**Denmark**), FNV (the **Netherlands**); OeGB (**Austria**), CGIL (**Italy**), CFDT (**France**) and FGTB (**Belgium**). The study shows, however, that certain approaches, that are not actually called mainstreaming, are similar to an integrated approach to gender equality – in as much as they aim at more effectively integrating equality and the place of women in all trade union structures and practices in an on-going and systematic way (e.g., CGT (**France**), which does not use the term, but partly implements the approach (representativeness of women within its structures).

There are many obstacles to the development of gender mainstreaming in unions. They relate to historical and relatively “objective” factors, such as trade union membership, that we have already referred to, and also more strategic factors linked to the way trade unions function internally. On the basis of existing or on-going work concerning this issue at the international level (ILO, 1993, ETUC, 1998 and 2002 and Dublin Foundation, 1999) and surveys carried out in the framework of MSU, three decisive dimensions can be identified regarding the implementation of gender mainstreaming: firstly, the language barrier, which reveals perhaps greater reluctance; secondly, the legal context of each country; and, finally, we will insist on the way unions function internally and the cultural dimension, as observed via behaviour and individual paths of women and men activists.

Problem of terminology

One of the first reasons given by some trade union confederations to explain the fact that they do not use the term “gender mainstreaming” is that there is no equivalent term in French, German or Italian... More fundamentally, this term implies reflecting on the social construction of “gender”, i.e., decoding and changing roles played by men and women in trade unions. Many activists still do not really understand such an approach.

To varying degrees in different countries, some people, who are in favour of equality, are very afraid that this new approach will invalidate efforts, that have been made to acquire visibility in the area of equal opportunities. Fear of seeing such specific approaches diluted in general union actions exists. The approach, which we adopt, namely of a “dual” strategy – of keeping specific structures and introducing gender mainstreaming in all policies - still has to be asserted.

¹⁰ Extract from the draft equality plan, ETUC, 2002

Some trade union confederations, as we have already mentioned (notably, LO, **Denmark**, **FNV**, the **Netherlands**, CFDT, **France**, CGIL, **Italy** and OeGB, **Austria**), have, however, attempted to translate or adapt the term. This approach is perhaps most advanced in the **Netherlands** – for FNV in principle, demands and subjects concerning women should be fully taken into account and integrated in all union policies. In **France**, CFDT translates the term gender mainstreaming by the desire to have “*an integrated approach, in order for there to be gender balance regarding labour issues*”. In **Italy**, within CGIL, the theoretical and practical implications of this concept were reaffirmed at its congress in 1996. In **Austria**, OeGB introduced this principle in 2001. In **Belgium**, the situation is ambivalent – they prefer to refer to the idea of an integrated approach in favour of equality, including the need to foster greater representation of women within structures, rather than using the notion of “gender mainstreaming”.

Legal context and type of collective bargaining

It was emphasised at the beginning of this presentation, that the development of gender mainstreaming has been promoted by European legislation and directives (as was the case for equal opportunities policies). The change is significant - even if it remains insufficient – between the restrictive concept of equal pay between men and women as laid out in article 117 of the 1957 Treaty, the Maastricht Treaty, which regulated equal opportunities in the labour market, recent directives on “reconciling” time at and “outside” work (work/life balance) and finally the introduction of gender mainstreaming in the framework of European employment strategy (Luxembourg Summit in 1997). However, even if the development of legislation at European level is considered to be important and in each country there are laws on equality, these developments have not always had the effects that they were expected to. Implementation of texts, directives and union agreements remains insufficient and there are no penalties, if they are not respected...

As we have shown earlier, the relationship between law and collective bargaining varies from country to country and heavily influences the place given to equality in collective bargaining. In **France** and **Italy**, for instance, law plays a decisive role, whereas we have emphasised that in other countries, collective agreements are preponderant (notably in **Denmark**).

Depending on the place of collective bargaining in each country, there is a particular kind of relationship between equal opportunities and bargaining. To simplify, it is possible to contrast two rationales, on the understanding that each configuration gives rise to real situations that are more complex:

- In many European countries, equal opportunities are not a real issue for collective bargaining and remain rather symbolic. Law on equality is often considered to be sufficient to ensure that formal equality is respected (**France**, **Italy** and **Belgium**). In this first group of countries, the effect of law on union structures is sometimes great. Thus, the introduction of voluntarist¹¹ measures, with a view to fostering better women’s representativeness in decision-making positions has appeared in recent years. In **France**, notably, the 1999 law on parity in politics led to a debate within trade union confederations. We can assume that women’s movements, which are more or less institutionalised in these countries, have also contributed to introducing such an approach.

¹¹ Proactive measures with a view to fostering the place of women and equality by means, that can be coercive, for example, quotas, reserved seats and obligation to include equality in collective bargaining.

- In Nordic countries (in this case, **Denmark**) - and also partly in **Austria** and the **Netherlands** – equal opportunities are incorporated in collective bargaining and are part of trade union responsibilities, regarding both working conditions and, more broadly, living conditions of men and women employees. We should note that, in this group of countries, laws on equality can also play an undeniable role and provide a framework for some bargaining themes.

Internal functioning of trade unions and “dominant” culture

In all the countries of the study, the way trade unions function is still often characterised by a “male activist” model. Trade union officers have to be extremely available and mobile in a context that does not sufficiently take into account family responsibilities – even more so than what a company can demand of its managers. This type of functioning obviously has a negative influence on the presence and participation of women in trade union life and positions of responsibility, especially as recruitment criteria for officers are often related to closed co-option networks.

This general observation should be qualified according to the country and the union concerned. Criteria such as relations between leadership and grass roots, autonomy of sector-level unions, size of unions, existence and effectiveness of women’s commissions, the ways unions function (timing of meetings, etc.) are all factors that contribute to fostering or holding up gender mainstreaming. FNV’s (the **Netherlands**) experience is worthy of our attention, as it introduces another criteria, namely, the distinction between FNV’s employed staff and union activists and leaders. FNV has developed a really effective internal approach to equality (positive action measures and changes in the internal atmosphere, changes in timing of meetings, etc.) and promoting bargaining on equality... However, this approach is more difficult to disseminate amongst union activists (who are not employees of the union), where there is resistance.

“**Meetings, availability and mobility culture**” is now denounced in most trade union confederations. In **Austria**, for example, this challenge is based on the “new interests” of a new generation of trade union men. They are even more sensitive to these issues, when their partners work.

The requirement of “total availability” is partly explained by the practice of **holding several positions concurrently**. This is denounced notably in the **Netherlands**, as being one of the major obstacles to women’s access to leadership positions. It is sometimes difficult to avoid this practice, given the small number of activists and weak union rights, for example in **France**: representatives say they are forced to occupy different positions (union representatives, workplace representatives, works council secretaries and employee advisors...). This situation is also explained by union rules, which impose holding several positions concurrently (obligation to be a local and regional representative, in order to be a congress delegate or have other responsibilities). These union rules regarding holding several positions concurrently is obviously an obstacle to new women accessing positions of responsibility - but those women, who do so, are also trapped in the spiral. As there are too few women in such positions, unions tend to make them play a bigger role. Holding several union positions over time is also very frequent – making a trade union “career” from a local position, to a national sector union one and then on to a position in the confederation is also part of the activist model, that is now contested. Today, many women – and also young

activists – do not wish to become union full-timers, or only for a few years. The idea of maintaining a foothold in the world of work and not becoming totally cut off from their own occupation, work colleagues and “reality” is increasingly expressed by women trade unionists.

This is observed in **Belgium**, for example, where it is emphasised that action is very often carried out by the same activists (who are members of consultative councils and organise activities and training) and “equal opportunities” activity is additional to other union responsibilities. A Belgian study confirms that factors which explain women’s low level of union involvement are: lack of time and limited access to information, few possibilities of training and the existence of networks that are reserved for male activists. This report also refers to problems regarding the selection of candidates, which is an informal process in which male activists play a decisive role. Candidates must be broadly informed on everything in the company, speak easily and be known by the majority of employees – all of which are features of male activists who have been around along time. So it is not surprising that men accumulate successive terms of office for periods of up to 20 years. Therefore, few positions are available for women,.

We should add that in the **Netherlands**, organisation of structures, themselves, is considered to be too rigid, because of the way delegations and bureaux are constituted. Not everyone can participate and it takes up a lot of time with long meetings and unending negotiations.

Different kinds of behaviour can be identified as to the way in which women and men are active and the way they relate to power. On the basis of the hypothesis that the dominant view would be that of men, some men, however, bring a different concept, that takes into account the fact they are also fathers and partners. Men’s and women’s behaviour can, therefore, converge, while some women, on the contrary, take on the dominant male model. But the difficulties of the trade union movement in all European countries brings trade unions to incorporate new behaviour more effectively, without fundamentally being able to challenge their traditional way of functioning. Nevertheless, women are the ones who have doubts and feel guilty... about their ability to take on trade union responsibilities. Even though, in the **Netherlands**, there is an increasing desire to change union culture and activist traditions (late meetings and big rallies, etc.), it is a difficult thing to do. Some people think that women, themselves, are not always ready to fight, take a long-term position and do what is necessary to improve their situation. Others, on the contrary, emphasise future changes in behaviour, social models and women’s level of knowledge and experience, thanks to their growing participation in the labour market.

Finally, a slogan was often heard during interviews with French union officers: “*one more woman means one man less*”... Thus, during preparations for the recent industrial tribunal (*prud’hommes*) elections, it was sometimes difficult to give women their full place on the lists of candidates – on the one hand, it is a matter of convincing them of the importance of women’s representativeness and, on the other hand, men, who have often been tribunal members for a long time, have to accept giving up their place and be convinced that women are sufficiently competent to carry out this function.

4.What kind of tools for developing gender mainstreaming in unions?

Given the deficit of women in decision-making and the absence of real mainstreaming in all union action, different methods have been implemented. According to the most recent ETUC

study (2002), “*the following positive action can be identified: holding of women’s conferences; creation of women’s committees, equality commissions, women’s departments and the designation of people in charge of equality issues; introduction of quotas, reserved seats and the guarantee of proportionality; existence of new approaches to carrying out union affairs; training women to carry out responsibility.*”

According to results of this European survey, training and raising men’s and women’s consciousness are most often used (by 79% of trade union confederations); followed by use of statistics and research (75%) and then reserved seats and quotas (67%) and campaigns (58%)... This survey also shows that only a minority of trade union confederations pay attention to changing hours and introducing measures that make it easier for women to be involved in unions (childcare, for example).

Our own study shows, firstly, that all trade union confederations created specific structures in charge of equality issues, that are directly attached to confederal leaderships, long ago. These structures have their own budget and sometimes the right to vote. Often responsibility for “equality” is given to a specific person. Use of training and consciousness-raising action is developing, but the issue of introducing quotas is controversial. Moreover, besides the issue of timing, our survey identifies an increasingly clear need to rethink the overall way in which unions function. Finally, developing the issue of equality in all action is one of the priorities of gender mainstreaming, even if it is not yet systematically identified. These tools have more or less direct and visible effects and are in reality used differently from country to country.

Fostering the place of women: quotas, gender balance and parity

Amongst all available tools, the most visible ones involve promoting the place of women in leadership bodies by voluntarist policies. The **existence of a “critical mass”** of women, that is estimated to be about a third of membership, has been identified in many European reports¹², as a prerequisite for better gender mainstreaming. We have, however, recalled that gender mainstreaming is not only limited to the issue of women’s representativeness.

Thus, the ETUC’s 1999 equality plan insists very much on this dimension. The following recommendations came out of the midway appraisal of the equality plan: “*We need to implement a “dual approach” – i.e. we need to combine the use of specific measures (...) as well as really operating a system of gender mainstreaming in order to ensure that women are properly represented in both the decision-making and collective bargaining process of our trade unions. The need for positive actions and voluntarist measures, with quantifiable objectives and a set timetable cannot be under-estimated*”. (ETUC, 2001).

However, our MSU study shows that many barriers still persist in implementing such quantifiable voluntarist measures in the countries covered by the study. Major differences appear between countries and even, within certain countries, between trade union confederations, depending on the existence, or not, of declared quantitative objectives for leadership bodies. Moreover, the length of time, that such an approach has existed, must also be taken into account. Paradoxically, those countries, which correspond with the “neo-corporatist” model and seem most advanced on these issues, do not - or hardly - implement a policy of quotas, but favour other forms of positive action. Whereas, this issue seems to be now in the forefront especially in **France** (with strong internal divisions depending on the union) and partly in **Italy** and **Belgium**.

¹² E.g., the study by A. Garcia for the ETUC and that of the Dublin Foundation

In **Denmark**, for example, the introduction of quotas was rejected, even though positive action existed previously, in order to foster the place of women and equality. This approach was implemented especially in the political field, in some associations, but not in the union movement. Progress in the feminisation of trade union bodies could be attributed, above all, to the effect of feminisation of labour and the emergence of women in public debates and politics, etc. Indirect measures have, in fact, strongly encouraged social partners to promote the place of women: legislation on balanced representation of women and men in public commissions and the proposal regarding two candidates (a man and a woman) for all recruitment of members of public councils have a real influence on all social actors. Thus, more qualitative kinds of positive action, rather than coercion (such as reserved places and quotas) were favoured in LO. Such reluctance was also partly shared in the **Netherlands**, where the systematic and general introduction of quotas and reserved places was considered effective only if there are sufficient women activists. In some structures, the lack of available women rendered quotas impossible. However, in other unions, where there were enough available women, positive action in favour of the presence of women and, above all, *“the more gradual concept of proportional representation of women”* have succeeded better. Finally, in **Austria**, only GPA (white collar union) introduced a system of quotas in 1995 – 43% of leaders should be women.

Conversely, in **France**, the issue of the place of women in decision-making, especially in politics, has led to major public debate recently, given the deficit of women in various political bodies. Changes to the constitution in June 1999 had important repercussions: after much controversial debate on parity, the French constitution introduced the principle of fostering equal access for men and women to being candidates in political elections, which was implemented in elections in 2002, where there had to be 50% men and 50% women on lists of candidates (without imposing obligations regarding results, i.e. the order of women on the lists...).

Until now, these laws have had a rather moderate statistical impact in terms of the aims of parity¹³. However, the effect on other areas cannot be denied: the idea of creating an equivalent system in workplace elections has also been adopted (without directly imposing parity on electoral lists, given the highly male-dominated composition of some sectors). Paradoxically, although this country had always resisted implementing positive action regarding recruitment and promotion (including in the public sector), this law now encourages improved observation of the composition of delegations in all places, where there is representation.

This debate also had an effect on trade unions. The CFDT was the first to introduce the principle of **quotas** (a third) in the 1980s within major confederation level bodies (national “bureau” and executive committee) and is now considering a mixture of schemes: parity at the inter-sector level and gender balance in the affiliated unions (“fair representation” of women depending on the sector of activity). Much later, but more radically, the CGT adopted the principle of **parity** for two leadership bodies of the confederation (confederal bureau and

¹³ Thus, in general elections, women represented 10.9% of members of Parliament (*Assemblée nationale*) in 1999 and now, 12.3%. Whereas the law envisages that 50% of candidates should be women, only 38% were on the lists and few were in positions, where they were likely to be elected. Major political parties (Socialist Party and UMP) only presented 36% and 20% women respectively and will be financially penalised. However, the law had much greater visible impact at local level (47.5% of women in local councils in towns with more than 3,500 inhabitants in 2001, compared with 25.7% in 1995). But the number of women mayors remains small (10.9% compared with 7.5%). There are now 10.9% women in the Senate, compared with 5.6% before...

executive committee) at its 1999 congress. The other trade union confederations (FO, CFTC and CFE-CGC) are very reluctant to use any form of coercion in this area. Such policies are complex and controversial¹⁴, as was the debate about the introduction of parity in politics: should equality be “forced”? Should fair representativeness be imposed – thereby running the risk of a "community-centred" approach? The most common situation is, however, that “spontaneous” changes will be far from sufficient to reach fair recognition of the place of women in trade union structures.

These approaches have had real impact on the way trade unions function. Even if the presence of women is far from being the only vehicle of equality, this approach seems to be a prerequisite for developing and promoting the theme of equality more effectively. But principles of parity, gender balance and “fair representation of women” all come up against greater difficulties in sector-level unions and geographical structures. For example, in the CGT, parity has not been introduced in the national confederal committee (CCN), which is the real leadership body between congresses - parity is far from existing (25% of members are women), because this structure reflects the composition of affiliated sector-level unions. We observed that only 10% of sector-level unions affiliated to the CGT are led by women. Nevertheless, the situation is far from being negative: in most unions, the debate on the place of women and equality issues takes place during preparations for congresses of the different structures and this shows that implementation of parity at the level of the confederation can have repercussions on all structures in the long-term.

In **Italy** - to a lesser extent - although we have observed that there are many women members in the CGIL (49% of all members are women), they are little represented in leadership bodies. This situation led to the introduction of a **minimum quota** of women amongst union officers in 1991. Thus, a new article was adopted in CGIL’s constitution at its 12th congress: *“In the composition of leadership bodies - from membership committees and pensioners’ leagues to national and international representative leaderships, it is established that neither sex can have less than 40% or more than 60% representation”*. Likewise, an **“anti-discrimination standard”** has established better representation of women in leaderships with a rate of 30% to 40%. This standard is beginning to have positive effects, above all in affiliated sector-level unions, where jobs are feminised (textiles, clothing and shoes). At the last CGIL congress, which took place in September 2002, 38.5% of delegates were women with between 40% and 60% of delegates in retailing, textiles and public employment. As for the second confederation, CISL, women represent 40% of members and, as a result of the introduction of a minimum quota, 30% of the leadership are now women. But, now we observe in **Italy**, that it is considered more important to develop more qualitative measures in favour of women and put less emphasis on quotas.

Finally, in **Belgium**, quotas or parity mechanisms are not implemented in workplace elections¹⁵ or trade union structures. Only FGTB has taken a step in this direction by introducing at its last congress in June 2002 a quota of a third of women in its “executive bureau”. But it is recognised that the composition of structures is not always to the advantage of women: in resolutions to the conference held in 2002 on *“High quality employment and*

¹⁴ Including inside the same confederation : L. Brovelli, who as a confederation level officer of the CGT then, spoke against parity : *« Electing 50% women to the executive committee would not in itself guarantee removing shortcomings. Worse still, it would make us feel alright, in the belief that we had taken a decisive step. It would be more effective if we planned stages, linked to real activity with sufficient resources to achieve parity, but firstly regarding the number of women union members ».*

¹⁵ However, since 1999, as in France, a ministerial circular envisages that lists for workplace elections should reflect the proportion of women and men employees in the sector concerned.

high quality life", FGTB states: "Parity between men and women is gradually becoming the rule. FGTB, which was on the frontline of the battle for equality should prepare its structures for it. With this aim in mind, the objective should be for men and women candidates to be in alternating positions on workplace electoral lists in 2004. In sectors, where the representation of men and women is unbalanced and where this objective logically cannot be achieved, the aim should be proportional participation. FGTB confederation decides to include at least 1/3 of women in its executive bureau". Reluctance to "impose" women exists in the other unions: CGSLB insists on the fact that men – just as women – should represent the interests of everyone – both men and women – whether they are target groups or not.

All these efforts regarding representativeness can be observed more at the inter-sector level than at sector-level unions – obstacles to fair representation of women in sector-level unions are still great. This is revealing of the way, in which most trade union confederations function, that are marked by a strong federalist traditional (**France**). In **Belgium**, in FGTB and CSC, there are supervisory structures for equal opportunities policy, but such structures do not exist in all sector-level unions and regional structures. For example, FGTB's "women's bureau", that was created in 1990, is an independent body, which monitors respect for equality in all of FGTB's structures and overall policy. It has the power to introduce statutory changes in all other decision-making bodies, but such a bureau does not exist in the sector-level unions. This remark also concerns FNV (the **Netherlands**), where considerable gaps appear regarding equality, depending on the occupational sector – some sector-level unions have developed real equal opportunities policies independently from other unions.

Fostering equality in action and collective bargaining

Besides representativeness of women within structures, we have already emphasised that a real gender mainstreaming approach presupposes that all union practices and strategies incorporate a gender equality perspective in action, demands and, of course, in collective bargaining. The Dublin Foundation's study (Kravaritou, 1997) showed the extent to which it is difficult to incorporate equality in collective bargaining in all countries, but to varying degrees. "Male-centrism persists in collective bargaining and in the content of collective agreements". Even though the issue of equality appears more often, it remains marginal and is dealt with separately. Our own study shows significant development of this theme in collective bargaining, depending on the country and industrial relations model.

* The **Netherlands** is the country, where union efforts to foster equality in all union practices is greatest today. Many initiatives have been made to foster equality and involve women in action. All union representatives in FNV think that it is important to interest and involve women employees (and not only union members), by using methods that are different from the usual ones. It should be done very widely, using the media – not only the union press – in order to present unions as gender-balanced organisations, which defend the collective and individual interests of men and women. It is a matter of presenting the union as an organisation, that takes into account the opinions of members and non-members and seeks to involve employees in all levels of union action. Different principles have thus been introduced, regarding both methods and content of actions and collective bargaining – for example, prior to collective bargaining, studies and opinion polls are carried out, in order to improve consideration of employees' - notably women's – opinions, as the latter do not participate directly in meetings. They propose new activities and explicitly involve women in them (more on social issues, as well as consultation, training, editorial and organisational work...). Moreover, the issue of work/life balance has clearly become a central point in

collective bargaining – aimed at improving the situation of women at work. There are also innovative experiences concerning unequal pay, such as the creation of a real observatory of women's pay within FNV (Wierenk, 2002) and concrete initiatives, such as the battle against discrimination in job evaluation, which started in 1989. Joint efforts of unions and employers to establish a list of problems related to this issue within the association, called *STAR*, can be considered “revolutionary”.

* In **Denmark**, after *LO*'s congress in 1999, gender issues were introduced in all areas of union policy and measures were envisaged for improving the relationship between men and women in all internal commissions and activities. But these measures have since experienced a certain degree of *status quo*. It should, however, be emphasised that amongst important collective bargaining issues, reduction of pay inequality between men and women has been favoured and still plays a central role. Likewise, mobilisation on shorter working hours for parents had an essential impact on equality and, in the end, led to improved working and living conditions for all employees.

* In **Austria**, such integration is less systematic and concerns sector-level unions more. GMT (metal industry union) has, for example, just completed a European project on equal pay. This research involved gendering collective agreements and drawing up checklists in this respect. Another example concerns the debate on education and childcare. The fact that women trade unionists monitored this debate led men to take initiatives concerning funding childcare. In fact, the absence of women in decision-making bodies still has a negative impact on information, that arrives at the bottom of the ladder, in the workplace. Male leaders tend to ignore information concerning gender issues.

In the other countries, gender mainstreaming is beginning to appear, but in different forms. As we have already shown, this process seems slower and more linked to a context of incentives via from legislation. This is explained by the specific role of the State in the area of industrial relations in these countries.

* In **France**, bargaining traditions regarding equality are very weak. But all trade union confederations consider that the new law on occupational equality, that was adopted on 9 May 2001, will promote the issue of equality in collective bargaining. There was consensus amongst all those, who were interviewed, regarding the part of this law, which concerns collective bargaining: the fact that it will be **compulsory** to negotiate occupational equality, both as such and amongst the other bargaining themes, and the introduction of gendered indicators... will contribute to more effective incorporation of equality. Some people have sometimes expressed doubts about the real longer-term effects of this law. The results of the previous law (adopted in 1983) on occupational equality are rather negative – few occupational equality plans and few reports on the place of women and men, even when such reports were compulsory... So it is feared that the new law will have as little impact: as long as local company-level actors – and above all unions – do not get involved, this theme will not just come naturally on to the negotiating table... However, the large number of bargaining themes (besides pay, hours, collective social protection, there are now also equality and save-as-you-earn schemes) and low union membership in many companies do not simplify the tasks of those, who do the negotiating. Finally, trade union members also have legitimate doubts about the involvement of management, given the fact that there are few and small penalties, for example, in the absence of real bargaining on pay.

Overall, a gender perspective is not systematically incorporated in union practices. It is as though current demands (fight against unemployment and redundancies, defence of public services and future of pensions, etc.) are priorities, that have no consequences in terms of gender...

* In **Italy**, new bargaining practices have been developed since the 1986-7 bargaining session. They regulate respect for equal opportunities, by making it compulsory to include clauses, that promote training, which is favourable to women. Drawing up platforms for agreements has given the union movement the opportunity to define instruments for intervening to support equal opportunities policies and, for the first time, there is explicit recognition of the existence of inequality at work and the right to equal opportunities for men and women. Moreover, the important EC 1994 recommendation on fostering positive action, in order to remove obstacles to equality, contributed to involving women in the union movement. Since then, in the CGIL's view, implementation of equal opportunities through mainstreaming, involves including equal opportunities in all aspects of collective bargaining and in this way including it in drawing up all national agreements. The women's forum, called "bargaining for high quality work and high quality life", emphasised the way in which these themes affect inter-union relations at regional and national levels, and also at European level. According to the CGIL, existing instruments should be reinforced. Thus, gender mainstreaming applies, in principle, to collective bargaining, but its real impact still has to be measured.

* In **Belgium**, in the context of inter-sector agreements, attention is given to the issue of gender equality (training, equal pay and reconciling family and working life), but it is far from being systematic. Policy aimed at equality depends on ministerial efforts to encourage social partners to take on this issue. But the absence of penalties and specific agreements concerning equality limits such efforts and leaves each partner free to go down this path – or not. In periods of positive conjuncture, there is a more favourable attitude to incorporating the theme of equal opportunities in consultative bodies. When the conjuncture is negative, there is a step backwards and it is dealt with last. During current preparations for the 2002-2004 inter-sector agreement, unions' demands once again pay little attention to the issue of equal opportunities.

So, in all the countries, that are covered by the study, we observe that demands are tending to become broader and go beyond the strict field of work and companies and incorporate more effectively other dimensions, notably shorter working hours (demands for free time and childcare...). One can consider that such common developments are linked to more effective incorporation of demands, that were initially "feminist" ones.

The issue of forms of mobilisation, action and collective bargaining, regarding equality is central to our study. This will be examined later in our programme, because we will be looking at this theme in sector-level unions.

Changing internal functioning and union structures

In all the countries covered by this study - given the dominant union culture, which was referred to above - there is now a desire to render internal functioning and union structures more flexible. There are proposals for organisational changes (in **France**, for example, discussions on timing of union meetings and help with redeploying trade unionists by introducing real "management of union resources" (CFDT); introducing less concentrated management with, for example, collegial (and gender balanced) leadership; changing and reducing some structures by mergers and developing more horizontal organisations (the

Netherlands)... As we have previously mentioned, it is essential to distinguish inside FNV between paid union staff, on the one hand, and activists and elected representatives, who are not paid employees of the union, on the other. As far as FNV paid staff are concerned, many measures regarding equality have been introduced: childcare, long leave for mothers *and* fathers, changes in recruitment methods with opening up to the outside, changes in internal staff management (possibilities of part-time work for everyone, limited over-time and challenging of the model of “24 hour-a-day” availability, changes in compulsory mobility rules, etc.). All these measures are part of a collective agreement for union staff and have really made it possible to change the dominant culture of the union and promote internal equality. These measures are, however, far from generalised amongst union members and officers, who are not paid staff of the union (and who are, however, a minority amongst members of executive committees, but numerous in other leadership committees). So even if though progress has been observed, it seems more difficult to change practices of activists, who give their time voluntarily to the union...

Such transformations are still often at the discussion stage and do not always directly aim at gender equality, but they do often have indirect consequences on this issue. Via various measures, the aim is to more effectively meet expectations of all employees and unemployed people, notably younger ones. These “new” interests are sometimes introduced by male union members, as in **Austria**. Likewise, in the **Netherlands**, emphasis is put on promoting trade union “diversity” (ethnic minorities, youth, unemployed and women). But, there is a real debate about abandoning structures for women, as for example in FNV *Bondgenoten*, where there is a proposal to abolish the national women’s committee and to create a joint structure for women, young people and ethnic minorities.

Trade union education: an essential tool

For all countries, this tool is, indeed, vital. Whether it is a matter of incorporating the theme of equality in basic education or developing specific courses on these themes, trade union education plays an unquestionable transversal role and one of permanent integration of equality in all trade union confederations. This area covers two issues: firstly studies are often carried out on women’s participation in union courses (as in **Belgium, Italy and France**) and conclude that women are under-represented (about 20% of women union members participate in courses in **Belgium**, for example). This deficit reflects difficulties, that have already been referred to – lack of availability for courses, that last several days, childcare problems and women’s lack of confidence and a feeling that the themes covered by unions do not concern them... In **Italy**, according to research done by “*Io donna nella UIL*” (“I am a woman member of UIL”), 75% of women members think that union education is useful and 65% think that there is a relationship between such education, ability to represent and the role of unions in collective bargaining. Nevertheless, 62% of women did not participate in union courses in the past five years. Discriminatory selection criteria are one of the cause of such limited participation.

Secondly, in most of the countries studied, the theme of equality is far from being covered in all courses (**France, Austria and Belgium**). In **Austria**, for example, specific sessions on equality legislation are open to all members, but the theme is not systematically covered in all courses. There are also some specific courses for women union members. In **France**, following on from the new law on occupational equality, all trade union confederations have organised study days for all members on bargaining equality. But there is a risk that such

training remains too specific and one-off and is “reserved” for people, who are already concerned (a majority of women participate in them).

There are, however, innovative educational experiences in **Denmark**, which aim at fostering women’s access to leadership positions in unions (“Starlet” programme for young women with a view to training “integration ambassadors” and promoting a system of tutorials; “Victoria” programme for longer-standing women trade union members, in order to provide them with political and personal knowledge and, thirdly, a “feminist leadership” programme for experts and political leaders originally from unions and also from outside. It aims at creating a professional network, which will be able to break all glass ceilings and raise awareness of equality amongst these actors). In the **Netherlands**, also, several of FNV sector-level unions have adopted programmes and courses for new union members and activists, where many women are recruited.

Other tools also contribute to mainstreaming. Thus, the approach promoted by the ETUC, that takes the form a “plan in favour of equality”, which is partly reflected in the principle of the “gender balance charter” that some confederations have introduced, but which is far from being generalised in all confederations. This approach makes it possible for efforts to be more visible and to involve all organisations in such a process. It also involves regular assessment of efforts that are made.

Traditional communications tools (press) and more innovative ones (the Internet) play an unquestionable supportive role regarding gender mainstreaming (for example, in **Belgium**, where employers allow trade unionists to have time to develop such tools). Often, such approaches are not systematic, seem marginal and are carried out only by those in charge of equality issues (women’s committees). Thus, in **Austria**, a study of the place of gender in the union press shows that this theme is growing in importance, but only represents 10% of all articles. Externally, there are major systematic mobilisations on the situation of women and equality, which are taken on the initiative of trade union confederations and / or women’s movements: conferences, regular forums, mobilisation on international women’s day, participation in women’s demonstrations and inter-union meetings.

To conclude this first part, devoted to macro-economic and social analysis, we have seen that trade unions in the six countries covered by the study have embarked on a real process of gender mainstreaming. Developments obviously vary from country to country and the process is not always called gender mainstreaming, but the political decision has been made to implement tools, reflection and strategies in order to incorporate equality more effectively. The next part of the programme makes it possible to refine and qualify this positive result – when one leaves the trade union confederation (inter-sector) level and examines the situation in each sector-level union, it varies a lot depending on union traditions, the economic situation and the place of women, etc. in the particular sector. That is why we go on to present comparative studies of three sectors, namely the metal industry, commerce and public services.

SECOND PART: GENDER MAINSTREAMING APPROACH AND SECTOR LEVEL UNIONS - UNION STRATEGIES IN METAL INDUSTRY, COMMERCE AND PUBLIC SERVICE SECTORS

SECTION I - THE PLACE OF WOMEN AND EQUALITY IN METAL INDUSTRY SECTOR UNIONS

1. General information on the metal industry and appraisal of gender inequalities in this sector (elements of analysis and statistical data)

1.1. Summary presentation of the area of economic activity, enterprises and technical and economic development of the sector

In the six countries studied, the metal industry is the biggest industrial sector. It is marked by a great variety of activities: production of metal, mechanical equipment and machine tools, as well as electronics, the car industry and activities linked to new technology (such as communications equipment, IT and the media etc.).

The sector has undergone much restructuring and job losses. For example, in **Italy**, the crisis at Fiat – Italy’s biggest multinational (and 11th. biggest in the world) had serious consequences for the whole of the sector (according to the employers’ association, half of the 2 million jobs involved are threatened). Also in the **Netherlands** it is part of industry, which has been tremendously influenced by restructuring and down-sizing. Some sub-sectors (such as shipbuilding, the car industry and aeroplane construction) have experienced great losses.

Concentration of companies differs from country to country. For example, in **Austria**, the sector comprises 18,175 companies, of which the majority (87.5%) are small companies in metalworking crafts. Likewise, in **Denmark**, the majority are SMEs. Out of a total of 9,067 metal companies, 66% employ between 1-10 persons. In **France** - on the contrary – only 7% of employees are in companies of less than 10 employees. In the **Netherlands**, there are great differences between sub-sectors of the metal industry: in some (such as metalworking crafts) there are many SME’s, while in others (such as machine building) the majority of companies are quite big.

Table I. Data on companies and employment in the metal industry

	Number of companies	Employment	
		Total employment	Proportion of women
Austria	18,175	355,000	23.9%
Belgium	7,150	265,423	13.4% (10.4% women manual workers)
Denmark	9,067	189,199	24.7%
France	55,000	1,801,625	21.2%
Italy	100,000	2,079,000 (2002)	20.9%
Netherlands	1,200	180,000 (2001)	8.8%

Sources: national reports

1.2. Appraisal of gender inequality in the metal industry

In all the countries involved in the study, men predominate in this sector. As the above data show, the proportion of women's employment ranges between 8% (the **Netherlands**) and 23% (**Austria**). Restructuring seems to affect women more. Thus, domestic electrical equipment, which is the sector where there are the most women, is undergoing a big crisis (**France**, the **Netherlands** and **Belgium**) – the same goes for electronics (**Denmark** and the **Netherlands**).

Modes of managing employment: temporary employment

The development of subcontracting and insecure jobs (especially temporary ones) is becoming widespread in all the countries covered by the study. In **Italy**, subcontracting has led to major upheavals – including in industrial relations, because of the explosion of individual labour contracts within the same company. Unions denounced these policies, which have very negative consequences for employees by introducing new forms of rigidity and blocking horizontal mobility, as well as removing the possibility of trade union unity.

* In **Belgium**, temporary agency work has developed in the metal industry, where it now represents 24% of employment, making this sector the biggest user of such employment. Fixed-term contracts are also frequent (6.3% in 2000), especially in the car industry. 45% of new recruits have fixed-term contracts. This form of employment seems to be used more often for men, but company reports do not provide gendered data. Part-time work is not used a lot, but mainly concerns women: 7% throughout manufacturing and 5% in the metal industry and is used a little more in electronics and IT, where more women work.

* In **France**, the use of temporary agency employees and fixed-term contracts is also a form of management that is often used in the metal industry. According to statistics provided by the Ministry of Employment and Solidarity, the average rate of use of temporary agency employment was 7.6% in 2001 compared with 8.0% in 2000. The car industry has higher rates: 11.4% in 2001, compared with 11.9% in 2000. This form of employment, which is more often male, is not without specific consequences for women. For example, at Renault,

fixed-term contracts occupied by women are prolonged with trial periods, which are not turned into permanent recruitment. Part-time work is not used much in the metal industry, although in some sectors, such as electronics and IT, women are asked to work part-time hours, which they do not choose.

* In **Italy**, even though permanent full-time contracts are predominant, proportionately more women have atypical (non standard) contracts than men. 82.9% of women have a full-time permanent contract compared with 92.8% of men. More women have fixed-term contracts than men (5.2% compared with 2.3%). But the share of training contracts is the same (4%). The same goes for part-time work where women are over-represented (7.7% compared with 0.5%). Increases in the number of atypical jobs have made it possible to alert trade unions about the risks of discrimination against women and increasing job insecurity. Even part-time work which is permanent and voluntary presents some negative aspects. Amongst them should be noted slow and late careers as a result of not being able to have training if one is working part-time or shorter hours. The right to training is a central issue of current negotiations for women, in order to avoid worsening of their work situation, even if it is also an issue for companies' need to adapt to competitiveness and the market.

* In **Austria**, however, in the area of metal production, there is hardly any part-time work. According to the union officer, this is because of the rigid organisation of production in 2 or 3 shifts, which makes part-time work difficult. Moreover, unions have difficulty in defending part-time work because of pay and the importance of defending "breadwinner's" income. This approach is beginning to be challenged since guarantees for part-timers are defended. Atypical work is also practically non-existent in the metal industry. There is a little temporary work, but mainly for men.

* In **Denmark**, the situation is similar to that in **Austria**. There is hardly any part-time work in the metal industry, The framework for working hours is 37 hours per week. In the many smaller companies, it is mainly day work, but many of the larger companies are working shifts and also weekends. It is up to the local agreements in the individual company, if a mutual agreement can be reached, to vary the weekly working hours, provided average weekly working time is 37 hours over a 12 month period. Part-time work is possible, but very uncommon and only under certain conditions, according to national agreements – the same goes for atypical work.

* In the **Netherlands** the figures on flexible contracts and part-time work in the metal industry vary according to sub-sector. In some cases, however, one can see great differences between men and women in the sector, which produces electrical equipment. Only 10% of the workforce in this branch are women, but amongst them (according to figures of the Central Bureau of Statistics), 25% have flexible contracts. Only 4% of all men this sub-sector have flexible contracts.

Occupational segregation

In all the countries, covered by the study - in spite of a few changes recently - women in the metal industry are mainly concentrated in some sectors and in specific grades (unskilled and clerical).

Sectoral discrimination leads to over-representation of women in production of domestic appliances (more than 30% of employees are women in **France**), electronics (90% of

operators in **Denmark** are women), precision equipment and computer equipment, etc. They are under-represented in the car industry (less than 15% are women in **France**), mechanics and production of heavy industrial goods, for example.

Women are also more concentrated in certain positions. In **France**, for example, 1/3 of administrative and technical jobs (clerical and production workers) are occupied by women. In all the countries, few women occupy management positions (executives and foremen). In **Italy**, only 2% of women are executives compared with 5.6% of men.

Women, therefore, often have few possibilities of promotion (this is the case for administrative jobs in the sector) and also it is difficult for them to access technical training, especially if they work part-time (in **Denmark**, for example).

Some illustrations:

* In **France**, for example, in Usinor (steel industry) management, there is only one woman and, as the woman CGT metal workers union officer recalled: “Where women have been able to access positions of responsibility, they have to work harder than their male counterparts”¹⁶.

* In the **Netherlands**, longer production hours per day has led to the introduction of short “part-time” evening shifts in several factories. There have been many efforts to encourage women to take less traditional jobs by actively recruiting them and developing training for them. These efforts have produced few results. Segregation is still widespread in the industry and those few women who are in typically male jobs, are “token women”.

* In **Austria**, the decline of employment - unlike other countries - affects primarily weekly wage workers and less so monthly salaried employees.

• In **Denmark**, with the intensified use of team-organisation in larger companies, certain overlapping of functions between traditional men’s and women’s occupations is taking place, with the effect of broader qualifications for both men and women, an equal pay process and collaboration and levelling of skilled and unskilled workers’ position. Certain sectors of the industry are still male-dominated, especially sectors that were originally more physically demanding. Some initiatives are taken to level the segregation.

1.3. Industrial relations

Unionisation and women

Metal industry unions function differently in each country and reflect the structures of their respective national trade union confederations (see first part of this report). Thus in the first group of “neo-corporatist” countries (Denmark, Austria and the Netherlands), metal industry unions are to be found in one or two structures, depending on the type of employees represented (blue collar/white collar), whereas in countries where “opposition” unions predominate (Belgium, France and Italy), there are more sector unions.

The proportion of women in the metal industry differs significantly from country to country. In the first group of countries, with unions grouped together in big structures, few women are union members (1.7% of the Danish Metal Workers' Union are women and 7% in the Dutch FNV metal workers union). In countries, where there are several sector level unions, women constitute a bigger proportion of members. 13% and 20% of members of both main Belgian metal industry unions are women, while 12% and 25% of the members of equivalent French unions are women (see details below).

¹⁶ P. Dubois (2002), *Le guide du militant de la métallurgie*, September, N° 290

* In **Denmark**, skilled workers are unionised in the Danish Metal Workers' Union, *Dansk Metal*, which covers the majority of activities in the sector. *Dansk Metal* had 135,043 members in January 2002, of whom only 2,367 were women (i.e. 1.7%!). This union is one of 12 sector unions that make up the industrial cartel, *CO-Industri*. In *CO-Industri*, the proportion of women is higher (30%). Unskilled workers in the metal industry are organised in KAD (100% women) or SID industrial groups or in other trade unions covered by the industrial cartel, but these 3 unions make up the major part of the 320.000 members of the industrial cartel.

* In **Austria**, GMT (metal and textile workers union) unionises blue collar wage workers, while GPA unionises white collar monthly salaried employees. GMT is the biggest industrial union - 216,799 members, of whom about 19% are women. These data are for 2001 and comprise both textile and metal industry workers – there are no data just for the metal industry. GMT covers approximately 80-85% of companies. But GMT has few members in very small enterprises, especially those with less than 5 employees, where it is not compulsory to elect a staff representative, i.e., GMT has few members amongst artisans, of whom there are many in Austria.

* In the **Netherlands** – as on the general national level - the three largest confederations are also active in the metal industry, namely CNV, FNV and Unie. FNV-*Bondegenoten* unionises the metal industry. It has a relatively high level of membership (30% - and even much higher in some big factories) and includes union activists and very active works councils. However, women's membership is still low, even though the union has been very active on equality issues. Nearly 7% of FNV members in the metal industry are women (compared with nearly 9% of the total workforce in the metal industry).

In **Belgium, France and Italy** – along the lines of their respective national trade union confederations - the metal industry has pluralist union representation.

* In **Belgium**, there are 3 sector unions for manual workers:

- Belgian Christian union of metal industry workers (CCMB), which is affiliated to CSC;
- Belgian metal industry union (CMB), which is affiliated to FGTB;
- Liberal union branches, which are directed attached to CGSLB/metal (internal body).

CCMB is one of the CSC's sector unions and unionises metal industry manual workers. It has 220,000 members. It has 55% of works' councils representatives and 55% of CCPT representatives (health and safety at work), thus showing that it is well established. 13% of CCMB's membership are women (more than the proportion of women manual workers in the sector, which stands at 10.4%). CMB-FGTB also had 220,000 members in 2002, 18% of whom were women. It also unionises manual workers (FGTB non manual workers are unionised in *Secta*). CSGLB does not have sector unions, but sector committees. In the metal industry, the committee, which is responsible for CSGLB union activity, comprises 190 activists and officers, of whom 20% are women. The big participation of women in this group is partly due to workplace elections at Honda and Pioneer, where the CGSLB list of candidates was led by women.

* In **Italy**, FIOM is CGIL's metal industry union, FIM – CISL's and UILM – UIL's. These unions defend all employees, whether they are union members or not. Apart from recently

(c.f. below), all 3 unions were united both in action and negotiations. 7 national collective agreements cover 1,800,000 employees. 659,000 metal industry employees are union members, i.e., a third of the sector. FIOM is in the lead (with 368,373 members, i.e. 20% unionisation rate). The number of members is increasing, which is the reversal of the situation that existed between 1995 and 2000. But there is great turnover of members, because of crises and restructuring in this sector. There is a process of creating a new balance between the regions: the North, where there is most of the metal industry, is losing employees to the advantage of the regions, that are less affected by crises (Emilia-Romagna, Tuscany, etc.). FIM had 190,479 members in 2002. UILM has 100,000 members and is satisfied, given restructuring.

* In **France**, all 5 representative national trade union confederations have a sector union in the metal industry. For this study, we have focused on CFDT and CGT, who represent almost 70% of union members in the sector. In CGT, the metal workers union (*FTM*) is the biggest sector union and unionises has about 33,600 members, of whom 12% are women. CFDT's metal industry and mine workers union (FGMM) gives its membership at 75,000, of whom 20 to 25% are women.

Collective bargaining

The metal industry plays a central role in collective bargaining for the whole economy in the countries studied (notably in **Denmark** and the **Netherlands**, but also in **France**). This is the result of the combination of a relatively high level of unionisation and a long negotiating tradition.

* In **Denmark**, the agreement for the metal industry, that was signed between the metal workers union and the employers does effectively encourage such agreements in other sectors. The agreement, which is valid for 3 years (the most recent one was negotiated in 2000 under negotiation in January/February 2004) offers a minimum framework, notably for the minimum wage system, on the basis of which local and company agreements are drawn up. The most recent agreement deals with various points: pay is fixed each year at company level; 5 extra days' leave, which brings the total of paid leave to 6 weeks; increased retirement pension contributions; full pay for 14 months' maternity leave and 5 weeks' sick leave, etc.; minimum pay is 12 Euros per hour from March 2003. The issues for ongoing negotiations are: improvement of the pension scheme, more days of full pay during sick leave, better pay-coverage during parental leave and higher salaries for apprentices and younger workers.

* In the **Netherlands**, the collective agreement in the metal industry is one of the most important. It applies to almost 190,000 employees. This is less the case today, as small company agreements are appearing and also some bigger ones, such as at Philips (40,000 employees). Metal industry agreements have played a dynamic role for the whole economy:

- The first extensive job evaluation system was developed in the metal industry (joint employer-union effort) and then used in other sectors.
- The issue of working time (linked to modernisation) was very sharp in this sector. The way it was handled in the metal industry had an impact on collective bargaining elsewhere. This also accounted for issues such as rosters.
- On some issues related to the position of women, the metal industry made steps forward before other industries. The metal industry was, for instance, the first male-dominated

industry to have an agreement on childcare funding (first only for women and now for all employees).

* In **France**, the metal industry reveals the state of French industrial relations. On the employers' side, the whole of the metal industry are members of UIMM, which is one of the most important employers' organisations within the national employers' organisation, Medef. UIMM has ultra-liberal policy. For example, in 1998, an essential agreement on reducing working time was not signed by CGT and CFDT. CFDT – which is in favour of negotiations on working time – did not sign it for different reasons (issue of overtime, time-off for executives, payment), but above all, because the agreement anticipated a law, that was in the process of being adopted at national level. Since then, FO, CGC and CFTC carry out collective bargaining in the sector, although they are in a minority. UIMM does everything to try and change the law (e.g., concerning overtime and night work). Most of metal workers' rights and collective guarantees are contained in 18 national collective agreements and their codicils, which are then adapted in regions and locally, in sub-sector and company agreements. These agreements cover metal industry employees' rights since 1970: the first agreement was signed on 10/07/1970, which introduced monthly pay for manual workers and improvements in pay and grading. This agreement was signed by the CGT and introduced monthly pay, guaranteed monthly pay during sickness, accident and maternity, as well as length of service bonuses based on a guaranteed effective rate (TEG) for each grade and on the minimum wage (SMIC). As for conflicts and mobilisation in the sector, there has recently been increased action around demands, given the announcement of redundancies linked to the stock market, which are widespread in the metal industry: Moulinex, Valéo, Thalès and Renault, etc.

* In **Austria**, collective bargaining is a key instrument, regardless of level: federal, state or branch. 95% of employees are covered by a collective agreement. This is explained by the fact that all employers must belong to the “chamber of business”. Issues covered are wide-ranging: work-related bonuses, sick leave, 13th or 14th months, overtime pay, paid leave, working hours, redundancies, etc. There are 7 collective agreements in the “metal-mining-electric” sector. Contacts with the chamber of business are great and improve relations between social partners. The chamber settles many small disputes. But, overall, industrial relations have deteriorated recently, since the political change in 2000 – as recent strikes on plans for social reform, when unions were not listened to. Moreover, there is a tendency for the chamber of business to be represented by a new team of “negotiating bureaucrats”, i.e., “technocrats”. These people are more distant and render communication with unions difficult.

* In **Belgium**, several joint commissions have been created in the sector (at least 4 for manual workers), as well as separate ones for non manual employees. The one for manual workers in the metal industry is joint committee N°. 111 for metal and electric constructions. It is composed of 34 full members (17 for employers and 17 for workers). Amongst the full members, there is not a single woman! There are two women substitute members. The role of the commissions is to draw up collective agreements and forestall or settle industrial conflicts. The national joint commission has ten regional sections. They can adapt decisions made by the national commission to the specific situation in a region. Thus, three levels of collective agreements exist: national sector collective agreements, regional sector agreements and company agreements.

* In **Italy**, 7 national collective agreements cover 1,800,000 employees. The principle agreement (metal industry) concerns Cofindustria (900,000 employees). Since 1987, all 3

unions have made agreements for workplace elections by setting up works councils (RSU). In companies of more than 15 employees, employees elect an RSU for 3 years, which carries out collective bargaining in contact with local union branches and depending on the issues defined in national agreements. RSUs represent blue collar and white collar employees separately. Collective bargaining is based on consultations with all employees (including non union members) by a referendum, which fixes the content of collective bargaining carried out by the RSU. This system guarantees that all employees are well represented. But, recently, the 3 unions have had difficulty in remaining united and each negotiated the most recent agreement separately. For example, in 2001, FIM and UILM signed an agreement on pay with *Federmeccanica*, but FIOM did not do so. Thus, the new general collective agreement was not signed by FIOM – the first time since 1948. Likewise, FIOM did not sign the most recent agreement, which covers the period 2003-2004, because of a conflict between unions on demands put forward by women trade unionists to promote their position in the labour market. The new agreements change aspects concerning pay, hours, training, union rights, atypical contracts, job classification and overtime, etc.

2. Position of sector union leaderships regarding the place of women and equality

Overall in the metal industry, there are few women union members and even fewer reach decision-making positions. As is the case for the general situation at national level, it is difficult to obtain precise statistical data. Amongst available data, the deficit of women in decision-making positions in this sector is evident in all of the countries studied. Efforts, that have been made in national trade union confederations (c.f. preceding syntheses), are not – or hardly - reflected in metal industry unions. One of the primary explanations is obviously related to the fact that there are few women in the sector. More generally, the various reports refer to the traditional way in which these unions function and the difficulty of implementing national confederation's decisions at sector union level.

Table 2. Representation of women in metal industry sector unions

	Number of union members	Proportion of women union members	Proportion of women employees in the metal industry	Proportion of women in elected day-to-day leadership bodies	Proportion of women in executive committees (bigger elected bodies that meet periodically)	Other indicators
Austria GMT (OeGB)	216,799	19%	23.9%	19% "federal board"		1 / 7 vice-directors No woman chief federal secretary or state secretary 19% of delegates to the convention
Belgium CCMB (CSC)	220,000	13%	10.4% women manual workers	0 / 5 full-time officers: "executive committee"	20% (out of 45)	10% of union delegates; 3 / 50 officers
CMB (FGTB)	220,000	18%		0 / 4	9.3% (out of 18)	8.5% women in the national committee; 9,5% of union delegates
CGSLB	No data by sector (190 activists)	20%		0		6 / 488 delegates at congress; 8 / 615 regional committee members
France FTM (CGT)	33,600 ?		21.2%	41% (out of 17) "federal bureau"	25.2% (out of 99) "executive commission"	2 / 304 <i>USTM</i> general secretaries; 16.6% (out of 1800) branch secretaries
FGMM (CFDT)	75,000	20-25%		1 / 7 "executive commission"	26.5% (out of 34) "federal bureau"	10 / 150 branch secretaries; no women in negotiating delegations
Italy FIOM (CGIL)	659,000 368,373	Few women (not available)	20.9%	1/5 (20%) 40% for CGIL, but no quota for <i>FIOM</i>	(not available)	(not available)
FIM (CISL)	190,479	<i>idem</i>		0/5	(not available)	(not available)

UILM (UIL)	100,000	<i>idem</i>		0/4	(not available)	(not available)
The Netherlands FNV <i>Bondgenoten</i>	45,500	6.7%	8.8 %	2/4 “executive committee” (whole of <i>FNV Bondgenoten</i>)	19% “national board” (whole of <i>FNV Bondgenoten</i>)	63% of union management staff (whole of <i>FNV Bondgenoten</i>). 5/ 22 (22%) trade union negotiators in 2002
Denmark <i>Dansk Metal</i> (Skilled workers) LO KAD (unskilled women workers) SID (unskilled workers) IDA others	135,043	1.7% 100%	24.7%	0	0	74/8,190 shop stewards; 8/615 regional committee members (no women chairs or vice-chairs; 8/342 company collaboration board (works council) members; 6/408 company board members

Sources: national reports

Table 3. Internal metal industry sector union structures responsible for equality

Austria GMT (OeGB)	Department of women’s affairs created in 1947; women’s bureaux in each union branch.
Belgium CCMB (CSC) CMB (FGTB)	<i>Ad hoc</i> women’s commission Women’s commission
Denmark <i>Dansk Metal</i> (LO)	Officer responsible for equality; and equality commission for the whole of LO
France FGMM (CFDT) FTM (CGT)	Officer responsible for equality issues Gender balance committee
Italy FIOM(CGIL), FIM(CISL), UILM (UIL)	No specific structure
Netherlands <i>FNV Bondgenoten</i>	No women’s / equality commission, No equality officer

Source: national reports

* **Denmark** is a special case in this respect – under-representation of women as union members and leaders is enormous: they only account for 1.7% of *Dansk Metal*'s 135,043 members. This union represents, in fact, skilled manual workers in the metal industry, amongst whom there are very few women. . There are, however, more women (30%) amongst union members of *CO-Industri* (Central Organisation of Industrial Employees, which groups together 12 industrial unions). No woman is in the national leadership of *Dansk Metal*, 8 women are members of local committees and, at company level, 74 out of 8,190 shop stewards are women (i.e., less than 1%). 3 out of 88 elected representatives of company union clubs are women, 8 out of 342 members of collaboration boards are women (2.3%) and 6 out of 408 members of company boards are women (1.5%). The issue of women's representation is debated (e.g., at LO's extraordinary congress in 2002). The women manual workers' union (KAD) proposed that targets be fixed. Discussions ended with a statement promoting mainstreaming.

* In **Austria**, all key positions in GMT are held by men, for whom activist culture is essential. At company level, some women participate: only 19% of shop stewards and 11% of works councils chairpersons are women. There are more women lower down the ladder of responsibility. When women enter works councils, they rarely become presidents, but are rather vice-presidents. When they are actually presidents, it tends to be in SMEs. But comparisons with earlier data show that over the past five years, more women are becoming presidents - increase from 6% to 11% amongst presidents in the metal industry (mines and energy) unions. Likewise, the proportion of women shop stewards has also increased from 10% to 19%. This is partly explained by the merger with the textile, clothing and leather unions, where there are traditionally more women. In 1947, the first trade union women's affairs department was created in GMBE (GMT's fore-runner). This department is one of the oldest and most advanced of all the unions. In 1988, it became an official, independent and fully fledged union department with its own rules. In 1990, it introduced the concept of "gender-neutral language", which is of particular importance in the German language. Current rules provide for women's affairs offices at all union levels, thus making it possible to promote the place of women and equality issues. Thanks to the involvement of GMT's general secretary, women's issues are really addressed and union work incorporates this dimension upstream, as soon as decisions are made in all areas. The women's department, however, has never really asked for a quota of women, especially as they know that they have little chance of succeeding. Even after the merger between GPA and GMT, GMT has not introduced this principle, which has existed in GPA (salaried employees) since 1997.

* In the **Netherlands**, very few women are unionised in the metal industry (6.7% of all FNV union members in FNV *Bondgenoten* are women). Only some 5% of all active members are women. However, in FNV's old "industrial union", there were important examples of women, who have played a key role in their plant and union, e.g., at Philips. There have been few developments in the past decade, apart from an increase in the number of women full-time officers (paid union negotiators). This is the result of positive action within the union, which changed from being a male-dominated union in the 1980s into a mixed union today. The union is, thus, now more open to women's participation and is more open-minded about it.

* In **Belgium**, quotas have not been officially introduced into CCMB, but in the report to congress in 2000, CCMB formulated its position as follows: "*This body should be composed in a representative way (...) which is proportional to its members*". The same goes for CMB, where no concrete measure has been introduced to rectify the lack of women's representation, but in 2001, the following resolutions were adopted at CMB's congress: "*Congress demands*

that the confederation and its affiliated sector unions take stock of the representation of women amongst members. We must look at whether women are sufficiently represented and, if necessary, develop an action plan to increase their presence". CMB has a women's commission composed of 37 members, which helps the union to define its policy on equality. In order to stimulate the action of this commission, congress asked its members to develop initiatives in their branches and companies and the union leadership to make a special effort to promote the activity of the women's commission.

* In **Italy**, women union members are active, but there do not seem to be enough of them to really influence strategic policy. Only FIOM implements anti-discrimination standards, but there is no precise data. (at least 40% of).

* In **France**, there is also an absence of gender balance and even more so of parity in structures, despite the national confederation's targets. CFDT and CGT sector unions have opted for "*fair representation of women*" in their leadership bodies, reflecting the proportion of women in the metal industry. In CFDT, at the level of the secretariat (executive) there is at least 1 woman out of 7 (14%) or 2 out of 9 (22%). There is currently 1 out of 7. 9 out of 34 bureau members are women (26.5%) and a national officer is responsible for women's issues. The proportional rule is not respected for congresses, nor regarding positions of responsibility, such as branch secretaries: there are more than 150 union branches, but just 10 branch secretaries are women (6.6%). Likewise, there are no women in negotiating delegations as "*we never think about gender balance – it does not even come to mind*" (CFDT woman national sector union officer). In the CFDT metal industry union, there is no "women's" commission – nor is there a working group or network, as in the past: "*It no longer exists, because we wanted to have a transversal approach on all issues and systematically take into account occupational equality and gender equality, i.e., not deal with them separately and in a specific way. But the transversal approach to all issues has not functioned well*". (CFDT woman national sector union officer). In CGT, there has always more or less been one member of the union's bureau responsible for women's issues. There is also a women's/gender balance committee. 7 out of 17 members of the union's bureau are women (41%). But only 2 or 3 really participate. "*We win women, but we also lose them – they do not stay – they realise the extent of responsibility required and that poses a whole series of problems*" (CGT woman national sector union officer). The union's executive commission includes 25 women out of a total of 99 members (25%). Throughout France, there are only 2 women general secretaries of 304 USTMs (local CGT metal industry union structures). At the end of 2002, there were 33,600 known members of the union. 300 branch secretaries are women (16.6%) and 1,500 are men. At the 36th national congress of the metal industry union, there were fewer women delegates than at the previous one.

3. Analysis of union action, activities and collective agreements (where they exist) from a gender point of view in the sector

Besides the actual presence of women in leadership bodies of metal industry unions, it is very difficult to mobilise and negotiate on equality issues. Reasons given are often very similar in the various countries covered by this study: equality is not considered to be a priority, given the general deterioration of working conditions in the sector; equality issues are seen as being secondary, not directly economic and specific (family policy, problems of night work, etc.), whereas they are in fact much more wide-ranging and numerous: gender balance of jobs, improving working conditions, fight against unequal pay, work-life balance, etc. Only the

presence of women in collective bargaining can guarantee that these issues are taken into account (and they are far from systematically included in negotiating teams).

* In **Austria**, the collective bargaining process is still male-dominated. This can be explained by negotiating culture. It is not so much the result of women trade unionists' lack of skills, but reflects rather the difficulty they have in having positions in the hierarchy. There are different levels of bargaining: during the initial phase, a team of 5 specialists, of whom 2 or 3 are full-time union officers, does not include any women; at the level of expanded negotiating groups, made up of 80 union members, women are involved, but are never part of the negotiations themselves; substantial negotiating takes place in sub-committees (made up of 8 trade unionists – 4 from GMT and 4 from GPA). GMT always nominates a woman (the officer, who is responsible for the women's department) as a substitute member, who hardly ever participates in these meetings. So, in fact, real collective bargaining decisions are made by a small group without any women. The majority of negotiators doubt that the presence of women would change the nature of collective bargaining, which follows strict, pre-established guidelines and which it is difficult not to respect. One needs to have real influence to be able to challenge these principles (such as being the president of the works council of a major company). Women are rarely in such influential positions. In order to promote women's place in collective bargaining, women need to participate more in the union and works councils. So long as they have not achieved power at these levels, their influence in collective bargaining will remain weak. Specific agreements on equality are rare throughout GMT and few agreements are negotiated by women. When it is the case, it concerns family policy, family leave and women's night work. According to a sector union representative, *"Before collective bargaining begins, a long series of conflicts have already taken place in the workplace - the topic has to be prepared on the ground. When issues such as women's night work were being debated, of course a representative of the women's affairs department was involved at plant level. First we have to win a few battles on the shop floor, to set a precedent and then we could say we can win this during the collective bargaining process. But this was really the only real women's topic... When we are negotiating the "expanded bandwidth" or flexible hours, no one can see that this also has gendered aspects that affect women differently from men"*. There are therefore no equality agreements in the metal industry, but a survey by GMT women's affair department of gender specific aspects in 23 collective agreements negotiated by the union could change things and lead to this dimension being anchored in agreements.

* In the **Netherlands**, for quite some time, the former industrial union developed quite a lot of activities related to equality in the metal industry. Not only issues such as childcare, leave provisions, part-time work and sexual harassment were introduced in the bargaining rounds – which led to incorporating all these aspects in the collective bargaining agreement – but also issues such as increasing the number of women in technical professions and on higher levels in the organisation, encouraging girls to take up the basic education, which would enable them to work in the more skilled occupations in the sector, and positive action were for years issues on the bargaining agenda. Although one could say that these efforts (which were not limited to the metal industry, but were also targets in other industries, for instance the building sector) have somewhat changed the idea of women and technical occupations and the awareness of career possibilities for women, (and in that sense has 'opened' up this industry also for women), when one examines actual figures, they did not have great effects. At the moment, these aims do not exist clearly any more in this sector. However, still many articles are firmly rooted in the collective bargaining agreement, which can help women in the sector:

- a general article on equal opportunities for women in companies in the sector, with explicit mention that increasing the number of women in education and employment in the sector will be stimulated;
- equal treatment of part-time employees is stipulated;
- re-affirmation of the law on adjustment of working hours: employees have the right to ask for more or less hours, and employers have to comply, unless there are strong business reasons against (text of law is added as appendix to agreement);
- a procedure for time-saving;
- funding of childcare for employees.

* In **Italy**, it has always been difficult to develop equality policy in this sector - more than elsewhere, because of the predominance of men. In spite of the influence of the Beijing conference, in which Italian women trade union members took part, and in spite of the positive view of empowerment and mainstreaming, there are not specific actions concerning equality in the metal industry. Women trade unionists in the sector have always tried to promote this type of action, but they have indirectly come up against more general issues. In fact, women trade unionists themselves have always concentrated on issue of working time and flexibility, because of the generalised use of shift and night work... and because of continual organisational changes.

In the most recent national collective agreement, some paragraphs deal with the promotion of women's employment and the protection of their rights, but in practice, they have had little effect and have not been taken into account in the second level of collective bargaining:

- Paragraph 4: promoting training in favour of women and assisting women employees after maternity leave.
- Paragraph 5: on equal opportunities: "*partners entrust equality commissions with the task of finding initiatives to promote coherent behaviour with the principles of equality*".
- Paragraph 16: maintaining full pay (100%)¹⁷ during maternity leave (2 months before and 3 months after birth).

* In **France**, the issues that CGT metal industry union considers important are job insecurity, pay levels and employment. "*Obtaining jobs for women in the metal industry is one of our major demands - our top demand. Women can work in the metal industry - everything is done digitally now. My concern is that women are recruited and that also workstations are improved for men as well, but, in fact, where women are recruited, no changes are made - not even regarding toilets - that's basic*". (CGT woman national sector union officer).

In company or sector agreements, occupational equality is hardly mentioned and is generally just a couple of lines at the end of the agreement. UIMM (the employers' organisation) refused any negotiations on occupational equality and real measures concerning jobs, pay or training. But on 29 November 2001, UIMM and CGT, FO, CGC and CFTC sector unions met to start collective bargaining in the framework of the 9 May 2001 law on occupational equality. The law takes up 4 major issues:

- removal of the ban on night work for women and the protection of pregnant women (transposition of European directives);
- obligation to negotiate at sector or company level on measures aiming at establishing equal opportunities for men and women regarding employment, pay, training and careers;

¹⁷ ¹⁷ The rules governing the period of compulsory abstention from work for maternity leave carries entitlement to payments equal to 80 per cent. of pay.

- sexual harassment;
- representation of women in workplace and employment tribunal (*prud'hommes*) elections.

UIMM negotiated only on night work with the proposal of a framework agreement that generalises night work, in order to ensure continued economic activity, maintain employment competitiveness and increase the use of equipment. The agreement was signed on 3 January 2002 by FO, CFTC and CGC unions. Both majority unions did not sign it. In compensation, the agreement provides for increased payment for night work, a 20 minute break for women who are still breastfeeding when they return to work, as well as a suspension of night work for them (which concerns very few women).

3.1. Unequal pay

Although the pay gap is estimated to be between 20% and 30% in the metal industry, few unions have developed demands on this issue. **Belgium**, the **Netherlands** and **Denmark** have drawn up union pay policy by introducing non-discriminatory job evaluation systems - a method which could be a model for all countries.

* In **Belgium**, CCMB's president still recalls that there were agreements that set wages only for women. After the second world war, the unions cancelled these agreements. In 1977, the social partners signed a collective agreement on equal pay for men and women (14 February 1977). The agreement on equal pay for men and women covers:

- all elements of calculating pay;
- access to functions and levels;
- system of classifying functions.

Since then, CCMB has not been up against the issue of unequal pay in the sector. In order to avoid unequal pay caused by occupational segregation the best solution is to work with an analytical classification of functions. The use of this methodology, which is neutral from a gender point of view, is voluntary for companies at national level. But in some regions, the unions have been able to negotiate an agreement that makes it compulsory for all companies. In 1996 - with the active participation of CCMB - the methodology was adapted to remove remaining latent discrimination. Criteria of "knowledge and physical effort", for example, could often be discriminatory for simple functions or for repetitive work - tasks that are often carried out by women. CMB-FGTB is also in favour of the principle of equal treatment. In order to incorporate this principle in social consultations, CMB attaches great importance to the permanent working group on women, provided for in point 10.2 of the 2001-2002 national collective agreement. This working group will draw up and formulate constructive proposals concerning possibilities for women in the sector (training and working conditions, etc.) for the joint commission.

* In the **Netherlands** – and, of course, in the metal industry - figures show a gender pay gap. There are no specific activities as such on this issue, apart from three positive efforts which should be mentioned in relation to equal pay:

- Discrimination regarding part-time pay has been removed. This was not only the case for the metal industry, but was the result of new legislation on equal treatment for part-time work. All collective bargaining agreements were screened by the national government concerning discrimination of part-time employment, which meant that most (large) collective bargaining agreements now have labour conditions, which treat part-timers the same as full-timers.

- Reduction of working hours - an issue which has been put forward by the unions over the years - has created (relatively) longer working hours for part-timers, thus improving part-timers' pay.

- The longest-standing job evaluation system exists in this sector. In the beginning, this system was only for manual workers, but gradually employers and unions incorporated also office workers. According to experts, who were involved in the process, this led to substantial pay improvements for secretaries and administrative staff. Later, when evidence appeared of potential gender-biased elements in job evaluation systems, adjustments in the job evaluation system in the metal industry have been made to remove any sexist and discriminatory elements, which, however, did not seriously affect women's pay in a positive way. The conclusion of that result was that the problem of women's low pay derives from the fact that women have a poor position in the metal industry's labour market (low-skilled jobs and few career opportunities).

* In **Denmark**, it is difficult to have an overview of equal pay, because *CO-Industri* does not provide gendered data. The pay gap was in 2001 estimated to be 20%, but according to interviews carried out in companies, the pay gap is not so big, because of the job evaluation system, bonuses and greater awareness of this issue. However, employers remark that women do not negotiate pay as well as men. In September 2003, analysis, carried out together by the Danish Employers Federation (DA) and the Danish Confederation of Trade Unions (LO) states that the gender pay gap is about 15 %, due to such factors as the gender segregation of the labour-market, differences in work functions, education, type of occupation and work experience.

* In **Austria**, there was major industrial action (2 days' strike action by women in 1962) in the metal industry against women's pay that was lower than men's for equivalent jobs. Since then, the issue of unequal pay has not been tackled much. Pay issues are still negotiated, but principally in relation to equality between manual wage workers and non manual salaried employees. Collective agreements are based on principles that discriminate against wage workers compared with salaried employees. Collective bargaining on this issue is complicated, because salaried employees refuse to give up their advantages. Moreover, the introduction of flexible working hours means that payment of overtime has become a problem.

* In **Italy**, this theme is central to all collective bargaining in all sectors. The issue of pay flexibility is essential. In national collective agreements, besides the part of monthly pay, that is linked to pay scales, increases are linked to length of service, merit, performance and certain advantages (especially lunch bonuses). At company level, a variable part of pay is devoted to overtime, bonuses for flexible working hours and "production bonuses". This is an "extra-national contract quota", which is becoming an increasingly big proportion of pay. Half of pay increases are linked to this quota, which represents 0.5 average annual point. Moreover, annual production bonuses are essential, both at sector and local level, because they are calculated in relation to company results (productivity). Production bonuses are mainly to be found in big companies and there is a general shift towards performance bonuses (linked to profits and quality). It is difficult to assess the size of these bonuses - on average, they account for the equivalent of a month's pay per annum. Flexibility bonus are becoming widespread in the metal industry (for overtime, shifts, flexible hours, etc.). These bonuses are a source of discrimination, as women - especially those with family responsibilities - do not have access to them. The pay gap reveals gender inequality, but is difficult to measure. In 1997, it was estimated that women's pay in the metal industry represented 83.7% of men's pay

(amongst manual workers: 87.8%; office workers: 72.1%; executives: 83.6%). The national metal industry agreement incorporates the law on equal treatment and respect for equal opportunities. But the pay gap is linked to multiple factors related to access to qualifications, working hours, etc., which make it even more difficult to establish the level and conditions of discrimination. At the same level of qualifications, other factors are involved, such as level of responsibility, definition of tasks, working hours, etc. - and, therefore, even amongst most feminised jobs (office employees), women are less well paid.

* In **France**, CGT metal industry union proposes measures for catching up on pay, as it did for those union representatives, who were discriminated against. CFDT does not have the same approach, as, in its opinion, *"One cannot say that unequal pay in the metal industry is as evident and as flagrant as in other sectors. If, for example, one takes services - in catering there really is a big gap. In the metal industry, there are pay scales and pay that is negotiated at sector level is identical for men and women. Discrimination occurs at company-level. But women, who have low levels of qualifications, are at the bottom of pay scales. There is not gender discrimination even at the bottom of the scale - the grades are the same for everyone"*. (CFDT woman national sector union officer). But in the context of revising grades and pay in negotiations with UIMM, there can be converging approaches, as, in the CFDT's view: *"Occupational equality will be dealt with in these negotiations. When one talks about qualifications, if one looks at occupations: such and such an occupation needs dexterity, which should be recognised and paid. Thus, discrimination appears regarding grades and, therefore, also in sectors."* (CFDT woman national sector union officer).

3.2. Working time and work-life balance

In all countries covered by the study, the metal industry has developed flexible working hours. Union reactions are divided. In some countries (**Denmark** and the **Netherlands**), unions see this as a new possibility for arranging working hours to employees' advantage, thus improving work-life balance. But, elsewhere (**Italy** and **France**), flexibility is denounced as a trap for employees - leading to worse working conditions - especially for women. Moreover, shorter working hours have been at the centre of demands and major conflicts (**France**, **Italy** and **Belgium**). Finally, the lifting of the ban on women's night work has led to debates within unions (**France**, **Austria** and **Italy**).

Table 4. Data on working time in the metal industry

Austria	38.5 hours
Belgium	38 hours: flexible systems averaged out over 6 months
Denmark	37 hours and possibility of flexible working hours
France	35 hours and annualisation
Italy	40 hours (38.4 hours if annualisation)
Netherlands	1,728 hours per annum

Sources: national reports

* In **Denmark**, possibilities of "flexi-time" can be negotiated at local level. Generally, flexibility is between 6 a.m. and 6 p.m. Arrangements (weekly, monthly or annual average) can be made in local agreements for implementing the 37 hour week. Week-end work can be used by companies; as can part-time work (which is on the decline) between 15 and 30 hours per week. Social partners should assess any risk of deviation regarding working hours. In general, employees are satisfied with flexibility, which offers possibilities - notably in SMEs - for employees to make arrangements amongst themselves and gives them a sense of responsibility. But the way this flexibility is used differs according to gender: men take

advantage of it in order to work more or have training, women in order to look after their family...

* In the **Netherlands**, traditionally the collective bargaining agreement in the metal industry (an agreement for the whole sector) was a very 'standard' agreement, with unions and employers arranging all issues in detail. In the last bargaining round, the situation was opened up, leaving more possibilities for tailor-made solutions at company level, for instance on the issue of working time. This means that active involvement is expected from the works council and local management. The issue of working hours and work-life balance has become of growing importance for unions, including the younger generation of men. As many more younger men than previously have a working partner, it is also important for them to be able to reconcile work and private life. This has changed the trade union agenda somewhat. Issues - such as creating more possibilities for part-time work, including in the traditional male jobs and in jobs which have to be done in rosters, giving employees a greater say on their work schedule, opening up possibilities of flexible schedules and also possibilities to concentrate work on four days instead of the traditional five days - are now all part of the trade union agenda, as well as several kinds of leave provisions and childcare.

In the collective bargaining agreement, explicit mention is made of several legal rights of employees to increase hours (in the case of part-time work) or to work fewer hours (in the case of full-time or long part-time jobs). The agreement states that, in the case of overtime, the employer is recommended to be lenient towards employees with family responsibilities. In many cases of roster changes or adaptation of working hours, the works council has to give its agreement.

* In **Belgium**, metal industry unions have agreed to fight for typical work with a 35 hour week. CCMB considers that the crucial issue is how working hours, work regulation and flexibility can be used into improve quality of work. Following on from the desire to promote work/life balance (10 August 2001 law), new forms of shorter working hours are being introduced. At CCMB's congress, there was a wide-ranging debate on new forms of flexibility, such as time banks. CCMB launched a study and survey on this issue. At its extraordinary congress in 1998, FGTB metal industry union decided, in the short term, that employment is the absolute priority and made proposals concerning shorter working hours and redistribution of work: "*The long-term objective is a 32 hour, four-day week with no loss of pay and union control of recruitment. The union will use all possible means to achieve this demand - both at the level of company agreements and in sector and inter-sector level agreements. In line with initiatives taken in France and Italy, the union rallies to the demand for a law that immediately introduces the 35 hour week. The union will develop a campaign to raise awareness and mobilise on the basis of a medium and long term action plan*"¹⁸.

* In **Italy**, this issue is also one of the most important in the metal industry and has been the subject of conflicts between social partners. General outlines of working hours are defined at the level of the sector, but annual, weekly and daily hours are decided upon at the second collective bargaining level and is thus linked to company's organisational choices. The national sector agreement sets the length of the working week at 40 hours, except for plants that work non-stop, where the reference is an average over several weeks, with a maximum of 48 hours in any one week. Since 1999, an agreement makes it possible to annualise working time with maximum of 48 hours and a minimum of 32 hours per week. The use of overtime is, in theory, exceptional, but, in fact, it is often used, though less so than before (4.4% of employees do overtime compared with 5.6%, five years before) and is denounced by FIOM. It

¹⁸ General resolution, FGTB-*Métal* extraordinary congress, 1998

is a practice that aims at reducing labour costs. Overtime generally concerns men more than women, because of family constraints. It is a form of indirect discrimination, because pay is obviously higher when supplemented by overtime, which also opens the way to productivity bonuses and excludes women from this kind of recognition. There is a change regarding part-time work: in the previous agreement, 4% of full-time employees could ask for part-time work and 2% more for special reasons (family problems, children under 7, training, etc.). The new agreement increases this quota to 3% in companies of over 100 employees, but leaves it at 2% for smaller companies. In the new agreement, women union members introduced other demands on leave, chosen part-time work for women with children or parents in their care, possibilities for individual choices regarding time overtime and priority recruitment of those on fixed-term contracts. New legislation (especially the 53/2000 law) creates new standards for agreements that promote women and have been partially incorporated in the new agreement. However, FIOM demands that agreements be independent of the law and that they protect employees against the introduction of laws that are less favourable than certain measures contained in the agreements. Other measures have also been developed (time banks and parental leave, etc.). Unions consider that these measures are more favourable to companies than employees. They do not necessarily help women, because the way working hours are organised depends on companies. Unions are, therefore, reticent about negotiating such arrangements. The organisation of shifts in the metal industry is unpredictable - hours change all the time and are rarely compatible with family constraints. Even though unions have won some compensation for shift work, such as shorter working hours, the problem of the unpredictability of hours remains a problem for women, who want stability in order to be able to plan their own timing. During collective bargaining between 1999 and 2003, the national agreement included rights to enable employees to manage their time more effectively but, despite pressure from women trade unionists, this has not yet been translated into legal obligations for companies.

* In **France**, debates on working hours were very heated in the metal industry, where UIMM has always shown its desire to anticipate legislation. Thus, agreements on shorter working hours have not been signed by CGT and not always by CFDT. The balance of forces is not favourable and negotiations take place rather in the context of redundancy plans or the 2nd Aubry law. Thus, there are no agreements on shorter working hours that promote equality: *"Women have had to reorganise both their hours at work and outside work"* (CFDT woman national sector union officer). In domestic electrical appliances, at Moulinex, working hours were reduced to under 35 (just over 33 hours) and work on Saturday mornings was completely reorganised. This led to many problems, as women wanted the same day off as their husbands and children. At SNECMA (aviation), shorter working hours led to worsening working conditions and great pressure on women. Working time has been annualised and work is organised depending on work loads without taking into account family life (Wednesdays, when children do not have school, and school holidays, etc.). There are two negative aspects of agreements on the 35 hour week, namely annualisation of working hours and pay freeze. There is also the issue of night work for women - according to CGT, the lifting of the ban on night work represents a step backwards for employees. The sector union did not agree with the confederation's position, which accepted the principle of lifting the ban, provided there was sufficient compensation. Conversely, CFDT confederation was in favour of the law. The CFDT woman national sector officer has a divided opinion on night work *"as there is a non-discriminatory reality, but the situation of women, who work at night is different - they are mainly single mothers, who have to manage very difficult situations. So, it is true that it is not a good thing. There were very heated debates within the union, with some*

branches against night work for women and demanding that night work be banned for both men and women".

* In **Austria**, recent conflicts (e.g. on pensions reform) have shown a change in union culture from a consensus-oriented to a conflict-oriented one. Working hours are no longer on the bargaining agenda since 1997, when the “expanded bandwidth” concept (i.e., more flexible working hours) was negotiated. “Expanded bandwidth” refers to a yearly working hours model (annual flexitime) that permits the structuring of a total number of required hours per year in a flexible manner. This means that a standard hourly budget of 38.5 hours per week is used to calculate an “annual working hours account”. Workers must be given 14 days advance notice and their working week can then vary from between 32 and 45 weekly hours. However, if at the end of the year, the annual working hours account is not balanced out, an additional amount of overtime reimbursement must be paid.

“Working hours are normally seen as a pay issue, but in Austria the most important thing is considered to be the limit where normal working hours stop and pay for overtime begins” (metal industry sector union officer). In this context, annualisation challenges traditional frontiers regarding weekly and daily references. Amendments to collective agreements regarding women's night work were made in 2002. Already in 1995, OeGB women's department and women officers of sector unions had taken up this issue. It was related to Austria's entry into the EU and the need to harmonise Austrian law and introduce collective bargaining at sector level. But, as in France, this issue was the subject of debate, because men trade unionists thought *“both good and bad”* should be accepted (including, therefore, night work for women). This was not the position of the women's department, which wanted to limit night work for both women and men. Generally speaking, as a trade union officer said: *“During each collective bargaining session in the autumn, it is only polite to ask the women's and youth departments what their demands are, but, in general, 80% of their demands are never implemented and women' demands are the last to be considered!”*

4. Obstacles and factors that foster gender mainstreaming

The situation is reminiscent of our survey of trade union confederations: economic and also cultural obstacles – the metal industry is one of the sectors *par excellence* where policies that are adopted at congresses are in reality particularly difficult to implement.

The main cause of the lack of priority given to equality in trade union practices in this sector is very clearly occupational segregation and the relatively small number of women in the metal industry. This is the case in all the countries under consideration. The small number of women is also reflected in all six countries by lack of union involvement in issues of occupational equality and work-life balance. Women, therefore, often face strong cultural obstacles both regarding their jobs and also union practice - both are still very much marked by the male model of the active working class man. Thus, even when national trade union confederations try to encourage their affiliated unions to take action, which fosters equality, it seems that the latter do not get involved - or rarely so (**France** and **Belgium**).

The fact that trade unions in the metal industry do not take on board equality in a big way means that there are hardly any statistics about it, even in countries, where it is legally compulsory to provide them (**Italy** and **France**).

This study has, however, shown that some factors can foster greater consideration of equality issues.

In the **Netherlands**, for example, widespread public debate on this issue and certain laws (leave, childcare and work-life balance) has contributed to the collective agreement in the metal industry not being bad.

Moreover, the level of collective bargaining seems to be important. In several countries, it seems that one of the solutions envisaged is to promote certain company-level experiences, which are considered to be good practice on equality (Denmark, Austria and France).

* In **Denmark**, the president of *Dansk Metal* considers that there are no barriers to equality either in agreements or in working conditions. But barriers do exist culturally both amongst employers and employees. Only the experience of mixed and diversified groups within companies can change things. That is why *Dansk Metal* defends the right of trade union men to be parents and use their right to parental leave. Flexibility, that has developed in the most modern companies, does make it possible to improve working conditions for everyone.

* In the **Netherlands**, the large degree of segregation between men and women and the relatively low number of women in the metal industry are large obstacles. They create 'invisibility' of women in the sector, not only in companies, but also in the union. Apart from these obstacles, it is very clear that the situation in the collective bargaining agreement is not bad at all. This is probably the result of several favourable factors in the past:

- positive attention in public debate to issues, which are important for women (for instance, the issue of work-life balance);
- several changes in legislation which were an impulse towards taking up several issues (leave provisions, childcare, part-time work, legislation on working time);
- action by women's organisations and active women in the union, for instance on the issues of sexual harassment and equal pay / job evaluation;
- positive action for the workforce in FNV unions
- central coordination in collective bargaining policies, which creates greater possibilities for influencing the collective bargaining agenda.

* In **Austria**, it seems difficult to imagine that the share of women union members might increase, given the deterioration of working conditions and the drop in employment rates, especially amongst manual workers. In GMT (manual workers), the fact relatively few women are members of company and union decision-making bodies means that a small number of women are responsible for a relatively large number of positions and functions. This leads to stress for them, especially at company level and, therefore, few women feel able to take on such responsibility as members of works councils. Moreover, the small number of women full-timers in these structures is an additional barrier to women's participation. Being elected to a works council is real social promotion, especially if it is a full-time paid post. There is, therefore, much competition to get such posts and women are excluded. Austrian companies have little experience of positive action and this does not encourage unions to transfer equal opportunities initiatives to works councils. When management has a positive approach to gender equality, this does, however, make it easier to overcome these difficulties. Male traditions are very much anchored in GMT – a blue collar union – whose priority is to defend the interests of core employees, i.e., male skilled manual workers. GMT has two target areas: i) skilled manual workers with officially recognised apprenticeships in industrial firms and ii) big companies in which works councils are made up mainly of men. These men negotiate at national level, because it is important that representatives have strong positions in their companies in order to be more influential in collective bargaining. So one of the proposed solutions is to concentrate on SMEs, where there are more likely to be women representatives on works councils. The dominant model in union organisation is still based on

the concept of the “normal” (male) employee, who has no work-life balance problems and is always available. Despite various projects, which have attempted to introduce the concept of reconciling career and family needs, appreciation of this issue remains limited. There is still a big gap between theory and practice and it is also difficult to find women willing to participate in delegations.

* In **Italy**, second level (company) collective bargaining is the only one that is really favourable for exercising gender mainstreaming, as it alone is capable of introducing positive action for women’s employment. Approximately 30% of employees in the metal industry are covered by second level agreements. As already mentioned, women’s presence in collective bargaining has had little effect on first level (sector) bargaining and, therefore, there is little hope that it will be different at second level unless there is a conspicuous number of women involved. In general, the reasons given for explaining these difficulties are linked to the way union activity is organised (union practices and traditions, timing of meetings, etc.). Gender issues are no longer a current, topical matter. Part of the responsibility – according to older women trade unionists – is theirs, as lack of time and opportunities hinder the transmission of their knowledge, acquired through years of collective bargaining, to younger women activists. Finally, a major obstacle to the development of this issue is the absence of gendered data regarding all areas of employment in the sector (qualifications, types of contracts, promotion, pay and training, etc.). The national sector agreement does actually make it compulsory for companies to supply gender-specific data, but they rarely do so.

* In **Belgium**, the fact that there are few women in the metal industry and that they are in insecure jobs, explains why there is little interest in equality in this sector. Moreover, the absence of gendered data in company reports makes it very difficult to identify gender inequalities. The conclusion, that can be drawn, is that decisions made at congress are implemented very slowly. Neither assessments of workplace elections in 2000, nor preparations for elections in 2004 are made from the point of view of equal opportunities. When women are on the lists of candidates, it is due to chance or local or company-level initiatives. Even women’s commissions meet rarely and, when they do so, it is to discuss very specific topics. Responsibility for dealing with equal opportunities is completely relegated to the inter-sector structures and not taken on at sector level, such as the metal industry.

* In **France**, according to the CFDT woman sector union officer: *“What women say should be taken into account – in the context of their working conditions – regarding new ways of organising and union practice and the way they see it. Trade union practice needs to be challenged. Union practice of new generations of union activists is different from what existed before. They use new tools – women communicate more by e-mails”*. But there is a lack of activists: *“There is a generation vacuum – the 30 to 50 year olds. The political will exists and is transversal concerning all issues (working conditions and pensions, etc.)”*. There is also a cultural barrier, especially in the metal industry, where the image of union members is still that of men manual workers. Various factors explain this situation: company facilities (toilets and changing rooms, etc.) and working conditions, that have not changed; according to the CGT woman sector union officer: *“Women are asked to work like men”*; participation in basic training is not mixed, *“because the image of the metal industry is still male-dominated, even though in reality the jobs are accessible to women”*; very little (if any) participation by men in domestic tasks and childcare. In CGT, general policy is to reduce full time-off for union work, in order to be less cut off from one’s workplace, but it is much more difficult to do, compared with a full-time union position. It also raises the issue of being permanently available. Men are also having difficulties with this: staying late, holding evening sessions, etc. are all

constraints, that need to be taken into consideration. Finally, women are not used to being in leadership positions. They often delegate responsibility to others “*not because they do not want to get involved, but... 50 years ago they did not have the right to vote... So when we suggest they become members of the sector union leadership, it’s the same thing*”. (CGT woman sector union officer). Men do not systematically take up issues of occupational equality – women’s issues remain women’s issues.

5. Tools envisaged by each sector union to improve the situation.

Paradoxically, tools and experiments abound in this sector. Austria is perhaps the model:

* In **Austria**, GMT women’s affairs department has developed new measures for introducing gender mainstreaming in union policy – mainly awareness and consciousness raising activities through conferences and workshops and participation in research projects, such as a European project on “Reconciliation of Work and Family Life”. The idea is to convince all (including male) union officers of the importance of integrating a gendered approach in their work as union representatives. In recent years, the women’s affairs department has placed emphasis on collecting gendered data concerning pay inequalities at company level. Since 1996, gender specific annual surveys have been carried out using questionnaires in all companies organised by GMT to gather systematic data on men’s and women’s income. Such data has become a key foundation for the collective bargaining process.

As already mentioned, GMT is in the process of merging (which will be completed by 2005). However, currently GPA is more advanced on gender mainstreaming, having introduced a gender quota and resolutions on gender mainstreaming (c.f. WP7 report on commerce sector), which could influence GMT. In all, women’s affairs department initiatives have meant that GMT and GPA are the unions where mainstreaming has been most widely introduced in Austria:

- GMT carried out a survey of all collective agreements in the metal and textile sectors, in order to highlight examples of gender mainstreaming best practice with a view to drawing up a catalogue of criteria for gender mainstreaming collective bargaining in Europe. An example of this ongoing process is the recently published handbook: “*Leading the way with good practice. WE, women metal workers. Gender mainstreaming in the collective bargaining process: the example of collective agreements of the metal industry and textile union*”¹⁹. This handbook provides guidelines for the promotion of gendered collective agreements.

An example of "good practice" in Austria

The guidelines were developed in the form of questions, based on the four "Rs" Gender Mainstreaming Methods, which were to be answered according to the respective topic areas. The following topic areas were dealt with: language, job security, pay scales, working hours, basic pay, additional income based on employment relationship, seniority, other working conditions, especially initial and continuous training and career advancement. The following is an example dealing with basic pay.

Representation:

How many women/men receive minimum wage/salary (for manual and non manual workers respectively) based on a collective bargaining agreement? How many women/men are paid by

¹⁹ Mit gutem Beispiel voran. WIR: Die MetallInnen. Gender Mainstreaming in Kollektivverträgen am Beispiel des Kollektivverträge des Gewerkschaft Metall-Textil.

the hour or by piece work/bonuses?

Resources:

How is minimum pay divided between women and men?

How are women/men divided along the lines of wage/salaried groups?

Is initial pay for new employees the same for women and men?

Basics:

Is the work involved considered to be:

- easy/difficult?

- with/without pressure?

- qualified/not particularly qualified?

- high responsibility/low responsibility?

- long/short period of on-the-job-training or pre-qualification?

- free of discrimination/or is there a tendency to privilege one sex over the other?

- are all essential criteria equally respected and considered free of discrimination?

Fundamentally, the following questions should be answered in this analysis:

Which components determine basic pay?

Is each of these components free of discrimination?

Special attention must be paid to the testing of work evaluation, advancement and pay scales.

Excerpts from: *Mit gutem Beispiel voran. Wir die MetallerInnen*. Vienna 2003, p.66ff. (Lead with a Good Example, We, the Metal Workers)

- In the context of the “Gender Mainstreaming in GMT” project, the following concrete steps have been taken, in order to anchor gendered skills throughout the union by 2005: gender training for top union opinion leaders; the creation of gender mainstreaming teams (made up of a woman and a man) at national and state levels, whose members are represented within the highest decision-making bodies, including state union leadership and works council bodies; top-level leaders are appointed to positions within the gender mainstreaming teams.
- The gender mainstreaming teams have already carried out a series of awareness-raising workshops for the national union leadership – this is an ongoing process, which should lead to similar workshops for decision-makers at all leadership levels.

The gender mainstreaming approach has two main attributes: implementation is top-down and will not be carried out under the auspices of the women’s affairs department – although it played a key role in the whole process – but by the entire union, thus ensuring broad-based implementation. It is now necessary for gender mainstreaming to spread throughout all unions. Current mergers involving 5 unions – in which GMT and GPA are involved – should help to disseminate their approach in sector unions, which are more reticent. It remains to be seen whether, when activists are no longer involved, the gender mainstreaming process can run on “automatic pilot”. Three steps need to be taken to protect the gender equality agenda even when times are bad, in order to prevent gender mainstreaming from being sidelined by other “more urgent” issues: gender mainstreaming measures should be institutionally anchored; they should be accepted and supported by a significant number of man and women union officers; employers should also be involved in developing the process.

* In the **Netherlands**, one must look to the past for fine examples of trade union action and activity in the metal sector. Apart from issues on the collective bargaining agenda and separate women’s committees, for many years also issues like increasing the number of

women in technical occupations and on higher levels in the organisation, encouraging girls to take up education for skilled occupations in the sector and positive action in companies were issues on the bargaining agenda. Also several projects were put up to think about possibilities for women in secretarial jobs to switch to other jobs with more career opportunities. Several more progressive companies joined in and actively took part in implementing such agreements. Networks of girls and women in technical occupations in the metal industry were also facilitated by collective sector organisation. Currently, these projects and activities have come to a halt.

* In **Denmark**, many equality campaigns have been launched by companies with active union participation – with a view to fighting against occupational segregation – over the past 15 to 20 years. For example, Danfoss (a major Danish company) promoted a programme for training unskilled women and then providing them with jobs. Likewise, the ministry of education campaigned for gender balanced training. *Dansk Metal* organised internal conferences for young people – notably apprentices and especially young women. Topics included sexual harassment, gendered language and cultural problems. Young union representatives are invited to summer camp with their families, in order to discuss their work in connection with their family needs.

* In **Italy**, women's needs are raised and discussed in union meetings and assemblies:

- in 1997, an assembly on women's working conditions was organised, involving researchers and trade union women in three towns;
- in 1998, a seminar was held in Milan by women from FIOM's central committee on the 35 hour week;
- in 2000, a national seminar was organised by women in the metal industry sector union in Modena where work-life balance and prospects 5 years after the Beijing conference were discussed.

* In **France**, union education is an important tool and attention should be paid both to content: "*with a gendered approach to training*" (CFDT officer) and to participation: "*ensure that a minimum number of women participates*" (CFDT woman national sector union officer). In the latter's opinion, "*as far as course content is concerned, there is an effort to mention the issue of occupational equality and gender balance. In our union training we are thinking about finding new activists, so we do not only talk about occupational equality, but also gender balance of jobs and gender balance in the union*". At CFDT national sector union level, in 2001, there was training on the new law on equality – and there continues to be so in union training every year. But, it is not training that is highlighted and promoted, as at confederation level. The CFDT sector union has an equality charter (which should commit the union to taking care of equality), but it is obsolete. The charter should be implemented in branches, but the great majority of members are men and they do not promote the issue – it's women themselves who do so. In the CGT metal industry union, national study days are organised on the issue of occupational equality (e.g. on 21 June 2002), "*But it seems that the issue of occupational equality is not a priority of branch leaderships... nationally, it is taken into account, but it is necessary to have the same approach at grass roots*". (CGT woman national sector union officer). Questionnaires were organised to assess what exists and what needs are (Women's group in Snecma *moteurs*) and equality reports are examined (in Thalès). Evaluation of the 9 May 2001 law is reserved. In CFDT's view, "*This law will change rationale if it is taken on board. The Génisson law opens up possibilities in companies and sectors. But it runs the risk of being short-lived: all laws on equality involve shaking up unions – they are asked to provide tools, training and information. They are ready to do so,*

but one or two years later, efforts slacken. The 1983 Roudy law led to a dozen or so agreements in the metal industry, but very little happened nationally. The Génisson law is compulsory – data has to be systematically submitted, but, for the time being, nothing is coming from companies. We have to go fishing for information. There is no systematic monitoring”. (CFDT woman national sector union officer). CGT identifies 3 cases (out of 80 branches), where the law has led to negotiations (DMS, Oxford and YKK), but such cases are rare. Thus, if equality is to be taken on board systematically and transversally and is not a separate issue, this is far from being the case at the level of union branches. According to the CFDT woman national sector union officer, it is a matter of “*assessing repercussions of the feminisation of the workforce in line with the real situation, promoting discussion that can have an impact on occupational equality and defining demands to confirm the place of women in metal industry occupations... We must develop the ability to monitor and take action, in order to reduce persisting discrimination in our occupations (both at company and sector levels), systematically study company annual reports on the comparative situation of men and women, in order to rectify gaps by implementing action policies in companies”.* In the opinion of the CGT woman national sector union officer, “*The difficulty is that women’s issues come after jobs and pay issues. We keep trying to insist that this issue should be incorporated in all collective bargaining. This legal obligation is rarely respected...*”

* * *

The metal industry is an interesting sector for our study – it is a male-dominated sector, *par excellence*, and we have been able to identify major obstacles to the development of gender mainstreaming. Even if the political will and culture of a country (Austria, Denmark and France) or if the will of women, of whom there are not many (Italy), lead to concrete progress in terms of equality, most unions in this sector still have a long way to go. The greatest obstacle seems to be the difficulties that national trade union confederations have in spreading "downwards" their desire to promote equality issues throughout their structures - both at sector level and in union branches. Nevertheless, efforts have been made and, in several unions, there have been some changes: there is greater concern for more women to be present in structures and the desire to take equality more effectively into account is evident in many bargaining topics, notably concerning working time. Moreover, in various countries, trade union education seems to be a tool, which could make it possible to involve union branches more in this approach.

But the balance of forces is not always in favour of unions and, in many countries, deteriorating employment and working conditions create strong tensions – and even conflicts – between unions and employers. Economic constraints and difficulties are such that equality is often, once again, relegated to the background.

SECTION II - THE PLACE OF WOMEN AND EQUALITY IN COMMERCE SECTOR UNIONS

1. General information on the commerce sector and appraisal of gender inequalities in this sector

1.1. Summary presentation of the area of economic activity, enterprises and technical and economic development

Unlike the metal industry, commerce is an expanding area of economic activity, which offsets the difficult employment situation in industry. There have been changes in terms of concentration and mergers recently, but it is one of the sectors, that has grown most rapidly over the past 20 years in Europe. Another difference is that there are many more women in this sector - almost half of the jobs are occupied by women, especially in retailing (more than 60% of employees are women). More recently, in Belgium and Austria, growth of the retail sector has slowed down, because of stagnating or even declining household expenditure. Thus, in Belgium, the volume of sales in the distribution sector dropped by 1%. Despite disappointing sales, overall employment is increasing. Between 1996 and 2000, the number of employees increased by 10%. Stagnating sales seem to have affected, above all, the number of self-employed, of whom there were 2,238 fewer. In the Netherlands, employment in the retail sector has grown substantially in the past ten years. In Italy, the service sector is growing, especially regarding women's employment (10.9% growth rate of women's employment compared with 2.5% for men) – more than a million women's jobs were created between 1993 and 2001 (+ 36,000 in industry and – 178,000 in agriculture).

The commerce sector covers a wide range of activities: wholesale, retail, food, non-food, etc. – in which types of jobs vary. In retailing, which our study focuses on, there are both tiny groceries and huge hypermarkets.

The sector is undergoing major restructuring. Changes include increased internationalisation and concentration, continuing development of franchises and new price wars. Thus, for example, some Italian companies have disappeared and been taken over by German and French ones.

In **Denmark**, the overall feature of the commerce sector is the high proportion of small companies both in wholesale and retail parts of the sector. In wholesale, 78% of all companies have 1-10 employees, as do 84% of retail companies. In the retail sector in recent years there has been an increase in larger companies, especially in the food sector, with the development of discount shops and coops. At the same time, shopping centres have increased in numbers, emptying the centres of smaller towns of small shops of different kinds, even if legislation has limited the creation of shopping malls.

In **France**, there are almost 3 million employees in this sector (2,958,120 in 2001, according to UNEDIC). More than an eighth of all jobs are in commerce. The sector is expanding fast, both in terms of the number of new shops and also of jobs. Since 1998, employment has grown steadily (3% per annum). Retailing is at the heart of these developments. A large number of those working in small shops are not in fact employees - even if their share is decreasing, they still make up for 14% of those in the commerce sector (21% in 1980). Only 1% of companies - and they are mainly very big ones - had more than 50 employees in 1998. 30% of employees are in companies with under 10 employees; 27.4% in those with 10 to 49; 15.6% in those with 50 to 249; and 26.8% in companies with 250 and over.

Table 1. Data on companies and employment in the commerce sector

Country	Number of companies	Proportion of employees in very small companies (under 10 employees)	Employment	
			Total employment	% of women
Austria	35,040 (retail)	32% (retail)	493,231 (incl. 47% retail)	51% (68% retail)
Belgium	69,259 (incl. 37,650 retail)	42% (retail)	434,172 (incl. 46% retail)	46,9% (67,8% retail)
Denmark	49,806 (incl. 31,446 retail)	40,843 (retail 26,476 – 64.8%)	347,163 (retail 185,519)	44.8% (retail 56.6%)
France	515,830 (incl. 309,396 retail)	1/3	2,958,120 (incl. 51,65% retail)	45% (62% retail)
Italy	720,000	2/3	3,456,000 (3 millions full-time equivalents)	45,2%
Netherlands	89,000 (retail)	28% (retail)	629,000 (retail 380,000 full-time equivalents)	64% (retail)

Sources: national reports

1.2. Appraisal of gender inequality in the commerce sector

Employment flexibility is one of the major features of this sector. Each country uses various ways of managing non-permanent employment: part-time jobs are used in all countries; there are also fixed-term contracts, temporary work, para-subordinate contracts (Italy), “minimal employment” (Austria), sub-contracting (Belgium) and a variety of flexible contracts (the Netherlands), etc.

Moreover, there is great occupational segregation in all the countries covered by the project.

Part-time work

Part-time work is the most common form of employment in commerce. In all of the countries studied, it is widely used in retailing, especially in supermarkets and discount stores with a view to reducing labour costs by using as many flexible employees as possible. It should also be noted that in some countries (**France, Italy** and the **Netherlands**), part-time work has significantly contributed to increasing the overall number of jobs.

The disadvantages of part-time work include difficult working conditions, asocial hours and keeping people in unskilled work. Deskilling processes - which are typically the result of technical and organisational techniques (in supermarkets and discount stores) - mainly affect women. Part-time work is very widespread in jobs, such as supermarket cashiers. According to a survey carried out in **France** by FCD²⁰, cashiers are greatly affected by part-time work. The study identifies two reasons: *“The predominance of part-time work today is, of course, a result of the fact that it makes it possible to manage queues more flexibly, but there is also a widespread feeling that it is a job with a high degree of stress and a rapid pace of work - and that it is hardly possible to keep this up during full-time work on the till”*. In supermarkets, part-time work is not chosen by employees, but is, in fact, the only way of getting a job.

Some details:

Austria: Almost 40% of all commerce employees work part-time (1999).

Denmark: The number of part-time employed women dropped from approximately 341,000 in 1990 to approx. 217,000 in 2001. At the same time, the employment rate for women increased from 75.6% to 81.4% (for 16-66 year-olds). Part-time employment of men increased slightly from approximately 148,000 in 1990 to approx. 165,000 in 2001; their employment rate dropped from 84.6% in 1990 to 77.8% in the same period. Changes in working time agreements concern flexibility.

Belgium: Part-time work is very widespread in the commerce sector and especially in retailing, where almost half of all employees and 45% of women have part-time contracts. 87% of part-timers in retailing are women. But the increase in the use of part-time employment is related to changing work organisation - following on from legislation²¹, that aims at promoting work-life balance, new forms of reduced working hours are being introduced.

Netherlands: Nearly two-thirds of all jobs in retail are part-time. Not only women, but also young employees, are frequently involved in (small) part-time jobs. More than 60% of those working in supermarkets are part-timers.

France: 37% of employees work part-time (fewer than in 2000, when 39% did so). The average length of part-time hours is 26.5 per week. For women, part-time employment predominates in super- and hyper-markets: 54% of women employees work part-time (compared with only 11% of men). Part-time employment is most widespread in “maxi-discount stores”, where 76% of women work part-time. 21% of part-timers are subjected to variable working times – this is greatest in the maxi-discount stores, affecting almost half (46%) of part-timers. Maximum breaks are stable: 3 hours if shops close for lunch and 2.5 hours if they do not.

Italy: The growth of employment is explained by the increase in part-time jobs in the commerce sector and catering between 1997 and 2001, although in general this form of employment is less developed in this country.

Other forms of flexible jobs

The form of flexible contract we should mention first is fixed-term contracts. They are on the increase in the commerce sector in several countries. In **Belgium**, already 9% of employees in commerce are on fixed-term contracts. In 2001, more than 65% of new recruits to big retail companies (more than 20 employees) were on fixed-term contracts. In **France**, although the majority of contracts are permanent, fixed-term contracts have been increasingly used over

²⁰ FCD (*Fédération des entreprises du Commerce et de la Distribution*), *Evolution d'encaissement dans la grande distribution alimentaire*, December 2001.

²¹ The 10 August 2001 law on work-life balance concerns the system of time credits, shorter careers and reduced allowances for half-time work.

the past ten years (+ 74%, compared with + 23% of permanent contracts) and mainly concern women (62%).

Besides "classical" fixed-term contracts, many new forms of flexible labour contracts are being developed, which vary from country to country.

In most countries, super- and hyper-markets use various forms of flexible employment, which can be considered to threaten permanent employees' jobs. In **Belgium**, for example, merchandising and sub-contracting are not just limited to demonstrating promotions, but also used for restocking and drawing up stocks for departments. Working conditions and pay of those employed by external companies – including temporary agencies and service providers – are mainly significantly worse than those set by collective agreements or other texts protecting employees in the commerce sector. In **France**, the job of sales demonstrators (90% of whom are women) is greatly on the increase. They have permanent contracts, but their hours are not fixed – both in terms of number of hours and when they work – they often have long periods without work and are subjected to changes in timing. Given the small number of hours they work (less than 20 days per month), they are not entitled to paid holidays, nor unemployment benefits and pensions. As they are employed by industrial service providers, they are not covered by the commerce sector collective agreement. 10 cases that were taken to the employment tribunal (*prud'hommes*) by CFDT – denouncing their situation - were won.

In **Austria**, in 2000, every 15th women working in the retail sector was “minimally employed” (i.e., earning less than 301.54 Euros in 2003). Commerce is the sector with the highest proportion of minimally employed staff. They are protected by collective agreements and law governing normal employees (with the exception of discharge regulations), but are excluded from the social insurance scheme.

In **Italy**, there is also widespread use of flexible contracts, which is often unjustified except in terms of it costing less and providing fewer rights.

In retailing in the **Netherlands**, there is a great variety of flexible contracts. It should be noted that the majority (87%) of employees with flexible contracts are under 25 and both men and women are concerned.

Some details:

Austria: In 2000, 76% of all the minimally employed were women. The number of minimally employed staff increased greatly between 1996 and 2002 – from 17,501 to 27,050. According to the trade unions, the minimally employed should not be seen as atypical employees, because they are protected by all occupational rules concerning "normal" employees, except those concerning dismissal. Atypical forms of employment include categories such as the “new self-employed” and “new contractors” – forms of employment, which have also greatly increased in the commerce sector.

Italy: “para-subordinate” work is widespread in large retail stores, for example: “continuous and co-ordinated collaborators”, who enjoy organisational independence, even though they depend on the contractor company; “share associates contracts”, which is essentially a masked form of subordinate contracts, but involves sharing for losses. Although there is very little reliable data available, these forms are increasingly used.

Netherlands: there is a great variety of flexible contracts. In the larger department stores and supermarkets, nearly 17 % of all men have some kind of flexible contract. For women this percentage is nearly the same. The majority (87%) of employees with flexible contracts are under 25 years old. This picture is somewhat different in the segment of retail with small shops (food retail, excluding supermarkets). Here, in 2000, only 11 % of all those working in this sector are working on a flexible basis: 9 % of all men, 12 % of all women. Only 18% of the flexible workforce are young - most are (older) women.

Occupational segregation

There are no overall statistics regarding the distribution of jobs within companies, but it is clear that in all the countries covered by this study, women predominate amongst sales staff, office employees and cashiers in the retail sector. However, heads of subsidiaries, regional directors and shop directors are in the hands of men. In recent years in **Austria**, there is a tendency for women to become subsidiary managers of drugstore chains. According to a GPA union officer: *“This trend does exist and the reason is most likely not because employers have discovered equal opportunities in this field, but rather that women are willing to tolerate more; they are more able to suffer under the conditions that prevail in these chain stores; they are easier to manipulate and work for less money”*.

In **France**, CFDT’s TEQ survey²² shows that in some jobs in super- and hyper-markets, there is a very high proportion of women: cashiers, sales staff, and office employees. In **Italy**, women are under-represented amongst executives.

Some details:

Netherlands: Only 15% of all women working in supermarkets work at a higher level, whereas this is the case for nearly 34% of the men. The gap is even larger in small shops, because most of the owners are men.

Denmark: In wholesale, women account for approximately 40% of employees and a third of these women (a quarter of men employees) have little or no occupational training. In retail, 57% of the employed are women, over 50% of whom are in the 16-29 years age group. About 40% of both men and women employees have no or little occupational training.

France: CFDT’s TEQ survey refers to the distribution of men and women in some occupations: with 62% of the sample being women, which is representative of the whole sector, 96% of cashiers, 76% of sales staff, 59% of those in self-service and 91% of office employees are women.

Italy: 21% of women employees in all sectors are executives, but only 15% in the commerce sector. 37% of women perform managerial functions (but in the commerce sector, there are only 32% of women middle managers). 52.5% of women in the sector are in white collar positions (compared with 33% of men) and the proportion of blue collar women is less (43%, compared with 59% of the men).

1.3. Industrial relations

Unionisation and women

In all countries covered by the research, the commerce sector has a relatively low level of unionisation. This partly because of the large number of small companies and insecure jobs and turnover. However, in some countries (**Belgium, Denmark and Italy**), the rate of women’s unionisation is equal to or even higher than the proportion of women in the sector.

* In **Austria**, GPA is the union, which organises all employees in services, including commerce. The rate of unionisation in the commerce sector – 10% - is relatively low. In some very large enterprises, it can, exceptionally, reach 80%. According to a GPA officer: *“Other sectors are easier to organise. The retail sector is dominated by small enterprises. If there is a shop steward, then he is rarely a full-time union officer and has to travel long distances”*. According to a woman shop steward: *“The reason for lack of willingness (to join) is that everybody complains that union dues are too high... the law enforces*

²² The TEQ survey concerned 3,000 employees in super- and hyper-markets and was carried out between 1997 and 1999. The sample is composed of 67% non union members, 62% women, 75% working in hypermarkets (Carrefour, Casino, Continent and Leclerc, etc.); 26% are cashiers, 25% in self-service, 10% sales staff, 7% office employees and 32% “others”.

the collective bargaining agreement for all employees – so they say why should I join the union, if I get the pay raise anyway?”

* In **France**, CGT and CFDT share most union members in the sector (about 25,000 members each), but each have their own specific features and strong points. While FO and CFTC just have a few strongholds in certain big department stores. The proportion of women members is respectively 48% and 47% in CGT and CFDT, i.e., less than the proportion of women employees in the commerce sector. Even though it is still difficult for women to be in national sector union leadership bodies, they are better represented at grass roots: according to a survey carried out by the woman officer responsible for equality within the CFDT services union concerning 104 branches (covering all services), with a 72% response rate: amongst the 46% of members who are women, 35% are union delegates, 47% are on branch executives, of whom, 29% are branch secretaries and 49% are branch treasurers (here we find the role of accountant that is attributed to women...). 38% are involved at the inter-sector level (in *département* and regional committees, etc.). Only 6 out of 78 branches have a gender balance clause in their internal rules.

* In **Belgium**, the commerce sector is made up of various sector unions. *Landelijke Bediendencentrale en Nationaal verbond voor Kaderpersoneel (LBC-NVK)* is a CSC sector union, that organises office employees and executives in Flanders and Brussels, while *Centrale Nationale pour Employés (CNE)* is the Walloon sister organisation of NVK is also affiliated to CSC. LBC has 276,000 members and women are in the majority (57%). The sector union affiliated to FGTB is called *Bond voor Bedienden, Technici en Kaders- Syndicat des employés, techniciens et cadres de Belgique (BBTK-SETCa)*. It has 250,000 members, of whom 60% are women.

* In the **Netherlands**, the situation is the same in the commerce sector as in the national setting: sector unions of three trade union confederations define the picture: FNV *Bondgenoten*, CNV *Dienstenbond* (services) and – to a lesser degree – MHP. FNV *Bondgenoten* has a little more than 32,000 members in the retail sector, i.e., a little more than 5% of all those working in the retail sector are members of this union. CNV *Dienstenbond* has even fewer members and MHP several hundred. This means that total unionisation is some 10%.

* In **Italy**, as in the metal industry, all 3 trade union confederations have a sector union in services (including commerce, tourism, personal services and service companies): Filcams (CGIL), Fisascat (CISL) and Uiltucs (UIL). Filcams is the biggest services sector union and, according to 31.12.2002 data, has 284,608 members (57% of whom are women, i.e., more than their proportion amongst employees – 47%). Union membership is increasing (+5.4% between 2001 and 2002). But turnover is very high (more than 25%), because of seasonal and atypical work. The proportion of women union members is higher in the North (70% in Turin and Bologna). Fisascat has 154,068 members with an annual growth of 4.25% and 47.6% of women (2001). Uiltucs is smaller with 83,769 members.

* In **Denmark**, the biggest union for commerce, wholesale and retail - unionising approximately 100,000 employees in the commerce sector is one of the 4 sectors of HK/DK, named HK/commerce. There are approximately 345,000 employees in the commerce sector. Unionisation depends on the agreements made by the employers' organisation and trade unions, and the functions filled in the companies. Other unions involved are KAD and SID, (approximately 125,000 members in commerce), as well as IDA and other technical and commercial trade unions organising managers and other specialists. 70% of the members of HK/commerce are women (in the wholesale sector 31.4% of employees are women and in the retail sector 56.8% of employees are women).

Collective bargaining and industrial climate

* In **Austria**, a key element – that is different from other European countries – is the corporatist system of interest groups: employers must (according to legislation) join the Chamber of Business and employees the Chamber of Labour, both of which have the right to represent their members during collective bargaining. Since 1947, salaried non manual employees in the commerce and retail sector are represented by GPA and wage manual

workers by HTV during collective bargaining. Collective agreements apply to the whole of the country. Agreements cover working hours, overtime, additional work²³, leave, annual bonuses, redundancies and pay. In the retail sector, there are two agreements: one for salaried non manual employees and apprentices and another for wage manual workers. About 70% of all salaried non manual employees in large and small enterprises are covered by income system A. The regulations of the collective bargaining agreement are minimum standards – improvements are always possible. Each collective agreement contains a point related to equal opportunities, explicitly reflecting the Austrian Equal Opportunities Act.

* In the **Netherlands**, many different collective bargaining agreements exist in the retail sector. Some of them are solely for a large company, others cover whole branches. One can see the developments in retail (previously many smaller privately owned shops, few larger companies, now changing towards a sector with more larger companies and many franchise-chains) reflected in the evolution of labour relations: slowly growing union-membership amongst employees and the evolution and maturing of employers organisations into more full-fledged lobby- and service-institutions. In food retail, two large collective bargaining agreements exist: one for workers in many different smaller and medium-sized shops – covering some 82,000 employees – and one for supermarkets – covering some 120,000 employees. There are also some smaller ones for specific groups of employees (for instance for employees in distribution centres of large supermarkets). Apart from these agreements a general law exists in the sector for all those food retail shops which are not covered by the collective bargaining agreements. In this law basic rights of employees are fixed (mainly on pay and working time). Also other basic rights, such as sick pay, trade union rights and special rights for older workers are included. For some years already employers organisations and unions have started a process to replace this law by a fully-fledged collective bargaining agreement, but until now this has not succeeded.

* In **France**, the sector is marked by a whole series of agreements (more than 40 nationally) and by the existence of various employers' chambers based on very different situations (small companies and huge groups). Since 2002, a new national agreement for “predominantly food wholesale and retail companies” brings together agreements for food warehouses and shops, that mainly sell food. This agreement was signed by CFTC, CFDT, FGTA-FO, CGC, the Federation of shop and distributive companies and the national union of specialist food wholesalers. The CGT did not sign the agreement. The industrial climate has deteriorated and there is tension around recent closures of big department stores (such as Marks and Spencer). According to the CGT, *“Employers are scattered – there are as many employer structures as kinds of activity. Some come together within a particular sector, such as FCD in food, but Intermarché and Leclerc are not members and there is no national spokesperson for either of these hypermarkets...”*

* In **Belgium**, as in France, several joint commissions have been created in this sector: Joint commission N° 201 – independent retail; N° 202 – food retail; N° 311 – department stores, etc. Joint commissions are composed of an equal number of union and employer representatives. They are chaired by an independent person, who is an expert in industrial relations. They have been created (by royal decree) for all sectors of economic activity. Their objective is to group together companies with similar activities, in order to subject them to rules that are adapted to the particular working conditions. The role of the commissions is to

²³ Additional work = overtime worked by part-timers, which is not paid on overtime rates, because one has to work more than 40 hours for overtime to be paid as such (1.5 times).

draw up collective agreements and forestall or settle industrial conflicts. Women are significantly under-represented in the commissions and are mainly substitute members.

* In **Italy**, the industrial climate has significantly deteriorated in recent years, given the political context and reforms (2003) of the centre-right government aimed at increasing flexibility. These reforms are intended to render the labour market extremely flexible, notably by increasing the number of insecure contracts, extending part-time work without being required to have employees' consent when increasing their hours (unless specified in the contract), introducing a series of new atypical contracts – some of which are unique in European legislation, such as “standby (on-call) workers” – as well as job-sharing, discontinuous work and seasonal work. According to CGIL, the situation is serious and the government imposes its policy without negotiations, thus making the industrial climate very tense. The national collective agreement for the commerce sector, that covers 1.5 million employees was signed by Filcams, Fisascat and Confcomercio in 1994 and renewed in 1999. New negotiations began in 2003. Some elements concerning equality have been included in the joint union platform, such as the introduction of a permanent equality commission; data on pay should be submitted to unions and a specific national bilateral body in order to monitor pay inequality; a code of conduct on sexual harassment should be introduced in the new national agreement and to be improved in second level bargaining (companies); the new 53/2000 law on flexibility regarding parental leave should be implemented by company-level bargaining. Unions also demand that the part-time minimum threshold should be raised (16 hours in the previous agreement) and that the percentage of those entitled increased and extended to all companies, including those with less than 30 employees. Another demand is to increase payment of Sunday and bank holiday working to 35% and also to consider as overtime any hours worked in “vertical” part-time work. Level 2 collective bargaining is less widespread in this sector than in the metal industry (22% of employees concerned, compared with 51.7%). This level of collective bargaining takes place mainly in big companies. In small shops – as for the whole of the country – no collective bargaining takes place without union representatives.

* In **Denmark** the rate of unionisation is very high, even if there is a tendency among younger employees not to join a union. This has led to intense efforts towards young employees by several unions - among them HK/DK. Generally speaking, the collective bargaining system sets up frame-agreements with possibilities for local negotiations. The last round of collective bargaining in the sector covered by the Union of Commercial and Clerical Employees in Denmark HK/DK was in 2001 and the next round will take place in spring 2004. Over the last 2 decades some of the most heated negotiations have been around the application of the legislation on opening hours. Through a political decision the legislation on opening hours was regulated and opening up for longer opening hours, opening hours during week-ends etc. In this year's bargaining some of the central issues will be: working hours and flexibility; training and education on full pay; improvement of pensions. Central bargaining takes place between HK/DK and DH&S – the employers federation - on the basis of demands for the negotiations, discussed in regional committees. In individual companies, the results of the framework agreement can be transposed. Individual negotiations on pay also take place.

2. Position of sector union leaderships regarding the place of women and equality

Table 2. Representation of women in commerce sector unions

	Number of union members	% of women members	% of women employees in the commerce sector	Proportion of women in elected day-to-day leadership bodies	Proportion of women in executive committees (bigger elected bodies that meet periodically)	Other indicators
Austria GPA (Sector 12, Commerce) (OeGB)	20,934	64 %	67 %	10%	66 %	33% (2001) small negotiating committees (agreement: to be raised to 66%)

Belgium LBC (CSC)	276,000	57%		1/8 "daily bureau"	25% "manage- ment board"	18/62 industrial officers
SETCa (FGTB)	250,000	60%		1/9 "federal bureau"	11/33 "federal executive committee"	154/232 industrial committees; 21/74 (28%) regional secretaries
Denmark HK/Commerce KAD SID IDA	Approx. 100,000)) approx.) 30,000))	Approx. 70% 100%	Wholesale: 31,4% retail : 56,8%	2 /3	15/21	Chairwomen of regional committees: 16/35; members of regional committees: 136/184; shop stewards: 315/461; members of collaboration committees (works councils): 207/295; members of company boards:16/34
France CGT	25,000	48%	45% (62%retail)	50% "federal bureau"	47% "executive commission"	
CFDT	25,000	47%		1/8 "executive commission"	11/27 (40%) "federal bureau"	
Italy Filcams (CGIL)	284,608	57%	45,2%	3/8 (37%)	61/163 (37%)	45% of works council members; 41% local secretaries; 4 regional secretaries
Fisascat (CGIL)	154,068	47,6%		0 /5	40/151 (26.5%)	3 regional secretaries
Uiltucs (UIL)	83,769			1/5	13/88	

Netherlands			64% (retail)			63% of union management staff (whole of FNV <i>Bondegenot-en</i>); 42% of trade union negotiators in wholesale + retail. In food retail 39 % of the members in negotiating committee are women (2002).
FNV <i>Bondgenoten</i>	49,938 (wholesale and retail)	60% (retail)		2/4 (50%) "executive committee" (whole of FNV <i>Bondegenot-en</i>)	19% "national board" (whole of FNV <i>Bondegenot-en</i>)	

Sources: National reports

Debates on the need and effectiveness of setting quotas, in order to improve the representation of women in unions, or on having specific bodies to address women's issues take very different forms in the countries covered by this research. In the commerce sector, these debates are accompanied by seeking ways of involving more employees in unions. Indeed, the presence of a large number of very small firms and the insecure nature of a large proportion of jobs are obstacles to developing a structured trade union movement.

* In **Austria**, GPA organises the great majority of employees in the sector. GPA and HTV have respectively a national women's secretary and a federal women's affairs secretary. Contact with members in individual companies is not primarily the responsibility of these national secretaries, but of the regional women's affairs secretaries. Since the introduction of a gender quota in GPA in 1995, this has at least guaranteed that gender is considered a topic of discussion. The restructuring of GPA (previously the retail sector was in a much larger sector, that included tourism and social workers) into individual economic sectors has led to members having more influence, thus women are also better represented now. Since 2000, the gender quota in GPA is taken very seriously and has been fulfilled in the federal committee of the retail section of the union, but in the negotiating committee it has only been half fulfilled. But in the smaller negotiating committees, the directors of each economic sector in the respective Austrian states is nominated and, therefore, these positions are still under the control of men.

* In **Italy**, there are many women union representatives in Filcams (CGIL), but proportionately less than the number of women employees and union members. According to a woman Filcams officer, "*Women have greater difficulties being unionists, because of life and work times. But it is also true that women are not even asked if they would like to be active in the union and they are almost always subjected to more assessment than men*". Women's representation is in theory guaranteed by the quota system, that is laid down in the union's charter (adopted in 1998) – for the formation of all organisational bodies, from membership committees to the executive board, it was established that neither men nor women could have less than 40% or more than 60% representation. "*It is true that there is a risk of putting any woman in the secretariat. But in some situations, the culture is so male-dominated that if there are no impositions, then women will never get in - it is a risk worth taking*". (Woman Filcams officer). In recent years, women in positions of authority have increased in Filcams and it is one of the sectors with a relatively high number of women representatives and leaders. In Fisascat (CISL), there is a women's co-ordination group, but almost exclusively at national level. Only two regions have elected regional women's co-

ordinators. *“There isn’t a strong tradition of such groups in the sector, especially as women are naturally part of the structure, given the high presence of women”*. (Woman Fisascat officer). There is no specific indication of quotas, except for nationally for the confederation (at least 30% on electoral lists), which is higher in the sector. There is a fairly large presence of women locally, less regionally (only three women general secretaries), while the national secretariat is exclusively male! There are not even membership campaigns targeted exclusively at women, although in this sector there have been many training courses especially for new women works council representatives. In Uiltucs (UIL), there is no specific structure on women’s issues, nor targeted membership campaigns, nor measures to safeguard representation in leadership structures. The perception is that the sector has such a high presence of women that gender issues are a general - not specific – problem and do not need to be dealt with separately from daily union practice.

* In the **Netherlands** a comparatively large percentage of FNV members in retail, and especially in food retail, are women: 60%. The percentage is nearly the same as the percentage of women employees in this part of the retail sector. This has been an active policy of the union, engaging itself in issues which are especially important for women, and thus trying to interest women in union membership. Issues involved were: part-time work, flexible contracts, childcare and leave provisions. Also the issue of working time and the possibilities of influencing one’s own working schedule has been an important issue and, as the trade union negotiator states: *“this is an issue which is seen as especially important to women, whereas pay is a typical issue, which appeals more to men”*. Also in recruiting people for trade union work, the union actively involves women. The central trade union negotiator sees this as a permanent goal, which however is not always easy to reach: *“For many women, paid work is not their primary focus. They work for extra money and their major concern is the family. They are, therefore, not very interested in becoming active in the union. But if they do - and we have quite a lot of women who are very active - they are very valuable.”* There is also another reason why it is hard to build up trade union work in the sector: many employees switch jobs frequently, especially young employees, but also women, who ‘use’ the part-time employment possibilities in this sector to adapt their working hours according to the needs of their family situation. Still steadily building up trade union work to a reasonable level, however, the FNV negotiator is in the process of forming central committees (across companies in the food sector), which will be more permanently involved in the process of collective bargaining. The aim is to have equal representation of men and women, in line with membership figures in the union. Nationally FNV *Bondgenoten* is rather ‘feminised’, as a result of years of positive action within its own internal workforce. Half of the day-to-day leadership body (“executive committee”) are women. Also two-thirds of union management staff are women. No women’s committees exist, neither in retail, nor any other sector in the union. The national committee was abolished two years ago, and, also due to great internal problems and discussions, no follow-up has been made yet. The co-ordinator for the whole collective bargaining process is in the process of finding new answers to the issue of ‘special groups’ in the organisation.

* In **Belgium**, LBC is confronted with under-representation of women in its structures. This imbalance is partly due to the structure of its leadership bodies. Bureau members are delegated by sectors and regions, which often only have one representative. It is almost impossible to have quotas for women, without doubling the number of representatives. Agreements to ensure representation of certain groups, such as warehouse staff, renders the situation complicated, even though there is a will to ensure parity. The general secretary says that the independent retail sector - 70% of whom are women – is hardly represented in the

union, because it is composed of tiny companies, where there are no agreements concerning union representation and therefore there is no structured union movement in it. LBC does not have women's commissions. According to the general secretary, it would be an aberration to have a specific structure for women in a union, where the majority of members are women. In *SETCa*, women's commissions at regional and national levels are provided for in the union's rules. They meet regularly and lead to issues of equal opportunities being taken up by congresses. Attention is paid to new needs arising from the feminisation of the labour market, such as childcare and after school hours provision. But, internally, the women's commission has not really managed to launch a debate on equal opportunities.

* In **France**, in both unions that were studied – CGT and CFDT – similarities on the issue of equality emerge: neither have – or no longer have – women's commissions. Previously, the issue was dealt with specifically, but this is no longer the case and is now considered to be transversal. In both cases, there is a person who is responsible for equality, but they do not have an official status at national level. Both officers emphasise that it is difficult to mobilise continually on this issue, especially as union members and employees are often in insecure jobs.

* In **Denmark**, with 70% of women among union members in commerce, there seems according to the sector secretariat not to be any problems in attracting women to take part in the national, sector, regional and company-based committees and other political representations. And with no problems - no strategy! But at the same time, the retail sector does have an image problem and, therefore, also problems in attracting and retaining staff. The image problem is due to rather low pay and also working times - not especially the length of the weekly hours, which are 37 hours. On the other hand HK has for many years been one of the most active Danish trade unions concerning gender equality. From the beginning of the 1990s, the woman Vice-president of HK/DK was responsible for gender equality policy in HK. Among HK's objectives, it is stated that "*HK will have to work to secure real equality for all groups, including equality between men and women, both regarding pay, working conditions and representation in committees and boards, etc. inside and outside the trade union movement*". Since beginning of the 1990s, HK also had staff to stimulate work for equality. They were very active and made a lot of initiatives regarding family/work reconciliation, sexual harassment, equal pay, women's representation in the political system of trade unions, etc. As a general tendency in society, specific staff and specific targeting of equality and the position of women stopped after about 5-6 years of intensive work. Now HK/DK has its general political objective, that is formulated and integrated in all sector work, etc, but it also has special issues, that are translated into special strategies: on equal pay and family policies.

Table 3. Internal commerce sector union structures responsible for equality

Austria GPA (OeGB)	Women's affairs secretary
HTV (OeGB)	Women's affairs secretary (both federal and national)
Belgium LBC (CSC)	No women's commission
SETCa (FGTB)	Women's commission
Denmark HK/commerce	No formal structure, but a general objective and obligation to achieve gender equality. Special strategies for equal pay and family/work reconciliation.
France CFDT	Equality officer
CGT	Equality officer
Italy Filcams (CGIL)	No official structure, but an informal coordination
Fisascat (CISL)	A women's coordinating group at national level
Uiltucs (UIL)	No specific structure
The Netherlands FNV	No women's commission; no equality officer

Source: National reports

3. Analysis of trade union action and collective agreements (if any) from a gender perspective at sector level

The commerce sector is marked by weak mobilisation and few specifically women's demands. The reason given in all the countries covered by the study is that the big presence of women and job insecurity both mean that such demands are not useful. This illustrated very well by the following remarks of the CGT (**France**) woman commerce national sector union officer: *"We are, in fact, victims of the feminisation of the sector – we are mainly women and therefore we think it is obvious that such issues will be dealt with and there is no need for a specific approach. The issue is raised regularly – as is the case for young people... The idea is that when we campaign on working time and pay, the women's question is automatically included. There have been periods when we have done a lot, e.g., we published a bulletin and organised action around the 8 March, but we are doing less now. The main demand in our sector concerns job insecurity, especially related to the widespread use of part-time work and low pay. CGT has launched two campaigns on these issues: "Real jobs with dignity" and "Job insecurity takes over our lives".*

3.1. Unequal pay

In all the countries covered by the research, legislation is meant to guarantee equal pay. However, in all these countries, gender pay gaps persist. The problem for unions is to know how to tackle this issue, given the absence of direct discrimination. Moreover, in all countries, the commerce sector (notably retailing and especially super- and hyper-markets) has very low pay, compared with other sectors, especially in jobs where there are many women. Thus, in general, most union demands concern raising low pay in general and removing the lowest paid grades. There are, therefore, few specific actions on gender pay discrimination (**Netherlands** and **Denmark**).

There are also demands concerning job insecurity, part-time work and youth employment, which cut across the issue of gender equality. Demands on job classification (**Belgium**, **France** and **Netherlands**) and transparency of individual pay (**Denmark**) contribute to reducing unequal pay.

The issue of careers, which do not exist much in some positions, concern primarily women and is taken up by unions (**France**, **Belgium** and **Denmark**). In this sector, career developments are often linked to increased flexibility regarding working schedules (**Italy**) or versatility, which is difficult to manage (**France**).

Belgium: Collective agreements on pay in general and job evaluation were a very effective way of ensuring legal security of workers and limiting gender inequality: *“Without exaggerating, we can say that whatever pay inequality persists is very moderate, thanks to collective bargaining. If this regulatory interface was removed, unequal pay would increase hugely”*²⁴. According to Erwin De Deyn, SETCa national officer, union branches have not succeeded in generalising a job evaluation approach in the retail sector: *“The sector is far too differentiated and we do not manage to convince employers of the importance of removing inequality”*. Another union approach for combating segregation is to ensure that there is more vocational training.

France: There is no action or collective bargaining on unequal pay in the commerce sector, however, the issues of low pay and job insecurity are crucial. A major problem in the sector is very low pay on recruitment and throughout careers. Despite staff shortages and including in higher skilled positions, pay is not attractive. Some collective agreements still have starting pay that is below the national minimum wage (SMIC), thus holding up careers, as in the lower grades, advancement does not lead to pay increases. According to the CGT woman national secretary: *“Pay must be increased – everyone’s pay, not only women’s pay. There isn’t direct discrimination, therefore there isn’t specific action... We haven’t found a way of embarking on the issue of gender equality, because there are so many other forms of inequality... The law on equality has not been implemented yet in our sector. It is difficult to get it accepted... moreover, there are very few prospects for women, in career terms – promotions are very limited – we do not campaign for women cashiers to become shop managers – that’s not our priority. Our only priority is pay increases, not promotion...”*. According to the CFDT national secretary: *“There are major changes being introduced in grading – before there were the Parodi criteria and cashiers started on coefficient 130 and then after 4 months they were on 140 and after 6 months on 150, but after 20 years, they were still on 150. It was the same for self-service staff. We were against that. Five years ago, there was an agreement that changed the system a bit, but there still isn’t a career. There are attempts at versatility, but that is difficult, for example, cashiers work on the till for 20 hours and on filling shelves for 12 hours, thus enabling them to have a change and also to increase the hours of part-timers. But, stocking shelves has to be done early in the morning and therefore problems of working hours being spread out throughout the day limits such versatility”*.

Netherlands: Unequal pay for women in the service sector – and therefore in retail – persists. Figures are clear about this. Especially retail is one of the sectors where women and young workers are more frequently underpaid than in other sectors. Trade union action by FNV to tackle this problem has focused on issues, relating to the insecure position of especially women and young workers: improving

²⁴ Ferre Wyckmans, *Verslagboek LBC-NVK-Congres, ‘inkomens herverdelen’*, November 2001, p. 29

pay conditions for part-time workers and those working on flexible contracts and fighting for extra pay for work at inconvenient times. Also work stability ('stable' flexible contracts with, for instance, a minimum number of hours, enabling women to work by incorporating childcare in the collective bargaining agreement) has been a major issue. FNV considers improving the situation for the more vulnerable part-time and flexible employees to be a vital part of trade union strategy (even though these groups are relatively poorly unionised), not only to interest these groups in trade union membership, but - more important - to reduce employers' appetite to employ more or only flex-workers, with all the negative side-effects also for those on steady contracts.

Especially as a result of the discussion on changes to the law on shop closing times, hefty debates and negotiations have taken place on extra payment in relation to inconvenient working times. One issue was whether or not evening hours were inconvenient for part-time employees, who 'choose to work during these hours' (of course affecting mostly women). Extra payment still exists. However, in some collective bargaining agreements, the level of extra payment was somewhat lowered, in exchange for greater job security and a bigger say in working time. As these issues also affect women greatly, the exchange has often to women's benefit.

No explicit action has been undertaken on the issue of unequal pay as such, apart from several legal actions, which have helped trade union action concerning, for instance, flexible contracts. Several cases before the Commission for Equal Treatment and even before the Courts have helped unions to guarantee equality in many ways between workers with steady contracts and people with flexible contracts.

Efforts have also been made to come to an objective job classification system, which could give men and women in the sector more levers to make the employer base their pay on objective grounds.

Austria: Pay agreements are significantly lower than in sectors where men predominate. For many years, collective agreements were negotiated by men: equal pay issues and the reduction of the pay gap led only to demands for abolishing the lowest paid grades or longer leave and better work/life balance. But really effective measures for guaranteeing gender equality have not been introduced into collective agreements. Moreover, in sectors where there are many women employees, few of them are union members.

Italy: Equal pay is guaranteed in the collective agreement, but that does not stop there being considerable unequal pay in the commerce sector, because of bonus systems at company level. For example, "*supermini*" bonuses (bonus on top of minimum pay) are sometimes high, but rarely given to women. The main source of inequality is linked to the fact that most women have low levels of qualifications and rarely accept atypical working hours and therefore their career possibilities are limited. The fact that women are also more absent, because of maternity leave, long holidays and sick leave, does not play in their favour. However, some company agreements take this kind of absence into account when awarding bonuses e.g. at *Rinascente*, where such absences are considered as worked time and are, therefore, included when calculating bonuses. But, above all, there is very little data on the pay gap, thus rendering action difficult. In the platform discussion, all three sector unions demand more information.

Denmark: HK/Commerce has started to build up its own statistical information on equal pay, as the information based on gender is no longer part of official statistics or statistics published by the Employer's Federation. Equal Pay is guaranteed through legislation, but it does not prevent inequality. The Danish Employer's Federation and the Danish Confederation of Trade Unions (LO) published in September 2003 a study on 'Women's and Men's Pay', where it is stated, among other conclusions, that the general pay gap of 20% is due to segregation of the labour market, education, working hours, etc. At the congress of HK/Commerce in 2000, a decision was made to focus on equal pay and full pay during parental leave.

Strategies for equal pay:

- Give openness to individual pay – through reporting to trade union company discussions. The retail sector has low pay and openness might change it also in relation to gender distribution.
- Working groups inside trade unions concentrating on the private sector, elaborating statistics on the basis of information from members, also statistics on factors, such as education, experience, seniority etc., to identify differences, that exist after all and which are not explainable by concrete factors.
- Training for shop stewards on agreements and legislation, statistics and negotiations on pay, personal strategies for negotiations, etc.
- Legal cases on equal pay, started by the union.

Pay increases in the retail sector between 2001 and 2002 were 2,3%, compared to the general rise in pay in the private sector of 4%. HK/Commerce has especially low pay compared to pay levels among HK members in general. Every fourth employee earned less than 15,800 DKr. (2,100 Euros) per month in 2002. IKEA management in Denmark took the initiative in summer 2003 to raise minimum pay in the company to 20,000 DKr, which led to a lot of discussions in other retail companies.

3.2. Working time and work-life balance

Table 4 Data on working time in the commerce sector

Austria	38,5 hours
Belgium	
Denmark	37 hours
France	35 hours (according to sector-level agreements), annualisation
Italy	38-40 hours
The Netherlands	40 hours with the right to 156 extra hours off work per annum, which brings the average number of hours actually worked per week down to 37 hours.

Sources: National reports

As in the other sectors – but especially in the commerce sector, where problems of flexible schedules and longer opening hours affect women in particular – two situations can be identified: in some countries, the demand for shorter working hours and improved situation of part-timers is primordial (France, Belgium and partly Italy), even if it does not involve the issue of equality. In **France** and **Belgium**, the unions have demanded that the reduction in working time should lead, on the one hand, to recruitment (and therefore benefit unemployed women) and, on the other, to increasing short part-time hours (also benefiting women). Elsewhere, it seems that this issue is not really on the union agenda.

In Northern countries, it seems that more attention is paid to the "quality" of working hours: in **Denmark**, there is demand for more flexibility regarding parental leave and additional leave; in **Austria**, GPA is tackling the problem of atypical non-chosen minimal jobs; in the **Netherlands**, consideration of employees' wishes regarding schedules has been introduced into certain collective agreements.

France: CGT and CFDT had different views on the introduction of the 35 hour week in the sector. According to CGT, *“The 35 hour week was not welcomed as it was seen as involving more flexibility and job insecurity. It didn’t really improve employees’ quality of life – especially for women – except in a few cases. Moreover, we did not obtain more jobs. We are not against the 35 hour week itself, but the way it was introduced in our sector... Some agreements cover 60,000 employees and others only 80 (for a Leclerc supermarket), but each agreement counts as one... We haven’t signed many agreements”*. According to CFDT, the demand for the 35 hour week was strong: *“Most of the agreements we signed were good ones, but less so recently. However, the issue of equality comes into very few agreements... just empty references to it in the preamble. We decided not to sign agreements, where part-time work was imposed. The aim is that employees have a minimum of 200 hours per quarter in order that they count for pensions. For us, it is really important to distinguish between chosen and imposed part-time work”*. However, some criticisms have been formulated: *“We really failed on job creation – after the initial Aubry agreements, we could have demanded proportional recruitment of women into new jobs, but we didn’t even think about it... We have always ensured in agreements that some of the extra hours should be devoted to job creation and some to enabling part-timers, who want to, to increase their hours, but it is not always requested, as some of them have several jobs...”*.

According to the TEQ survey, that has already been referred to, flexible working hours are widespread, especially for those working on tills: 44% of cashiers have hours that change all the time. And,

generally speaking, women are subjected to more flexibility than men: 23% of women (compared with 7% of men) say that their hours change all the time. However, 24% of women and 30% of men have split shifts. Unpredictable hours are a real problem for women, especially as most of them have children to look after and are responsible for organising family life. The issue of part-time work has also featured greatly in demands. As in Belgium, the emphasis has been on enabling those with short part-time hours to work longer hours if they so wish. But, according to CGT, some part-timers do not want to work more. Some women have calculated that the extra childcare expenses and fatigue means that it isn't worth their while working longer.

Belgium: The collective reduction of working hours without loss of pay and with compensatory job creation remain the main demand of both unions in the commerce sector. According to SETCa, this measure would be of benefit to everyone, especially women. Indeed, more women are unemployed and for longer. Moreover, some of the hours that are released by general shorter working hours could be used to increase the hours of part-timers, who are predominantly women²⁵. Much union attention is paid to working conditions of part-timers. Unions are in favour of reorganising working hours by giving more to part-timers and fixing in sector-level collective agreements minimum working hours that are equivalent to at least half-time hours²⁶. The survey carried out by LBC on demands shows that women are in favour of longer part-time hours. Access to full-time employment, by adapting their contract, should be proposed to part-timers who so wish, before using insecure contracts. A first step has been made towards a four-day week for part-timers with a contract of a maximum of 24 hours per week.

Italy: Some issues have been formulated in collective bargaining demands, long before legislation was adopted. Thus part-time measures were negotiated in the commerce sector ten years before a law was adopted. However, it cannot be said that the issue of working hours has been really pursued in connection with equality: it is very difficult for mothers in this sector, because of continuing male-dominated work organisation, that promotes availability and atypical extra hours. *“A woman, who works part-time, has no career prospects. The organisation of a supermarket is schizophrenic and hectic; managers, who are mainly men, want those with positions of authority to be available all day every day. Women just cannot make this kind of commitment, not even those who work full-time”.* (Marinella Meschieri, Filcams CGIL).

Netherlands: There is very clearly a close link between the issue of working time and pay. Working time is, of course, itself also an important issue for women and has been a prominent issue on the negotiating agenda. Especially the issue of introducing greater say for all workers regarding their working times has been a permanent issue of negotiation. Collective bargaining agreements have many articles limiting the possibilities for employers to decide freely on rosters and working hours, some of which are especially important for women. Employers are, for instance, obliged to take into account employees' childcare arrangements²⁷. Also, employers cannot force employees to work more than two evenings, and the collective agreement lays down limitations on working at weekends and on nightshifts.

Of course, due to the low level of unionisation, probably many employees do not dare to make use of these rights. On the other hand, it is important that they are inscribed in general agreements.

Austria: As we already mentioned in relation to the metal industry, shorter working hours are not a major demand. In the commerce sector, debates however concern shop opening hours. Opening hours have been significantly deregulated over the past 10 years (e.g., the latest proposal extends morning opening from 6 to 5a.m. and the “Black and White Regulation” ensuring employees have every other Saturday off was removed from the final draft of the working hours act) and have met with intensive union and Chamber of Labour protest, in vain. Part-timers' hours in relation to shop opening hours, as well as family leave, are also discussed. Moreover, the union is involved in a “FlexPower” project regarding disparate groups affected by atypical employment, differentiating between more highly qualified employees who consciously choose atypical employment for a certain phase of their lives and the many employees – many of whom are women - who are forced to work atypical hours and for whom the union recognises they have not done enough to help. Demands with a view to getting the same rights are developing.

²⁵ Gender equality : from principles to reality, SETCa : Our proposals.

²⁶ SETCa statutory congress, 11-12 October 2001.

²⁷ Most collective bargaining agreement in the Netherlands contain fully fledged childcare provisions for men and women.

Denmark: Shorter working hours are not a demand for men and women in the commerce sector, as stated in a study ‘Good life – family policies’ carried out among HK members in 2001. Members answered that they did not want a general reduction of working hours, but more flexibility in planning working hours related to flexible parental leave schemes, possibilities for part-time work at certain periods and for saving hours to be used for various leave purposes. Members also put different demands on childcare and more flexible opening hours, etc. as well as more demands on company human resources policies.

4. Obstacles and factors that foster gender mainstreaming

In the metal industry, the primary factor referred to by all union actors concerns the predominance of men in employment, however, research shows that the presence of women in the commerce sector is not in itself sufficient to reverse the situation: although women constitute the great majority of employees in commerce and more of them are union members, they are not more involved in decision-making bodies and they maintain a certain distance from union activity.

Two factors have been identified by union actors to explain this situation. On the one hand, as in other sectors, the way in which trade unions operate - emphasising availability of activists - discourages many women, as it does also young people, from taking on union responsibilities. On the other hand, some features of employment in the commerce sector (job insecurity, flexibility, part-time work and high turnover) have been clearly identified in some countries as an essential reason for the low level of participation of women in unions.

The issue of required availability for taking on union responsibilities is very clear in the case of **Belgium**. As far as SETCa is concerned, the biggest obstacle to gender mainstreaming in the union is related to the way union work is organised. The union culture is male-dominated – meetings are held late in the evening and collective bargaining lasts a long time, etc. Women view this kind of flexibility as being incompatible with family life, where although there has been a certain degree of redistribution of chores between men and women, women still have the greater burden. LBC considers that recruitment policy, which was often influenced by male-dominated culture in the past, plays a major role in gender mainstreaming in the union. LBC-NVK therefore decided that their internal recruitment policy should lead to employing more women.

Another obstacle is that the number of union elected positions is limited and are often occupied by longest-serving activists, whereas women are often younger and have less union experience. LBC-NVK general secretary thinks that by bringing more young people into the various bodies, that will automatically lead to more women being involved.

In **France**, according to the CFDT commerce sector national officer: *“It is very difficult for the union full-timers, because in the commerce sector there are only three of us for 2.3 million employees!!! **Our union rights are limited** – in terms of time off for union activity amongst others – so it is hard. We don’t have a 35 hour week, especially in a sector, where there is a rapid increase in membership (+12-13% per annum). The problem is, therefore, one of work organisation. We have to work on enabling women to enter our union and leave work before 7 p.m. There is also the problem of travelling – I travel one and a half months per year for the union – it’s difficult... All full-timers are not in Paris and there is also the problem of work for union officers’ partners in Paris. Also, bargaining topics are on the increase what with mergers and restructuring. It’s becoming increasingly complex”.*

In **Austria**, women shop stewards refer to well known obstacles: women's lack of time for union activism; lack of awareness that women have the right to be treated like male colleagues; fear of losing one's job, children and husband are waiting for dinner in the evening; care of the elderly and disabled. According to a GPA woman union full-time officer: *"This is a field where we have to take a top-down approach. The leadership and the key negotiating team decide upon a demand... but they aren't credible... There are people on the negotiating committee who haven't really dealt with this issue before... they only want to achieve an across-the-board percentage improvement in pay and come home to a hero's welcome"*.

The fear of losing one's job is particularly strong in commerce and represents a major obstacle to women taking on union responsibilities. Indeed, the predominance of job insecurity in some parts of the commerce sector is a decisive factor. Likewise, high turnover, imposed part-time work and the youth of some grades are all factors which discourage women from taking on union responsibilities. It can sometimes seem like blackmail: *"If you want a permanent job or longer hours... it is better not to be a union representative!"* (CGT, **France**)

According to a CGT woman national sector union officer: *"Real progress has been made, but very slowly. Moreover, depending on the period, there is a great increase in women's participation, but then when there are closures, it declines, as was the case for Marks and Spencer. Also, it is difficult, because of the profile of union members: young women, who accept a term of office and then leave – they do not want to stay for long, they have children and sometimes leave their job... Each time, we have to begin again and mobilise, in order to convince women to participate... and then they leave"*.

Likewise in the **Netherlands**, the composition of the workforce in the retail sector is seen as the most important obstacle to trade union work – including improving the specific position of women in the sector. Unionisation is low, and this means that - even with some quite reasonable arrangements in the collective bargaining agreements (especially important for women) - it is hard to ensure that employers really fulfil their obligations. Also the 'fleeting' labour force is a major obstacle: it means a permanent process of building up the trade union position. Also the sector is in permanent movement and change, with sharp competition within it. This influences the agenda greatly.

In **Italy**, as in the metal industry, one of the most important instruments for exercising mainstreaming is second-level (company) bargaining, which is considered to be the only instrument capable of implementing positive action for women's employment. A factor that could help gender mainstreaming in the commerce sector is that there are so many women, that gender issues are considered general problems. Nevertheless, even in this sector, one of the most important problems for women is that they are still less represented in union committees, despite their large numbers amongst employees and union members.

5. Tools envisaged by each sector union to improve the situation

Each union's assessment of gender mainstreaming

Studies show that two main approaches are used to try, on the one hand, to increase the number of women in unions and, on the other, to promote equality issues in collective bargaining.

In some countries (**Belgium, France and Denmark**), internal policies of promoting women in union structures are used.

In **Belgium**, in spite of difficulties of implementing a quota, the secretariat are making initiatives to increase the number of women in LBC's decision-making structures.

Some proposals are up for discussion:

- increase the number of positions in leadership bodies, in order to facilitate women's entry;
- envisage a person who will be responsible for promoting initiatives regarding equal opportunities.

In **France**, amongst tools developed by CFDT at the level of the confederation, are gender balance charters, which are internal union agreements on monitoring and fostering the place of women in the union concerned. A revealing sign is that the woman officer responsible for women in the commerce sector union could not find the gender balance charter, which had been signed many years previously. This pinpoints the difficulty of ensuring that equality is a transversal and permanent reference in union activity. *"The charter was very old and not used... It should be said that no one held the position, so it was even worse. The charter recalled principles of equality and envisaged taking on board childcare expenses if necessary. We do that and they are not an obstacle. When a woman comes to a meeting or training course, the union pays if she has childcare problems"*. In the CFDT services sector union's rules (May 2000 version), it is written that **"union branches foster gender balance"** and, when there are two candidates to the federal bureau, **"parity between men and women should be respected"**. Internal rules indicate that the union's national council is composed of one delegate for up to 300 paid up members and 2 delegates (**of whom at least one is a woman**), for 301 or more paid up members. Finally, for the sector council, the union can present 2 candidates per sector and **"should ensure the gender balance of their candidates"**.

In **Denmark**, as pointed out earlier, HK/DK has been very active in discussing and securing gender equality among members and in the society in general. The union itself points out that 'mainstreaming was an issue, long before it become modern' and was also pushed by its 70% women members. So in HK/DK, and therefore also HK/Commerce, mainstreaming means that gender equality is part of all strategies and equal pay strategy is a good example of this way of thinking.

In other countries (**Austria and the Netherlands**), trade unions have developed tools for implementing occupational gender equality in the commerce sector. Their experience shows to what extent such policies can also foster women's promotion in unions.

Austria's experience is very interesting. In November 2002, GPA ratified the implementation of a gender mainstreaming programme – GPA is the first union to have formally introduced the concept of gender mainstreaming. GPA leadership established a project group, which is responsible for making suggestions for concretely implementing a "Gender Mainstreaming Plan of Action" within GPA. There have been several pilot projects on federal reform, competence and collective bargaining. The definition of mainstreaming used on GPA's website is: *"We understand by this, the inclusion of a gendered approach to political processes, decision-making and measures, as well as a gendered understanding of the effects of these steps, with the goal of achieving equality for women and men in all areas of society"* (www.gpa.at/gender).

The following activities are either planned for the very near future or are already being carried out:

- Survey of income data in the retail sector and analysis thereof from a gender perspective;
- Development of concepts towards the implementation of equal pay ;
- Development of concrete gendered guidelines for the collective bargaining process;
- Development of guidelines for work at plant level;
- Presentation and discussion of a programme and demands of the GPA women's affairs department to retail workers shop stewards;
- Training for members of collective bargaining teams, dealing with the topic of implementation of equal pay for work of equal value for women and men in the spring of 2003;
- "Gender-Training" with the goal of preparing for upcoming collective bargaining rounds, in order to integrate "Gender Mainstreaming Aspects".
- Further development of the interest group associations of "[Flex@Work](#)" in cooperation with the "FlexPower" project.

In the **Netherlands**, in the 1990s, many tools were actively used to involve women in union activity – before four unions merged into FNV *Bondgenoten*.

Several examples are:

- the 'cash desk' project (research into the working conditions of women working frequently and for a long time at cash desks (tills), not only interesting women in trade union action, but also improving these conditions – promoting new cash desks and task rotation);
- the shopping centre project (going into shopping centres with small, special task groups, talking to people working in smaller and larger shops);
- actively involving women in discussions on working time (with discussion projects for women) and new legislation on flex-work and security and shop closure;
- involving women in activities of the union on career guidance;
- actively recruiting women in all educational courses of the union.

The last activities are still taking place. Apart from this, amongst trade union officials there is an awareness, that women are a majority within the sector, and that this means that trade union work should involve issues, which are important for women.

Danish HK/DK is involved in mainstreaming and provides a good example of attention being paid to women in political positions and in management both inside and outside the union. In the coming collective bargaining process, there are demands for full pay during the parental leave and a contribution to a central birth leave foundation - where all companies regardless sector and distribution of men and women contribute - to secure full pay. The industrial birth leave foundation was a result of collective bargaining in 1995 exclusively for the industrial sector. At that time HK was very active in bringing together all forces to create a general foundation, but *Dansk Metal* took their own road.

In **Italy**, according to Filcams (CGIL), in the negotiating platform, there is the will to introduce a general code that fosters equality at company level. "*We demand that the employers-employees commission has a different role and that data on pay gaps be provided...*" There has been positive experience in some companies, such as Ikea, which is an example of good practice, notably concerning equality, perhaps because managers are women – for instance, they grant a period of training after maternity leave. There is also the example

of Coop: 2/3 of employees are women: there is one of the first codes in Italy against sexual harassment. In one of the shops, the 53/2000 law has been implemented to promote working hour arrangements and flexibility, that correspond with employees' family needs. But the second level (enterprise) of collective bargaining concerns few companies, besides some major department stores and thus covers only a small part of the sector. In the commerce sector, there are two few company agreements for there to be real results.

* * *

Analysing union practices regarding equality in the commerce sector might seem paradoxical: although it is a sector with many women, it seems that, relatively speaking, union strategies have not been greatly developed on this issue. Besides the fact that traditional union culture is not attractive for women, the above can be explained by the nature of jobs in the sector, which are marked by a high degree of insecurity (as well as low pay and short hours) and also a high turnover rate. On the one hand, this situation is a serious obstacle to women joining unions and, on the other, it creates a screen, which practically hides discrimination - which really does exist in this sector. The attitude, which is often observed by union actors, is that priority is not given to equality as such, but to the more general struggle against low pay and great job insecurity.

SECTION III - THE PLACE OF WOMEN AND EQUALITY IN PUBLIC SERVICE SECTOR UNIONS

1. General information on the public sector and appraisal of gender inequalities in this sector (elements of analysis and statistical data)

1.1. *Summary presentation of the area of economic activity, workplaces and technical and economic development*

As was the case for the metal industry, it is particularly difficult to define the boundaries of the public sector in the various countries covered by this study. Indeed, this sector sometimes only covers central administration (ministries), but can also include local and regional authorities, as well as health and education... Access to homogenous data is, in fact, impossible. Depending on the context, some reports have included certain areas of activity in line with union membership and possibilities of carrying out field studies.

In all of the European countries covered by this study, there is ongoing reform of the state, which is more or less well integrated in the social and political landscape and has reached different stages of progress. Such reform often aims at decentralising certain activities to regional and local authorities - as well as privatisation and reducing the number of staff on permanent contracts. Finally, there is also a general process of modernisation of public services (improved quality, introduction of performance criteria and development of new technology, etc.). Thus, in **Italy**, ongoing reforms involve introducing a private management model, which affects more than half of civil servants (the others are in local authorities (670,000) and health services (680,000)). In the **Netherlands**, privatisation concerns the post office, transport and energy, namely sectors that were considered to be part of public responsibility up until now. But this trend seems less intensive than in other European countries and involves a mixed economy system, where state involvement is not completely excluded. There is often a search for financial partnerships (via major private companies or participation of users).

In **France**, since 1982-3, when laws on decentralisation were adopted, the break with the state was reinforced. Since 1984, three kinds of civil and public servants exist: in state civil service (ministries and army), local and regional authorities (1.5 million employees) and public hospitals.

In **Denmark**, there has also been a trend towards privatisation, public financial support to parallel services, e.g., childcare and the selling of public services. The public sector involves 3 levels: the state level, covering the ministries, some administrative units such as universities and some state owned companies; counties (14) and their institutions; and municipalities (275) and their institutions.

In **Austria**, developments in the public sector have been strongly influenced by the transformation of government administration from the realm of state sovereignty to a service-oriented approach to policy. This has affected government bodies, institutions and foundations on the federal, state and local levels. This process began as early as 1996 with the privatisation and outsourcing of services, including the postal and telecommunications administration, the federal data centre, and the Austrian postal banking system (see

Personaljahrbuch 2002, p. 2). This development had a significant impact on the employment situation.

Table I. Data on employment in the public sector

	Total employment	Proportion of women
Austria	580.354	55,5 %
Belgium	923,852	46%*
Denmark	946,646 state level:182,674 counties: 192, 107 municipalities: 474,167	state level: 45% counties: 76% municipalities: app. 78%
France	2,302,403	49% (55.7% except for military in 2000)
Italy	3,108,803	50.6% (2000)
The Netherlands	551,000	40% - 58%**

Sources: national reports

* This figure applies only to federal public services (former ministries) involving only 62,188 employees.

** 40% in central public administration and 58% of employees covered by *FNV AbvaKabo* (employees of central administration and health services, etc.).

1.2. Appraisal of gender inequality

Decentralisation processes thus exist in all the countries concerned. There is generally a drop in the number of state employees (often as a result of not replacing those who retire). For example, in **Italy**, between 1990 and 2000, reforms of the state led to a 4% drop in staff (except for security). However, in the **Netherlands**, in spite of privatisation, in some parts of the public sector, employment is still increasing (+10% between 1996 and 2002). In **Denmark**, also in spite of privatisation, the proportion of public employees has been growing.

* There are often many women in public employment and their share is generally increasing. In the **Netherlands**, women are over-represented in public employment, notably, in education (55%) and health (79%).

* In **Belgium** between 1991 and 2001, the percentage of women increased from 42% to 46%, whereas that of men dropped by 4%. Women in positions of responsibility increased from 2.6% to 6.2%. Until 1997 – following on from a recruitment freeze – the number of employees dropped by 3.4%.

* In **Italy**, the proportion of women has increased in ministries, including in positions with responsibility. Women are present in so-called "women's occupations" (education and health), but also because recruitment procedures in the public sector are recognised as being less discriminatory than in the private sector.

* In **France**, the proportion of women (over 50% since 1981) in civil and public services (excluding security) continues to increase. New occupations are highly feminised and some are filled almost exclusively by women, such as help for the elderly and childcare... The growth of staff in civil and public services is concentrated in these new occupations and has, therefore, contributed to feminising the sector. In 2000, women represented 49% of all those

working in the civil and public services (55.7% excluding security). It should be noted that there are 10% more women in local and regional authorities (59% are women) than in civil and public services in general.

* In **Austria**, the public service sector is traditionally one of the most important areas of women's employment. Women currently make up 55.5% of all employees in this sector.

* In **Denmark**, the public sector – at county- and municipality-levels - is highly feminised (more than 76% of employees are women), whereas at state level, only 45% of employees are women.

Occupational segregation

As in the private sector, women in public employment in the countries covered by the study experience horizontal and vertical segregation.

Our study shows that women are highly concentrated in certain kinds of jobs, where they traditionally predominate (education, administration and health). Moreover women are almost systematically under-represented in the most highly qualified positions, including in areas where they constitute the great majority of staff, and they remain over-represented in less qualified positions.

In **Belgium**, for example, men are the majority in all grades, except the unskilled. In **Italy**, vertical segregation is less marked than horizontal segregation in all sectors, but it persists in health and higher education (among teaching staff).

In **France**, women constitute the majority in all hierarchical grades and their good representation in the highest grade can be explained by their over-representation in education. If education is excluded from calculations, women are very largely under-represented in management higher and management positions.

In **Denmark**, as in **Austria**, both horizontal and vertical forms of segregation still determine women's employment.

Moreover, public jobs, where there are many women generally have very few, if any, career possibilities. In the **Netherlands**, for example, the absence of career prospects for women in administration explains their frequent departures and mobility. This the case in public administration and higher education. Efforts are now made to provide career opportunities in the Ministries and local authorities. Working conditions (notably stress in the health services) also explains resignations.

In **France**, it is also the case that occupations with the least career prospects are those where there are the most women.

Some details:

Belgium: there are 4 levels, depending on diplomas (level 1 refers to university diplomas and level 4 refers to those with no qualifications). Women account for only 32.2% of level 1 staff and 74% of level 4 staff. Most (almost 4,000) of the latter are women on contracts (i.e. without civil servant status).

Italy: On the basis of Treasury data (1996), it was calculated that the vertical segregation index in these sectors was 0.23 et 0.19 respectively. In other sectors, the index is lower: local authorities (0.09), ministries (0.07), police force (0.02) and schools (0.14).

France: there are three hierarchical grades of civil and public servants: grade A (higher level executives with at least baccalaureate + 3 years' higher education); grade B (lower level executives with between baccalaureate and baccalaureate + 2 years' higher education); grade C (clerical staff, service workers and manual workers). In the (state) civil service as a whole, women are in the majority. Over a period of 10 years, there have been more women than men in grade B. Since 1998, there are proportionately more women in grade A than grade C. This can be explained by the very strong feminisation of staff in education (excluding higher education) - 66% are women. Women account for 62.5% of grade A staff in this part of education. The Calmou report on women's access to executive positions in the civil and public services in general made a clear verdict: the higher one rises in the hierarchy, the less one is likely to find women. In this highly feminised sector, they only represent 33% of grade A executives. In 2000, women only occupied 13.7% of top level civil and public service positions (compared with 12.5% in 1998).

Austria: On the horizontal level, there is a concentration of women in typically gendered areas, such as health care²⁸ (83,9%), teaching (53,4%) or the general public administration sector (50,8%). With respect to higher education (23,4%), the police and *gendarmerie* (6,2%) and the military (1,0%), women are significantly underrepresented, although one should point out that in the later two areas women's employment was only introduced a few years ago. There is, however, a very interesting improvement in the area of judges and district attorneys (*Staatsanwältin*), where the percentage of women has increased from 29,5% in 1995 to 37% in 2002. This positive development is most likely not yet over. The catching-up phenomenon can also be seen amongst graduates in the fields of higher and secondary education, where there has been an increase from 38,1% and 40,0% to 43,0% respectively in the time period under study. It should also be pointed out that women dominate in the unskilled sector (63%).

Denmark: There is segregation at all 3 levels of the public sector, e.g., in primary and secondary schools, which are administrated by municipalities, approximately 64% are women, but only 4% are school managers. Very traditional women's jobs both in counties and municipalities are services, administrative jobs, teaching and health care.

Atypical jobs

In the public sector - as in the private sector - atypical jobs are on the increase and often occupied by a majority of women. They are primarily part-time jobs - both chosen and imposed - and vary in numbers greatly from country to country. Also a variety of different forms of non-civil servant status jobs (notably with private sector contracts) are becoming widespread.

In some countries and, above all the **Netherlands**, part-time work is the norm in several sub-sectors of the public sector, notably in health services (50% of jobs are part-time) and education. On the other hand, in general, the percentage of part-time workers is lower in public administration than generally in the Dutch economy. In **Denmark**, only 11% of public sector employees work part-time - 68% of them are women and more than half work in local authorities. In **Italy**, only 4.4% of public jobs are part-time (83.7% of which are occupied by women). In **France**, 28% of local and regional authority employees work part-time, but only 8% have chosen to do so - the other 20% are "non full-time" jobs (i.e., fewer hours than the normal working week and have not been chosen by the employees concerned). Only 14.3% of all **Austrian** public sector employees work part-time and women make up the largest part of this group. It should be emphasised here that the wish to work part-time has increased from year to year. Until 1997, tenured civil servants, who wanted to work part-time, were only

²⁸ In following, all data refers exclusively to the national level; data has not been collected for state and local levels

permitted to decrease their working hours by 50%. As of 2003, employees now enjoy a sliding scale of part-time employment, that can be tailored to the needs of each individual. The majority of all part-time work is to be found in the administrative sector, as well as amongst teachers, instructors and unskilled workers.

As well as working hours, some public authorities combine short hours with insecure contracts - and often with difficult working conditions. **France** is a good illustration of this situation. 13% of those with civil servant status have such "non full-time jobs", compared with 53% of those who do not have civil service status. Women not only make up the majority of the latter (70%), but also non full-time work is to be found mainly in this kind of job (i.e., 53% of those, who do not have civil service status, have non full-time jobs). This analysis shows that many women are concerned by non chosen part-time work, which is combined with job insecurity. Many jobs involve less than 28 hours per week and are mostly occupied by women in difficult situations, who can be called upon to do a few hours' work here and there according to needs. Conversely, some of those, who do not have civil service status, benefit from very privileged jobs - they are most often in grade A jobs and have been able to negotiate their position and pay - they are "luxury" "non civil servants" and mainly men.

In **Belgium**, almost a third of federal public service staff are on private contracts and they are mainly women: 13.4% of men and 48.7% of women are in this situation.

In **Italy**, 4.4% of jobs are with non-standard contracts (fixed-term, parasubordinate or temporary), of which about 46% are occupied by women. In all, 8.8% of public jobs are non-standard - this is lower than the general proportion of such jobs in Italy.

In **Austria**, in the public sector as a whole, traditional employment structures are still common. A total of 68.6% of all employees are "tenured" (*Beamte*) civil servants, 31.0% are contractual employees, 0.3% are apprentices and 0.2% are categorised as "other."

1.3. Industrial relations

* In the **Netherlands**, as in most countries in the study, public sector collective bargaining, notably on pay - depend mainly on government decisions. However, there are certain margins for manoeuvre in health services and some areas of education. The biggest collective agreements in the country cover these sectors (210,000 people in care institutions are covered by one large collective agreement, 155,000 in hospitals and 340,000 in education). The whole of the sector is characterised by a strong presence (90-95%) of works councils, 45% of whose members are women. All three trade union confederations (FNV, CNV and Unie) are present, but also small unions, that play a pressure group role, even if they sometimes only represent a particular category of employees. AbvaKabo FNV is the main union representing central administration and health etc. employees with 360,000 members. Despite attempts to merge, a separate FNV sector union organises employees in education, AOb (71,600 members).

* In **Belgium**, public sector workers with and without civil service status are represented by three sector unions: one is affiliated to CSC and another to FGTB. The third - neoliberal - is in principle independent, but has signed a cooperation agreement with CGSLB. In fact, union membership of public sector employees is complex. Those, who do not have civil servant status, continue to be members of the sector union, to which they belonged previously. But, in some cases, which are exceptions, whole categories of private and public sector employees

are represented by public sector unions. Unlike other countries such as France, the rate of unionisation in the public sector is lower than amongst workers in the private sector. The unionisation rate is estimated to be 66% (60% men and 40% women). Union relations in the public sector, in general, and in ministries, in particular, are covered by different rules than the private sector. A law, that was adopted on 12 December 1974, regulates relations between public authorities and unions. The collective bargaining process is institutionalised. Competent public authorities can only make decisions after negotiations with representative unions within committees, that were created for this (committee A for all public services, committee B for provincial and local services and committee C for all federal and regional services). There are also consultative committees at the level of services, which play a role similar to that of works councils and welfare and prevention committees in the private sector.

* In **Italy**, negotiations are carried out between all three unions (FP CGIL, FPS CISL and PA UIL) and ARAN (agency that represents the whole of public administration). FP CGIL is the biggest union in the public sector with 369,059 members (17% unionisation rate). FPS CISL has 315,053 members and PA UIL has 313,038 members (including teachers, who are in a separate union in CGIL). Since 1993, an important agreement established the existence of representation bodies, RSU, which play the role of works councils. Moreover, second-level (local) collective bargaining has developed alongside the reform of the state. This level envisages a new system of classification, which will lead to greater mobility; a pay system, that will introduce productivity and merit criteria; a new profile for executives; as well as flexibility of services...

* In **France**, most civil and public service union members are in local and regional authorities and that is why our study concentrates on this sector. In CFDT, for example, 64% of members are in local authorities (especially technical services) and 15% in *département* authorities (especially social services). This situation reflects one of the features of unionisation in this sector - regardless of which union, those working in technical services are more involved in unions, than those working in administrative services. Moreover, this difference is a result of gender differences - there are many more women in administrative than in technical services. During workplace elections for CAP (joint administrative commissions, that are responsible for examining individual situation - promotion and penalties) and CTP (joint technical commissions, that are responsible for collective aspects of work), CGT, FO and CFDT received most votes in that order, but in 2001, CFDT came second. CGT is the biggest union, both in terms of numbers of elected representatives and also in terms of members (58,9000).

* In **Austria**, unlike most private employers, state authorities are not members of the Chamber of Economy (*Wirtschaftskammer Österreich, WKÖ*) employers organisation. In general, the public administration has three hierarchical levels – federal (national), provincial (*Länder*) and local (*Gemeinde*). Public sector employees are represented by separate trade unions, which largely reflect the differentiation of the state: the Union of Public Services (*Gewerkschaft Öffentlicher Dienst, GOeD*) represents civil servants and contractual employees of the federal and provincial administration; and the Municipal Employees' Union (*Gewerkschaft der Gemeindebediensteten, GdG*) organises employees of local administration.

Public employees' unions - both federal/provincial and local - have relatively high density rates. More than 80% of all employees in local administrations and 60% of all federal and provincial public employees are members of the respective unions. Membership figures tended to be fairly stable in the 1990s. Small declines in absolute membership primarily ensued from declining employment in the public administration.

Despite this differentiation in both state authorities and trade unions, negotiations take place jointly on behalf of the public sector as a whole. This means that representatives of the federal state, the *Länder* and the local authorities participate in these negotiations on the side of the employers. Preparations for pay bargaining are made by the state's personnel development division, which is responsible for supporting politicians with relevant documents and calculations. The personnel development division has been shifted between various governmental institutions several times in the past decade, due to the redistribution of government competencies regarding the public administration. First, it was transferred from the Office of the Federal Chancellor to the Finance Ministry, and since April 2000 the division is subordinate to the Vice Chancellor of the governing coalition of the People's Party (*Österreichische Volkspartei, ÖVP*) and the Freedom Party (*Freiheitliche Partei Österreichs, FPÖ*). Mirroring the employers, the trade unions form a joint committee for the negotiations. In recent years, a demand to split up the negotiations has been made by the employees of several public administration departments. Among them are departments with a strong corporate identity, such as diplomatic departments and the public audit office. However, these efforts have not yet been translated into separate negotiations.

* In **Denmark**, public sector employees are organised in indifferent trade unions, according to their original job functions. These unions have organised themselves in umbrella organisations or confederations, covering a number of unions:

- DMCE – Danish confederation of municipal employees – covers 16 LO unions, organising employees in the local and regional public sector. DMCE represents approximately 400,000 employees.
- StK – Association of Danish State Employees Organisations – is one of the LO cartels and represents about 90,000 employees at state level.
- AC – Danish confederation of professional associations – has 22 member organisations with approximately 250,000 members with university degrees or similar higher level education. About 81,200 of its members are public employees.
- FTF – Salaried employees and civil servants confederation – organises more than 100 independent unions. Three quarters of its members work in the public sector. The biggest members unions are the Danish teachers union (80,000 members), the Danish nurses union (70,000 members) and the Danish pre-school teachers union (58,000).

CFU – *Centralorganisationernes Faellesråd* – negotiates on behalf of state level employees. It represents AC, FTF and StK and covers 98% of all state-level employees.

KTO – Association of local government employees' organisations – negotiates on behalf of approximately 630,000 county and municipal employees. It covers 55 member unions, representing LO, AC and FTF and other organisations.

2. Position of public sector union leaderships regarding women and equality

The positions of sector union leaderships on the place of women and equality in public services vary from country to country.

It would appear that some countries are more involved in these issues than others. The Netherlands, Belgium and Italy have a relatively high rate of unionisation of women and are also more active in the area of equality in the public sector.

* In the **Netherlands**, AbvaKabo and AOb have long traditions of involvement in equality issues. They were the first unions to have a women's committee and equality officers, who were in temporary positions at the beginning, but now are permanent. According to

AbvaKabo rules, women members - just as young members and those belonging to ethnic minorities - have special rights, for instance special seats in boards . Thus, 61% of (full-time equivalent) employees of the union are women and their proportion is on the increase (55% in 1999). A third of those in management positions are women, as are a third of union officials (negotiators). Representation of women amongst activists is not very good (on average, 35% - only 20% in central administration and two-thirds in health services). Thus, women only represent a quarter of the national board (executive committee), but 42% of the executive council (day-to-day leadership body). The situation in AOb is somewhat different – 48% of all employees of the union are women (down from 64% in 1999), as are 42% of those with managerial responsibilities, but only 15% of the national board and 39% of the executive council.

* In **Belgium**, equal opportunities have always been an important topic for CGSP FGTB. The concept of mainstreaming was introduced in internal union management three years ago, when - at inter-sector level - there were campaigns on the glass ceiling, career planning and classifications etc. CCSP CSC's approach to gender mainstreaming is entirely in line with CSC's inter-sector policy. This explains why CCSP CSC has not adopted general resolutions on gender mainstreaming at recent congresses. CCSP CSC has, however, worked on incorporating its concept of gender mainstreaming in issues concerning management of public service staff. Gender issues are part of the general defence of workers' interests and are constantly incorporated in union action. In public services, few women occupy high-level positions. Much has yet to be done, in order to achieve equality with men. Gender issues in public services, therefore, mainly concern career possibilities.

* In **Italy**, gender mainstreaming is an important topic in the sector, since the Beijing world conference on women (1995). But, unlike other sectors, the concept has spread more quickly, both theoretically and practically, in civil and public services. Policies in favour of equality have been negotiated and equality committees have been created, in order to promote valorisation of women in the public sector. A big presence of women in the sector has led to many women in unions. A code of good conduct against sexual harassment has been adopted, but this, in fact, reveals major problems in this area, especially in the health service. Internally, non-discrimination standards are implemented in FP CGIL (40% women amongst members of works councils). There are many women in other unions, but we do not have figures.

As far as France - and also Austria - are concerned, the issue seems to be one of mobilising women in the union movement and ensuring their representation in union leadership bodies.

* In **France**, it is estimated that, in local and regional authorities, 40% of CGT members and 57.3% of CFDT members are women. In the CGT, therefore, women are under-represented, compared with the sector: *"There is a male tradition in technical services, that have existed longer and coexist with more recent union branches, that have been created around developing sectors, such as schools, culture and administration and where there are mainly women... therefore new members are more often women. But it is not easy to make members in these new sectors, precisely because they are women, who are traditionally less involved in unions. Moreover, they work more closely with councillors and are therefore less unionised"*. (woman CGT public sector officer).

* In **Austria**, in comparison to all other trade unions, the Public Sector Union (GOeD) organises the second most women employees, with 111,135 members, just behind the large

Private Sector Employees Union (GPA). Percentage-wise, GOeD has the second highest concentration of women, with 47.5%, and is topped only by the industrial Hotel, Restaurant and Personal Service Workers Union (HGPD), which is a typical “women’s organisation.” These quantitative figures mean little, however, if women are not represented according to their numbers in the organisational hierarchy of the unions. And this is definitely not the case; women are still strongly under-represented. The percentage of women in the top two organisational levels of GOeD is low, with 9.8% in the Federal Board (*Bundesvorstand*) and 16.6% in the Directory (*Präsidium*). This is the case despite the fact that GOeD has had a Women’s Affairs Section since 1965.

In **France**, neither CGT nor CFDT sector unions have women's commissions, but only a national woman officer, who is responsible for gender balance, amongst other things. Nevertheless, special attention has been paid to the issue of women's representation in union structures: in CGT, the national bureau is made up of 5 women and 3 men, the executive committee of 24 women and 27 men and the general secretary is a woman. Moreover, CGT is the only union to have a delegation with parity in the higher civil and public service council (national collective bargaining body). In CFDT, women's participation in leadership bodies is on the increase: in 1995, there were only 12 women (out of 39) in the national council, but now there is parity: *"There was clearly a desire to implement practices, that we defend elsewhere, and to seek out women activists. We tried, whenever possible, to replace those, who left the leadership body, by women candidates."* (CFDT woman national officer).

In **Austria**, the conditions, in which the struggle to introduce equality in labour unions has been carried out, are much better in the public sector than they are in the private sector. The federal Equal Treatment Act for the public sector was introduced in 1993. It contains a clause stipulating positive action for women. This clause must be fulfilled through the introduction of a distinct positive action plan for women in all areas of public sector employment. GOeD was encouraged to incorporate the rationale of an institutionalised positive action policy, because of the gradual implementation of the government’s equal opportunities measures, although it had tended to drag its feet in this respect until recently. GOeD was significantly influenced by the general social debate on gender equality during this period, as well as the discussions and struggles within trade unions as a whole, which significantly strengthened the hand of women GOeD members and officers.

Table 2. Representation of women in public sector unions

	Number of union members	Proportion of women members	Proportion of women employees in the public sector	Proportion of women in elected day-to-day leadership bodies	Proportion of women in executive committees	Other indicators
Austria			55,5 %			
GOeD (OeGB)	234.187	47,5%		no data available	9,8 %	2 women as head of a federal department, 7 executive officers (46,7%)
Belgium			46%			
CCSP (CSC)		52%		25%	25%	1 woman general secretary
CGSP (FGTB)		42%		11%		
SLFP (associated CGSLB)						
France						
PS (CGT)	58,900	40%	49% -55% (except for military)	62.5% (5/8)	47% (24/51)	1 woman general secretary; 35% of congress delegates; gender parity in delegation to the higher council
IntercO (CFDT)		57.3%		40% (4/10) national secretariat	50% (19/39) national council	50% of congress delegates
Italy						
FP (CGIL)	369,059	40%	50.6%	3/9	68/180	40% of members of works councils are women; 1 woman national secretary
FPS (CISL)	315,053	No data		2/7	Not available	1 woman national secretary

PA (UIL)	313,038	No data		1/5	20%	1 woman president of central committee; 1 woman national secretary (out of 6); 21.7% general secretaries (10/46)
Netherlands AbvaKabo (FNV)	360,000	47%	58%	42% (executive council)	25% (national board)	1/ 3 national trade union officials (negotiators)
AOb (FNV)	71,600	57%	58%	39% (executive council)	15% (national board)	1/ 5 national trade union officials (negotiators)

Sources: national reports

Table 3. Structures responsible for equality within public sector unions

Austria	Department of Women's Affairs
Belgium CGSP (FGTB) CCSP (CSC) SLFP (CGSLB)	Women's bureau No specific structure No specific structure
France SP (CGT) Interco (CFDT)	National officers responsible for gender balance issues, amongst others
Italy FP (CGIL), FPS (CISL), PA (UIL)	Plans for creating equality commissions
Netherlands AbvaKabo (FNV) AOb (FNV)	Women's committees and equality advisors

Sources: National reports

3. Analysis of trade union action, activities and collective agreements (where they exist) from a gender perspective in the public sector

Measures and policies on gender equality have often been adopted in civil and public services, thus guaranteeing a high level of rights for civil and public servants. From a trade union point of view, there are sometimes negotiations, but one cannot say the fight for equality is a declared priority, as they have relatively protected status. But with ongoing reforms of the state, some demands indirectly concern increasing numbers of women.

3.1. Unequal Pay

As in many sectors - but perhaps in an even more marked way - unequal pay in civil and public services is not directly identifiable. Recruitment rules and equality principles guarantee equal rights to equivalent posts. However, we know that inequality exists between departments and jobs that require, for example, the same level of qualifications or in terms of careers for men and women occupying the same post. There is, therefore, indirect discrimination, which requires detailed analysis, which is still rarely carried out in unions.

Although the situation in each country varies, there are considerable similarities. Firstly, all union actors feel "protected" by texts, which guarantee equal treatment, even though gender pay gaps have been identified in all countries covered by the study. Moreover, even if equality is not a priority for unions, when one analyses their actions and demands, it is obvious that the people they defend are mainly women. Indeed, traditional demands, such as on pay, job insecurity and career prospects concern mainly women in the public sector. Most union battles are on these three issues and - whether deliberately or not - also involve the issue of gender equality.

As far as pay is concerned, in a number of countries, it is admitted that pay is lower in the public sector than in the private sector, but that job stability compensates the difference. This is the case in the **Netherlands**, **Belgium** (which is in the process of changing) and to a certain degree in **France**. However, the increase in the number of atypical jobs - without civil service status - is jeopardising the situation.

In **France**, unequal pay is not an issue, that is dealt with directly. In fact, gender equality as such is rarely addressed. The main demand of both of the unions studied concerns transforming insecure jobs into permanent ones. This aspect is the one that is considered to be most important and mobilises most people currently. As many of those without civil servant status are women, when there is action to defend those with insecure jobs, women are most concerned. *"Fighting against insecurity involves fighting on behalf of women."* (Woman CFDT national officer). In the context of the "Sapin law" on transforming insecure jobs, many agreements have been signed regarding "non full-time jobs", that are less than half-time. The specific problems of childminders, who are all women, has mobilised many people: absence of civil servant status, lack of recognition and low pay, that is below the legal minimum wage. Union officers emphasise that problems in administrative work, where there are many women, also led to raising issues concerning gender equality. *"There are two angles on approaching occupational equality - either from the point of view of insecure jobs or that of administrative work"*. (Woman CGT equality officer). In both unions, work has been done on administrative work. *"We want to be able to compare technical and administrative jobs... in order to harmonise careers in relation to qualifications. We want to make both pay scales coherent."* (Woman CGT equality officer). The issue of recognising qualifications in administrative work reflects recognition of women's occupations and explains the existence of unequal pay.

The issue of the way pay is composed in public services exists in various forms in most of the countries studied and is directly related to the issue of gender equality.

In the **Netherlands**, there is a pay gap, as in the private sector. AbvaKabo pinpoints discrimination in job evaluation schemes (especially in hospitals and central administration). Thus, the National Commission on Equal Treatment has studied in detail job evaluation in the

health service. However, it was not AbvaKabo, that initiated this approach, but small critical union branches, that represent nurses. They tried to encourage women to complain individually - without any real results - but a study of this area has been started. Policies against unequal pay are centred on the rights of part-time workers and flex-workers and also on the negative influence of leaving work to look after one's children. More generally, the union has initiated a global approach to the issue of unequal pay, by looking more closely at women's careers and the sharing of family responsibilities. AOb focuses less on job evaluation and more on individual claims, risks of career breaks and the effects of part-time work.

In **Belgium**, in the context of recent public service reforms, the authorities are seeking other ways of calculating pay, which will take more account of quality of work and individual performance. From a gender mainstreaming perspective, it should be observed that the constitutional principles of equal treatment and non-discrimination were introduced in civil and public servants status. It can be said that today there is no longer pay discrimination in the public sector. Nevertheless, pay differences can result from indirect factors - classification of functions is probably one cause of discrimination. According to CGSP, women often make sacrifices, i.e., choose a less advantageous situation at work, in order to make it easier to combine working and family life - such choices always lead to lower pay. For this reason, in collective bargaining, CGSP emphasises measures, that can help to reduce the direct and indirect financial repercussions of such choices for families. In CCSP's view, the method of fixing pay in public services means that the problem of equal pay for equal work is not so evident as in the private sector. But, that does not mean that hidden problems have not come to the forefront. For example, several years ago, CCSP managed (by referring to European directives) to improve the situation of staff employed on contracts by the federal authorities. Most of the staff, who benefited from these measures, were at lower levels in maintenance and catering, i.e., mainly women.

In **Italy**, even though the pay system is complex and variable in different parts of the public sector, pay issues remain central in collective bargaining. Pay is fixed according to a basic rate, a bonus depending on which part of the civil and public service one works in, a variable element and a special allowance for those with civil and public servant status. Gradually, the variable element is becoming more important and is reflected in criteria concerning performance and individual merit. Before the reform, the variable element for executives was only 5% - now it is 40%. As far as unequal pay is concerned, indirect gender discrimination also exists, as in other sectors. The way in which pay is calculated is not discriminatory, but women trade unionists denounce the existence of a pay gap. However, there are no precise analytical data. Discrimination is indirect, in that the pay gap reflects the difficulties women have in working overtime and going on training. Although the public sector was one of the first to introduce this issue in collective bargaining, there are no concrete measures, notably in the area of pay.

Even though the Federal Equal Treatment Act in **Austria** forbids the unequal treatment of men and women in the area of pay, gender remains a key factor in determining the levels of men's and women's pay. For example, women's pay in the federal civil service was 25.8% below that of men in 2002.

As a rule, pay is higher in the public sector – among other reasons because of the high percentage of academics in this field – than it is in the private sector and jobs tend to be more secure. Even today, the concept of a "life-long-position" still predominates. It can be assumed

- with respect to the public sector in general, as is the case for employees of the Vienna Municipality - that employment is long-term and that there is very little fluctuation.

For the employee representatives – according to a statement of the Women's Affairs Secretary – Public Sector unions do not see fair gendered pay to be a topic that needs to be dealt with immediately. The last pay reform negotiations were in 1994 and at the moment there are no steps being taken to renegotiate pay regulations in this sector. However, according to an interview, "*pay reform will be the next big negotiation story*", mainly because pay disparities between various career tracks are largely based on job evaluation schemes that lead to a significant level of unequal treatment. In various federal states, e.g. the state of Upper Austria, measures to deal with this problem have been introduced, including steps to meet gender disparities. As a matter of principle, the whole debate about a fairer form of job evaluation should be carried out from a gendered perspective, according to the Women's Affairs Secretary. It is, however, unlikely that this demand will meet with success because of the current lack of awareness within the ranks of the Public Sector unions as well as because of the great significance of this project.

3.2. Working time and work-life balance

In the public sector, concerns regarding working time vary from country to country. Some unions are involved in demanding and negotiating the collective reduction of working time (as well as resulting job creations) and also part-time work (**France, Belgium and Italy**). Others are more concerned about negotiating work-life balance (the **Netherlands and Austria**). It seems that this difference affects the way in which trade unions deal with collective bargaining and also has significant consequences regarding the way in which the issue of gender equality is taken into account.

Working time has for years been an important collective bargaining topic in the **Netherlands** - in the fight against unemployment and for improving working conditions and reconciling family and working life. As elsewhere, part-time work has been an important topic for FNV, which has developed a twofold strategy: in predominantly male sectors, where full-time work is the norm, FNV defends the right to long part-time jobs (more than 28 hours per week). In sectors, where there are many women, such as the health service, it was a matter of improving conditions of part-timers and enabling them to have longer working hours. The working week is, on average, 36 hours, which is shorter than in the private sector (38 hours). There is a flexible system of lengthening or shortening working hours, as well as different modalities for shorter working hours, e.g., time savings account and paid training leave, etc. Employers accept these forms of flexibility, which are easier to introduce than external flexibility.

In **Austria**, work/life balance has been a top issue over the last few years, both on political and trade union levels. Although the work/life balance debate continues to highlight the needs of working women, the federal government has emphasised the need to increase the number of men, who are willing to take advantage of parental leave, and has therefore also began to highlight the needs of working fathers.

The primary gendered demand of the Public Sector unions (GOeD) – and especially its Women's Affairs section – is to determine how the calculation of seniority (length of service) and working years has affected women's careers, especially with respect to the use of parental leave. Major headway has been made with respect to the inclusion of parental leave in the seniority schemes, as well as the guaranteeing of the right to return to the same job after parental leave. Examples of this are the right of employees to have the first two years of their parental leave per child considered in full when calculating their seniority; if an employee

remains at home until the child reaches school age, 50% of the parental leave years are added to their seniority.

In principle – according to the interviewee – working hours are not an important topic. Despite the existing 40 hour working week, there is currently no debate on reducing working hours. It is seen as an achievement, however, that many laws now include the right to work part-time. The various organisations in this sector have introduced a wide variety of work-organisation plans, that vary between branches and departments. Flexitime is not anchored in the law and has been introduced where work organisation and open-minded employers permit it. One of the major barriers to progress remains implementation within the legal framework. Furthermore, management still assumes that it is "normal" for employees to be on the job full-time, which obviously discriminates against women, who are less able to live up to these expectations than are most men. For this reason, working part-time must still be considered a disadvantage for women's career advancement. The areas in which demands for improvements will be key ones in the future include: the implementation of a life-long working time model, the possibility to work part-time on less than a half-day basis, as well as the management of core workforce positions, which remain full-time positions and can only be filled by one person, thus preventing the introduction of job-sharing.

France has embarked on another path. The reduction of working time has become the main issue following on from legislation in this area. There is no general agreement on this in civil and public services - it is negotiated separately. Both unions seem to regret this situation. *"Shorter working hours have been negotiated locally, because a framework agreement has been refused, so agreements vary greatly - some are good and others not."* (Woman CGT equality officer). It should be emphasised that in none of the negotiations on shorter working hours were there demands regarding gender equality. Moreover, it seems that the issue was not dealt with as such in the different debates in leadership bodies. However, indirectly, the situation of women was taken into consideration in demands concerning the future of part-time work, when the 35 hour week was introduced - and almost all part-timers are women.

In **Belgium**, public authorities have introduced positive action, in order to deal with discrimination, e.g., working hours arrangements, parental leave, part-time work and reduced working hours. In recent years, CCSP has raised gender issues mainly from the point of view of work-family life balance. This approach concerns primarily women workers. Various studies have examined why public services are attractive for potential staff and it appears that this aspect is very important for many of them. This demand is approached from the angle of active support for the right to work part-time (in the past, the public sector played an important role in this area). In the public sector, career breaks are still used, not a time credit system. In several ways, this system is more favourable, than a time credit system. In the past, CGSP always said that it would not accept that the private sector system be introduced into the public sector, without keeping existing advantages. CGSP also strongly supported introducing the 4-day week (Vande Lanotte law). This law is used mainly by women employees. It is very successful, but CGSP general secretary thinks that there should also be other measures, that make men take on board responsibilities of family life. She thinks that the existing ten days' paternity leave should be made compulsory.

In **Italy**, working time is not a central collective bargaining topic for the state civil service. However, at local authority level, it has become very important. There have been new measures regarding part-time work. Women use part-time work more, while men and women use it for different reasons. Men use it for having a second job, whereas women use it in order to be able to reconcile working and family life better, especially after parental leave, which

coincides with when children can be looked after collectively. Since legislation, that was adopted in 1997, they can work part-time and then return to full-time work after two years. Since the civil and public service agreement signed in 2001, new forms of part-time work are recognised as of right (horizontal, vertical and mixed part-time). Moreover, services cannot refuse a request for part-time work (up to a total of 25% per service), but if the limit is reached, priority is given to those, who care for children or elderly people.

Table 4. Data on working time in the public sector

Austria	40 hours
Belgium	38 hours on average over 3 months
Denmark	37 hours
France	35 hours, implemented according to decentralised agreements
Italy	36 hours
Netherlands	36 hours

Sources: National reports

4. Obstacles and factors that foster gender mainstreaming

As is the case for the other sectors covered by this study, one of the major obstacles to mainstreaming equality in union practices in public services is the low degree of women's participation in all levels of unions. Once again, availability required for actively participating in unions is an issue, as are the model of male activists from technical departments and the difficulties women have of accessing decision-making bodies. Moreover, the parts of the public services, where there are most women, are not ones where trade unions traditionally have many members (home-helps, those involved in childcare, nurses and clerical staffs), even if the situation is changing (France and the Netherlands).

In **Belgium**, in CGSP's view, assessment of women's participation in union activity is made regularly by the executive committee and women's bureau. The union is very conscious of the fact that only 11% of union officers are women, compared with 42% of the membership. One of the reasons for the under-representation of women in CGSP structures is perhaps the result of different approaches amongst women and men to union careers. Men focus immediately on the structures and positions they want to reach. Women, on the other hand, want to work in the union in order to achieve certain objectives. The national union officer for staff in ministries confirms that women activists are less likely to accept compromise in collective bargaining if it does not coincide with their expectations. Within federal public services, on which research has been carried out, solutions to problems of equal treatment and gender mainstreaming are mainly decided upon by the authorities, which are pushed in this direction, as much by democratic political action as by union action. The union movement is becoming increasingly conscious of the primordial role it plays, whereas in the past, it sometimes had reflexes that were too male-dominated. The union movement would have greater legitimacy if it consolidated and activated current measures, that are taken at inter-sector level.

In **France**, in both unions - and especially CFDT - there are quite a lot of women union officers at branch and *département* levels, but the higher one goes towards the national level, there are fewer women. The explanation, that is often given by union officers who were interviewed is the high degree of availability that is still demanded of those who take on union responsibilities - especially at national level - and is difficult to reconcile with family life. The idea is taking hold that the way unions function should be changed, in order to enable men

and women to be able to reconcile trade union commitments and family and personal life. As the woman CGT equality officer emphasised, that could happen by changing the timing of meetings and limiting the number of meetings outside Paris (by using electronic communication more effectively)... but all of this is not so easy to introduce. Finally, the place and involvement of women in the union movement appear often to be related to strong challenging of the very nature of union commitment today, which seems to be changing compared with the traditional very strong - almost sacerdotal - personal commitment.

In **Austria**, over the past few years, gender mainstreaming has enjoyed increasing interest within trade unions. A supportive factor within trade unions can be found in the present set-up in which two GOeD representatives are members of the inter-ministerial working group for the implementation of gender mainstreaming. This working group co-ordinates gender mainstreaming activities within the public sector and also assumes a networking function between the various governmental institutions, trade unions and NGOs. Within GOeD, no decision on gender mainstreaming has been passed, however, the Women's Affairs department has introduced a variety of measures to support this agenda. The interview partner stated that one of the major weaknesses in implementing the concept of gender as a mainstream issue is that gender remains a "women's issue", men do not see themselves as a gender (but rather as the norm) and thus have remained resistant to this agenda. *"The problem is that the women's organisations are highlighting the gender issue and this makes it difficult for men to identify with the issue."* (interview of the Women's Affairs Secretary) It has been equally difficult to anchor the dual strategy with respect to gender mainstreaming. A further barrier can be found in the fact that no resources have been allocated in order to propagate the gender mainstreaming agenda.

However, besides difficulties in mobilising in some countries, there are measures, which can contribute very positively to mainstreaming equality in union negotiating and public policies.

In the **Netherlands**, parliamentary debates have contributed to gender mainstreaming being taken on board in central administration and education. However, the approach is rendered difficult in some sectors, where there are many women, because of the cost of introducing such measures, given the large number of women concerned. Moreover, some occupations (employees in childcare, home-helps, nurses and welfare sector) had weak union traditions, which are now developing.

In **Italy**, the main area of implementation of gender mainstreaming concerns collective bargaining. Thanks to union women's committees, the conditions of working women have improved. The main bargaining topics include atypical employment, recognition of qualifications and rights to maternity and parental leave. Thus, the issue of regulating flexibility, notably for women, who make up the majority of employees with atypical jobs, is a bargaining topic (especially at local level) and is the subject of legal measures in the health service and education. Thanks to the experience of women "veterans" in collective bargaining and works councils, gender mainstreaming is developing. However, problems of time and availability remain obstacles for women. There are problems of inexperience and absence of adequate training for young women - as is the case in all sectors.

In **Austria**, several years ago, the Social Democratic union faction within GOeD (FSG) carried out a survey, in which they determined the level of knowledge and acceptance of gender mainstreaming issues within the organisation. The results were "demotivating", according to the interviewed Woman's Affairs Secretary. Not only did both men and women

show little interest for the issue as a whole, the survey also found out that very few of those questioned actually understood the gender mainstreaming agenda, e.g. most were unable to differentiate between gender mainstreaming and positive action programmes for women. It is mainly men in high positions who proved to be openly apprehensive about the gender mainstreaming agenda, largely because they see it as a threat to their privileged positions within the organisations. This can be seen as a key barrier to the whole gender mainstreaming project, which is largely based on a "top-down" model in which leadership must play a key role in propagating and implementing policy changes. One of the main results of this survey, which will have great significance in the future, is the recognition that awareness-raising and sensitivity training will need to lay the groundwork for improvement. One of GOeD's plans for the immediate future is to introduce a gendered approach to its own media. Within the ranks of the employees of the Ministry of Finance, a gender working group has introduced a gendered checklist that can be used when developing income tax policy; this checklist had no impact on the last round of tax reforms, which was recently completed.

In Austria a tendency does exist to "pedagogically" introduce each wave of reform; thus gender mainstreaming has been dealt with, within the government as well as the trade unions, first and foremost as a training, awareness and publicity issue. This phase is to be followed, according to national tradition, by concrete policy steps.

The following is an example of this practice: on the basis of Ministerial Council Decisions (*Ministerratsvorträge*) - based on article 7, section 2 of the Federal Constitutional Acts on Gender Mainstreaming of 2000, 2001 and 2002 - it was determined that there is a need to implement gender mainstreaming in the public sector at a variety of levels. Thus, the existing legal conditions could be seen as supportive factors for the introduction of gender mainstreaming.

5. Tools envisaged by each public sector union to improve the situation

In the public sector - as elsewhere - even though gender mainstreaming is considered by all those interviewed to be an important and unavoidable issue in the near future, few concrete measures have been adopted.

Nevertheless, it should be noted, that in all the countries in this study, raising awareness of this issue via union education and communication is increasing carried out by all trade unions.

This is particularly the case in the **Netherlands**, where this approach is also used with other "special groups" (young people and ethnic minorities), who are also essential for developing unions. AbvaKabo explicitly recruits women for courses for new members and for helping members to become active in the union. It is also a matter of fostering the presence of all "special groups" within the national board, by having suitable individual coaching. In *AOB*, the approach is similar, with a system of "mentors", linking more experienced active members with women members, who are training to become active members.

Likewise in **Belgium**, CGSP does not have a specific campaign on equal opportunities, but tries to include it in its training programmes. In **Italy**, measures for fostering the presence of women in leadership positions involve more training for women's delegations and promoting their professionalism in union issues. In **Austria**, GOeD holds regularly scheduled training programmes, in order to propagate gender mainstreaming and to anchor its goals and content within its own ranks. Emphasis is placed on awareness raising and sensitivity training within the ranks of trade union officers. To date, two training programmes have been completed with

a total of 60 participants; a third training programme is planned for the fall. During the last training programme, one third of the participants were men.

Communication via union media is increasingly used to make union activists and officers more aware of the issue of equality.

In **France** and **Belgium**, unions have run few or no specific campaigns on equal opportunities, but they try to include the issue in their various publications. In **Austria**, one of GOeD's plans for the immediate future is to introduce a gendered approach into its own media. For example, the September 2003 edition of the union's national publication (GOeD *aktuell*), which was entitled: "*Gender Mainstreaming: Right on Track?*" The lead article in this issue was written by the Women's Affairs secretary, who highlighted the main steps needed to introduce this agenda. In the **Netherlands**, equality checklists are published and used in workplaces.

In **Italy**, in order to raise activists' awareness, FP CGIL organises, for example, regular meetings on women, notably during national congresses. Other measures concern, above all, gender mainstreaming in collective bargaining. Methodology regarding gender analysis in the sector is worked out and proposals are made for second-level (decentralised) bargaining. Important themes for fostering women's participation are as follows:

- increasing the number of women in training;
- fostering women's participation in joint committees;
- creation of equality committees;
- making working hours more flexible and promoting part-time work;
- balancing the presence of women in all occupations.

Besides these methods of consciousness-raising, information and training, few concrete tools have been adopted - and, when there is a will to implement them, they come up against traditional obstacles. Therefore, it is necessary to question the ways in which unions function internally.

In **Belgium**, for example, the CGSP general secretary is in favour of quotas for ensuring the presence of a minimum number of women within union structures, until such time that there is balanced representation. Organising experience shows that other measures, such as requests coming from union leadership to elect women to executive committees, have not proved to be very effective. Often, the conservative attitude of men activists - above all, amongst the older generation - is a barrier for women activists. The negative aspect of quota systems is that once women have been nominated and elected, they are asked to do all sorts of representative tasks and there is often no time to do their "normal" work. Another notion, that was introduced by CGSP, was to have more efficient meetings. It was simply a matter of fixing the times of the beginning and end of meetings - preferably during working hours - and an agenda that identified priorities at the beginning of meetings. This is a way of short-circuiting informal decision-making, often used by men. Given that few women participate in residential courses, CGSP decided to organise more non-residential courses or limit them to one or two nights.

In **France**, in both unions, officers, who were interviewed, emphasised the fact that the issue of gender equality should be present in all discussions and themes and at all levels: "*We think that it should be transversal - equality should be everywhere and so should women - they should not be separate. The same as for young people.*" (Woman CGT equality officer). Even if there are no specific sector union rules on this, officers try to introduce this issue as often as

possible, notably in terms of women's representation in different bodies. Moreover, in CFDT, a sector union gender balance charter was adopted in 1993, but it seems that it is not used, as current officers, whom we interviewed, only vaguely knew about it. However, such a tool seems to us to be highly relevant, if it is really used by everyone.

**1993 gender balance charter
of CFDT Interco sector union, France**

Charter's objectives:

- continue to examine in more detail the situation in the union;
- consolidate unionisation of women;
- promote occupational equality;
- increase the gender balance of bodies;
- foster women's access to positions of responsibility.

It proposes some organisational and financial measures for implementing the objectives, such as:

- introduction of indicators for measuring the proportion of women in union branches and highlighting precise gender discrimination in public services;
- implementation of effective and constant communication on this issue at all hierarchical levels;
- ensure that all occupational sectors include occupational equality in their demands;
- highlight career discrimination by drawing up comparative tables.

It seems that gender mainstreaming is beginning to become part of sector union concerns, even though it is difficult to give it concrete and explicit content: *"For us, it has an applied meaning in terms of representation, when we reflect on the composition of commissions, etc. at all levels. It has always been like that. That seems to be accepted, but in our national commission and bureau, we do not think about - nor have we had any discussion at all - on gender mainstreaming, even though we are participating in your study"* (Woman CGT equality officer).

* * *

In **conclusion**, the public sector - of the three sectors that we have studied - presents interesting results for our study. Indeed, it is a sector with many women and is undergoing restructuring, but the existence of civil and public servant status has repercussions for the implementation of equality policy, that is defended by unions and also partly by the state as employer. It is, therefore, possible to consider that the respective situation in the countries covered by this study are concerned by converging approaches. All actors have indicated, for example, that there is no direct discrimination in the public sector and that particular attention is paid to respecting equality. But, when one looks more closely, all unions recognise that indirect forms of discrimination exist, despite protective civil and public servant status. In the area of pay, some unions (in the Netherlands and Belgium) have taken on board the issue of job evaluation as a source of gender discrimination. Others have emphasised the growth of job insecurity for employees, who are often not permanent and are generally women. Finally, in terms of career and access to decision-making positions, no country escapes the glass ceiling in the public sector (high level positions in the state civil service and universities, etc.).

Unions are all mobilised internally and regarding action on equality, sometimes with strong traditions in this area (the **Netherlands**). Public sector unions can be considered to have real policy aspirations for internal and external equality (in their demands). But statistical data on the presence of women in union leadership positions do not show any real difference compared with the other sectors. Obstacles to women's access, that have already been clearly identified, are still prevalent, namely low level of availability of women and the maintenance of a male-dominated model of activism...

THIRD PART: GENDER MAINSTREAMING APPROACH REGARDING EQUAL PAY AND WORK-LIFE BALANCE - TRADE UNION EXPERIENCE AT ENTERPRISE LEVEL

SECTION I - TRADE UNION STRATEGIES REGARDING EQUAL PAY²⁹

1. INTRODUCTION

1.1. Unequal pay - a persistent gap

For decades, the demand, "equal pay for equal work", predominated in the women's movement within action aimed at the total emancipation of women. Therefore, pay cannot be missing from research, which analyses gender equality in the trade union movement. Already in the 19th century - and above all in the 20th century - this demand was of constant concern to the women's movement. In **Belgium**, the fight for equal pay was a model of the general struggle for women's emancipation. The F.N. Herstal strikes in 1966 and 1974 were a symbol of this struggle³⁰. At the beginning, it highlighted the demand for equal pay, in order to remove direct discrimination and then, later, as we can see in **Austria** - and other European countries - since 1970, emphasis has gradually put on the fight against indirect discrimination.

In the **Netherlands**, as in the other European countries, this issue was in the forefront for a period of time and put on various collective bargaining agendas, but the results won through bargaining were not sufficient to reduce the pay gap significantly and definitively. In **Denmark**, the issue of the pay gap has become a very important topic in the past year.

In **France** - in spite of repeated union campaigns on this issue - the fight against the gender pay gap is rarely central to union strategies. This is because of the fact that pay restraint policies, linked to the introduction of the 35-hour week, have put it into the background for the time being. Research shows the same situation in **Italy**, given that collective bargaining in recent years has not been able to have a tangible effect on reducing the gender pay gap, partly for cultural reasons and partly because of the absence of specific measures promoted by unions and companies.

However, the situation is changing. New equal pay campaigns have been launched. It should also be said that although the world of work is very conscious of the demand for equal pay, national legislators have left this principle largely to European Union initiatives.

1.2. Central issue of this research project

The point of departure of this study was not to find out whether pay discrimination persists in the sectors and enterprises examined in each of the six partner countries, but rather to explain the persistence of the pay gap and to find out if and how trade unions undertake actions or find solutions to overcome the existing pay gap.

²⁹ This part of the report was written by Saskia Ravesloot.

³⁰ C.A.R.H.O.P. - F.E.C., *Histoire du mouvement ouvrier en Belgique, Outil pédagogique 9, Syndicalisme au féminin, Recueil de documents 3, Revendications et actions*, Brussels, 1990, p. 5

The following structure has been adopted for this report. Firstly, the content and notion of pay and all the concepts used were studied. Then, it was necessary to describe the institutional and legal framework of the principle of equal pay. The next question was to find out if the actual situation is in line with legal situation, and if not, what distortions exist. The fourth part offers an analysis of discrimination and reasons for it. Then, via national reports of the partner countries of the MSU project, we examined trade union action to deal with the relationship between the issue of equal pay and a gender mainstreaming approach.

This report is based on European studies concerning equal pay (notably EIRO) and the national reports of the countries participating in the MSU programme. These reports are based on sector-level (metal industry, commerce and public services) surveys and enterprise-level case studies (see the case studies in the appendix).

2. SITUATION OF THE ISSUE

2.1. The demand for equal pay

This research project studies the way in which trade unions take on board the issue of equal pay between women and men within their own structures and in their equality policies for working women and men.

The unequal treatment of women compared with men is a problem, which European society has experienced for centuries³¹. This societal problem is also decisive for the situation of women at work, and in particular for working women in industrialised societies. The actual and legal inferior position of women has, however, changed overtime in the direction of greater emancipation, as a result of their large-scale participation in the labour market and also as a result of the political democratisation of society. This dual economic and political process is reflected in a desire for emancipation, which - as far as income from work is concerned - led to the demand for "equal pay for equal work".

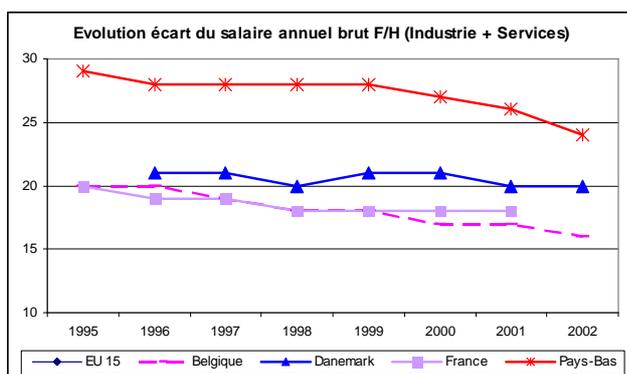
2.2. Legal and actual equality

Currently, the demand for equality has been achieved in law. However, the actual situation has not followed this development. Working women continue to be victims of discrimination as far as pay is concerned.

Belgium has a gross pay gap of about 15%. In the **Netherlands**, women's hourly pay is 23% less than men's (2000). In **France**, the gap is on average 25%, similar to **Italy**, where there is a 24% gap. In **Austria**, however the gap is about 32% (gross pay, including supplements, but excluding part-time employees). In **Denmark**, the average gap is approximately 15% between blue collar women and men, and approximately 20% between white collar women and men, which is much smaller when one incorporates the greatest possible number of directly measurable factors, affecting pay formation.

³¹ Probably because very little is known about the history of women at work. Cécile Dauphin and Delphine Gardey write about this as follows: "*Women at work remain partly hidden and for a long time historians, who were convinced that they could not exist, did not try to find them ...*". Dauphin C. et Gardey D., "Façons de faire l'histoire du travail et du genre". Introduction, in Laufer J., Marrez C., and Maruani M., *Le travail du genre*, Paris, 2003, p.64.

Graph 1 Development of the gender pay gap (annual gross pay) : industry and services



Source: Eurostat

The above graph shows that the pay gap has changed little since 1995, except in the **Netherlands**, where favourable change can be observed. Nevertheless, the **Netherlands** - along with **Austria** and **Italy** - are countries where the gap is still very big. These figures are based on annual gross pay in industry and services (Eurostat) and are different from those presented in the national reports of the MSU partners. Moreover, the above data are not complete for **Austria** and **Italy**. Besides these differences, which raise methodological difficulties regarding pay comparisons, our study confirms slow change, which sometimes even hardly promotes equality.

Other studies confirm this trend. In general, it can be observed that since 1995 women's average pay has increased in relation to men's pay, but their pay still remains well below men's pay. According to "Statistics on the Structure of Earnings" (SSE)³², average pay of full-time women employed in industry and services in the EU was around 75% of that of men. Since 1995, the gap reduced in **Belgium** and the **Netherlands**, but remained approximately stable in **Denmark and in France**. The data provided by EIRO³³ indicate that in **Austria** and **Italy** the gap is growing slightly.

Unequal pay can be explained by the context of an undemocratic and inegalitarian society, managed by men, but it is clear that economic considerations - such as keeping labour cheap - are also at work. Pay discrimination has essentially become indirect and this raises the problem of proving its existence, structure and mechanisms - and also of finding remedies.

2.3. Equal pay and trade unions

The aim of this study is to examine the link between gender pay discrimination and the way in which trade unions incorporate gender issues in their structures and policies, in order to

³² Clarke S., Earnings of men and women in the EU: the gap narrowing but only slowly, *Statistics in focus*, Population and social conditions, Theme 3, 5/2001, European Communities, 2001

³³ <http://www.eiro.eurofound.ie/2002/01/study/TN0201101S.html>

remove such discrimination. Are unions the driving power behind the movement for equal pay? Is equal pay imposed by governments or is it achieved via collective bargaining? Is it rather a matter of political factor that push legislators into making decisions? It can also be the result of a combination of both approaches.

In order to answer these questions, it is necessary to study all the factors that affect pay and assess the impact of trade unions on them. This should make it possible to assess the influence of changes in union gender policy on the way pay is determined and, more specifically, on achieving equal pay. It will, however, be difficult to assess the precise influence of union gender mainstreaming policies on achieving equal pay, because the impact of other factors affecting pay policy has not been assessed.

3. CONCEPTUAL FRAMEWORK

According to article 141 of the EU directive, "pay" means normal basic or minimum pay and all other payments - in cash or other forms - which employees receive directly or indirectly from their employer. Pay can be considered as the compensation for work done by employees. Over time, the notion has developed greatly. It has become complex and variable and not only individual, but also collective. The notion of deferred pay has appeared. A supplement can be owed by an employer even for a period during which the employee did not actually work.

Employees also receive various financial and other advantages for their work, such as end-of-year bonuses, group insurance bonuses, supplements and profit-sharing. Some companies and sectors provide collective forms of advantages, such as a crèche for employees' children. The very notion of pay has become complex, with the introduction of concepts, such as pay supplements, bonuses for particular services or per service, performance pay, benefits in kind, luncheon vouchers and educational/training vouchers, etc.

Social advantages are to be found in individual contracts, collective agreements or in legislation, but are not considered to be part of pay. These different forms of compensating work have different aims: sometimes avoiding tax or social security payments and sometimes they are of a political nature, namely aimed at tying employees to the enterprise, motivating them in their work, encouraging them to increase the quality of their work and their productivity. Such advantages are not always appreciated by those, who receive them. The Belgian report describes a statement made by a trade union representative: "*They want to make us work with toast in one hand and baby in the other*" (ABVV-FGTB in Meta 2 / metal industry).

In the **Netherlands**, legislation uses the notion of inequality rather than discrimination, because it covers more than only (intentional) discrimination.

Moreover, unequal pay involves two additional concepts: on the one hand, the principle of "indirect discrimination" that was introduced by the European commission: "*Indirect discrimination exists if apparently neutral regulations, criteria or procedures place a significantly higher proportion of one gender at a disadvantage*"; on the other, the notion of "equal pay for equal work" was extended to the notion of "equal pay for work of equal value". This means that one should receive the same pay for a different job, provided it requires the same level of skills, knowledge, effort and responsibility.

Both of these concepts have brought important new tools to the fight against unequal pay, even if they are still far from being sufficiently used.

4. INSTITUTIONAL FRAMEWORK

4.1. Pay determination in the private sector

Although legislation on minimum pay may be considered by academics as being a form of protectionism against women's pay discrimination, this is not debated by social partners in the countries covered by our study. According to some studies, the pay gap is smaller in countries with strict laws on minimum pay and centralised legislation on pay determination (EIRO).

In **France**, the State strongly influences pay at various levels: it determines national minimum pay (SMIC). The state also makes it possible to extend a collective agreement to all the companies in a sector. By setting SMIC each year, the State influences increases, which are awarded in collective agreements with a view to controlling inflation. The French system is, thus, known for its centralised approach to bargaining (role of the State and sectors). Nevertheless, for many years already, company agreements have become more influential in pay trends, via increasingly decentralised collective bargaining. This is explained by the obligation to negotiate pay at company level every three years (1982 Auroux laws). Sector-level collective agreements propose minimum pay for the sector and define - on the basis of classifications - coefficients for each type of job, which are then applied in companies. In **France**, basic pay in the private sector is made up of a coefficient, which is established in an agreed scale, which is multiplied by the value of points linked to the particular position that an employee occupies. The scale is negotiated annually.

In the **Netherlands**, minimum pay is established by the government annually. There is proportional pay for young people. The 1975 law abolished the same mechanism for women. Collective bargaining is on pay systems in relation to levels of functions and other additional components, linked to pay. Many of the systems are based on job evaluation or classifications of functions (the latter being less favourable). There are two trends in collective bargaining. Given increased individualisation of working conditions, central bargaining only defines a general framework, which is then negotiated in greater detail in decentralised bargaining. The other trend is the development of a kind of "self-service" system, which is based on general agreements at the level of the National Council of Labour, which stipulate elements, which are interchangeable during collective bargaining at sector or company levels, thus making it possible to individualise working conditions and exchange "pay" for "working time".

In principle, pay in the private sector in **Belgium** is fixed by individual negotiations between the employee and the employer. A legal framework and rules exist and fix limits to such individual negotiations. The main rules - both legal ones and those in collective agreements - fix the general inter-sector framework, in which pay is negotiated at company level between employees and employers. Moreover, the inter-sector framework is supplemented by sector- and company-level agreements. Thus, agreements provide for pay scales with minimum levels, which must be respected. Sector-level agreements automatically index pay on the cost of living. Inter-sector agreements guarantee monthly minimum pay and pay for part-timers, which is proportional to that of full-timers. In the 1989 and 1996 laws on maintaining the country's competitiveness, the public authorities impose a pay standard, beyond which pay increases are forbidden.

In **Denmark** minimum pay standards are negotiated as a framework in sectors for three-year periods. There is additional pay bargaining in companies for groups of workers. It has become quite common throughout private companies - but also gradually in the public sector - that part of pay is individually negotiated between individual employers and employees, for instance, in relation to performance-related pay.

In **Italy**, pay is one of the most negotiated topics. Following on from the 1993 protocol, two aspects are negotiated at national level: minimum pay and seniority (length-of-service) groups. The variable part of pay is negotiated at company level, by defining performance-related bonuses. Minimum pay is reviewed on a six-monthly basis, in line with envisaged inflation. Minimum pay is calculated according to required tasks and levels of technical skills - in sector level agreements. This is in addition to quotas fixed by some companies, via decentralised bargaining, in the form of production bonuses, "*super minima*" (sums paid, which are above minimum pay) and "*una tantum*" (*ad hoc* payments to compensate for delays in adapting the six-monthly national reviews).

In **Austria**, collective agreements fix minimum pay, automatic promotion and length-of-service bonuses (*Vordienstzeiten*) for each sector. Relations between employees and employers are individual and fixed in individual contractual agreements - but must not be inferior to collective bargaining standards in the sector concerned. Trade union representatives are not even meant to be informed about the content of individual contracts. All collective agreements must be in line with EU conditions regarding "equal pay for work of equal value".

4.2. The principle of equal pay in the private sector

All the countries covered by the study have legislation on equal pay. Direct and indirect gender pay discrimination is forbidden by the constitutions of these countries. Pay discrimination concerns all forms of pay differences, which are not objectively justifiable. Equal pay for equal work or work of equal value should be implemented regarding all elements and conditions of pay, including in the areas of profits, bonuses and job evaluation. Given the fact that the pay gap persists, legislation has been amended or added to by other regulations, which concentrate on indirect discrimination.

In **Belgium**, both of the industrial sectors, examined during this study, have inter-sector regulations concerning equal pay, which apply to the whole of the private sector. They guarantee the implementation of the principle of "equal pay for equal work" in all circumstances. They forbid not only direct discrimination, but also indirect discrimination. Equality should be ensured in all elements and conditions of pay, including in job evaluation systems. Job evaluation systems should in no way lead to discrimination - in their choice of criteria, their weighting or their system of transposing assessment values into pay components.

France also has important legal measures concerning equal pay. The law, which was adopted in 1983, was an important step. It extends the principle of equality to all work of "equal value". The 2001 law on occupational equality aims at changing the place of equality in collective bargaining, notably concerning pay. As far as the private sector is concerned, these laws have made it compulsory to produce statistics and relevant indicators, notably on pay. The new law also introduced the obligation to negotiate occupational equality between

women and men at company and sector levels every three years and also to tackle inequality during compulsory negotiations (on pay, working time and grading). It is, thus, an important measure from a gender mainstreaming point of view. An inter-sector agreement in 2004 on gender balance and occupational equality concerns all working conditions and provides for reducing the pay gap. It also suggests - for the first time - that job evaluation criteria should be analysed.

In **Italy**, the 1991 law (N° 125) on positive action for promoting gender equality in the labour market concerns both the private and public sectors. It aims at stimulating women's participation in work - and also at removing women's inequality, notably in the area of vocational training, pay and in relation to responsibilities at work and home. Besides legal guarantees, equal pay is guaranteed by collective agreements.

As in **Belgium** and **France**, the **Netherlands'** constitution guarantees non-discrimination. At the same time, the AWGB 1994 law (general law on equal treatment) forbids all forms of discrimination based on gender or caused by a full-time or part-time work contract. However, in the **Netherlands**, as in other countries concerned by the MSU-project, research shows that the pay gap is bigger in the private than in the public sector³⁴.

In **Austria**, the banning of indirect and direct discrimination and the principle of equal pay (including for work of equal value) are stated in the 1979 law on equal treatment of men and women and amendments adopted in 1990, 1992 and 2004. A mediator and an equal treatment commission have been created to monitor the law. As in other European countries, **Austria** has to also check that national laws and regulations are in line with the principle of equal pay for women and men for work of equal value. Legal regulations opposed to these principles must be removed. This has not yet been done in **Austria**.

Despite the existence of an "Equal pay act" in **Denmark** since 1973, there is still a pay gap, which is difficult to explain. The new "Equal opportunities act" is the most advanced legislation in **Denmark** concerning gender equality. The law introduces the principle of gender mainstreaming as an instrument to promote equal opportunities at work. But it should be emphasised that this law does not cover "equal pay", nor does it refer to the 1973 law. A debate is going on as to whether it is necessary to have new legislation on equal pay. Some people think that it is necessary, in order to obtain general statistics from employers as well as data that is already available and registered during court cases. Others think that new legislation on equal pay is not necessary, given the responsibility of social partners to negotiate an agreement on pay transparency.

4.3. Equal pay in public services

By the very nature of the sector - which safeguards the general interest - the principle of gender equality in general and that of equal pay, in particular, are observed rigorously in the public sector. At least, as far as identical functions are concerned. Any inequality that exists is indirect. This has obviously not always been the case. Thanks to strict legal protection and changing mentality amongst politicians, the situation has changed.

All six countries covered by the study have legislation which prohibits all forms of discrimination, notably in public services, between women and men for the same job. This

³⁴ Source: Eurostat, PCM-UDB, ver. December 2001

protection is often presented in the form of a general principle, which is applied to working relations and supplemented by specific protection regarding pay.

In **Italy**, the 1991 law (N° 125) on positive action for promoting gender equality in the labour market, includes the obligation for public services to organise positive action with a view to achieving gender equality. Gaps nevertheless exist regarding bonuses. There are also collective inequalities linked to different forms of functional segregation, career development and access to promotion.

In public services in **France**, it is stated that pay is equal for equal work and there is no direct discrimination. It is, in fact, difficult to prove this, because detailed gendered statistics on pay are not available. Pay is, above all, statutory and dependent on one's grade. Pay is equal for a specific grade, regardless of whether one is a woman or a man - except for certain bonuses, such as family and residential supplements. However, as far as local authorities are concerned, the system is made up of a central part, which is established at national level (by joint negotiating committees), but is also partly decentralised to take into account decisions made by the Mayor. According to the unions, "*This system promotes individualisation of pay, which can lead to substantial inequality for women in criteria used in the local scheme*".

In **Austria**, there is a law for civil and public servants called "Law on equal treatment for men and women in the public sector" (*Gleichbehandlungsgesetz des Bundes*) This law concerns a demand for positive action for women involving preferential treatment regarding promotion and training (EIRO).

A **Belgian** trade union public services officer stated "*In public services, women are equal to men and men are equal to women - in practice, it should be like this*" (ACOD, Ministries). However, it is accepted that in spite of legal equality, women still are still experiencing inequality. It is related to sociological and psychological factors, which are both inside and outside the ministries. Indirect discrimination has been identified in the area of recruitment of staff, who do not have civil service status: "*There is no discrimination, but there is discrimination between those with civil service status and those who do not have it... Depending on the level, they do the same work, but they do not have the same rights to pay... Staff with civil service status have greater career prospects than staff without... The latter are, thus, doubly penalised, because they also do not have job security (which civil servants have). They are also excluded from skills assessments. There is a difference of 8,000 Belgian francs.*" (Public service, **Belgium**). Public sector unions have fought to remove this discrimination, which mainly concerns women, who predominate amongst this category of staff. Moreover, Belgian law actually obliges ministries to implement equal opportunities plans, which should include positive action measures for putting an end to indirect discrimination. But a survey of equal opportunities plans shows that during the last five years, they do not refer to the issue of unequal pay.

In the **Netherlands**, employees in the private sector are largely covered by the same legislation as in the public sector. However, research shows that the pay gap between women and men in the public sector is less than in the private sector. Explanations for this include: lower pay in general in these sectors; political concern of government and parliament (in parts of the sector); and the existence of more transparent rules and regulations and methods of correction.

In **Denmark**, the issue of equal pay has been discussed and scrutinized much more in the public than the private sector. More surveys have been carried out and initiatives taken to close the gap. Also, employers in the public sector are obliged to make equality plans, which also tackle the pay gap. However, recent surveys have shown that the new forms of individualised pay have widened the gender gap. One of the reasons for this is the slackened awareness, resulting from the idea that “equality plans will solve the problems”.

All six countries confirm that indirect discrimination exists in the public sector. As in the private sector, it is difficult to identify such inequality, in view of the existence of legally guaranteed equality. These guarantees are respected individually, especially regarding basic pay.

5. OBSERVATION AND IDENTIFICATION OF UNEQUAL PAY

5.1. Difficulties in identifying inequalities

It is clear that there is real legal protection of the principle of "equal pay for equal work" - the time when women's pay was a percentage of men's pay is over. However, this legal protection does not suffice - it does not prevent indirect pay discrimination from existing. There are many studies of indirect discrimination and women at enterprise level confirm its existence. This is the case in all the countries covered by our study. The same is observed both at enterprise level and sector level.

All the national reports show that there is often no system for identifying inequality. However, some initiatives do exist, as, for example, in **Austria**, where the women's departments of all three unions have set up wide-ranging cooperation regarding equal pay. Within the sectors concerned, the Austrian report mentions that data have not been collected and assessed in a regular and systematic way - neither by unions nor by the national statistical services. The report also emphasises that gender statistics are not available for one of the companies studied in the metal industry, but even without such statistics, union representatives were able to confirm the different forms of "*discrimination against women regarding functions*" persist.

In **France**, as in all the countries concerned, legal protection is binding and makes it possible to take many more cases, to court in order to denounce pay discrimination. Unions do take matters of discrimination for union activity to court, but it is still rare for them to take gender discrimination cases to court. This shows how the issue of gender equality could be dealt with, but it is not explicitly expressed by either CGT or CFDT. The French report emphasises that it is difficult for unions to identify unequal pay. It is, in fact, dealt with indirectly - they speak of working time and insecure jobs (commerce); structure of employment (types of jobs or sub-sectors, where many women work in public services); the role of job grading (metal industry and commerce) and the way bonuses are awarded (all three sectors).

The **Italian** report points to unequal pay as a significant problem and the fact that there is still a lack of information. This makes it difficult to work out policies against unequal pay, thus diverting attention (including that of unions) to other priorities.

Union interviewees in **Belgium** consider that no pay discrimination remains in legislation, but whatever discrimination there is, is of an indirect nature: there is no direct discrimination concerning functions - the same pay conditions are applied to the same functions carried out

by men and women. This was stated by both men and women union representatives in all three sectors: "*There are no problems regarding unequal pay - everything is regulated by law*" (VSOA, Ministries). However, they were not able to give precise figures to confirm this statement. Indirect inequality results from various factors, according to union representatives, such as the lack of vocational training for women, family constraints, long periods of absence, which are sometimes frequent, periods of inability to work, pregnancies, labour market segregation and, amongst others, difficulties in obtaining promotion.

The **Austrian** report, therefore, rightly emphasises that it is important to assess women's and men's activities by using the same criteria. This means the same standards should be used for evaluating women's and men's jobs.

As in other countries, unions in the **Netherlands** point out that identifying the causes for unequal pay in companies and sectors is often extremely difficult. For many years, the lack of job evaluation in many companies was seen as an important factor. However, a growing number of employees are paid on the basis of an analytical job evaluation system. Job evaluation itself was seen as a possible cause of unequal pay, so job evaluation systems were screened and gender-biased elements removed. This, however, has not led to substantial changes in the pay gap. Tackling this issue seriously at company or sector level is frequently impossible, because of the lack of real and correct figures.

For many years, the employers' organisations in **Denmark** produced gendered statistics, but stopped this some years ago. This led to a lack of information on pay in the private sector and the differences between men and women. Information on pay is also strongly considered to be 'private' information, and lack of transparency gives nothing for individuals to hold on to, when it comes to comparing their pay with that of others. In the public sector, the situation is different, as many different sources can be used, both by unions and individuals. In order to solve the problem of lack of information in the private sector, LO together with the national employers' federation, DA, recently published research on women's and men's pay in 2003. This research points out that many factors are decisive for the gender pay gap, such as sectors and regions, performance and educational backgrounds. The fact that women frequently take leave for family reasons is also seen as an important factor.

Thus, the first action that needs to be taken regarding gender equality policy is to check and quantify discrimination, in order to be able to tackle the mechanisms, which lead to indirect discrimination and rectify them.

5.2. The size of the gender pay gap

In **Belgium**, in 1995, women's pay was 83.8% of men's pay throughout the private sector (85.7% for full-timers). In 1996, the pay gap was 11.5% for the private and public sectors. These figures are confirmed by a study carried out by the Limbourg University Centre, which estimates that women's gross pay is around 85% of men's gross pay. In 1999, women's pay was 86.63% of men's pay for those on permanent contracts. It was 99.33% of men's pay for those on fixed term contracts.

In **Austria**, unequal pay is very great - and highest of all six countries. Women continue to earn about a third less than men (32% pay gap) across industrial and occupational categories. It was observed that women earn the same pay within occupational categories, where women predominate, as in occupational categories where men predominate, therefore the gap is even

greater in the latter. The pay gaps are respectively 26% and 37%. Within the metal industry, this problem is confirmed - in 2001, women's average monthly pay was only 74% of that of men. The gap is even greater in machine building (69%) and metal production (71%).

The **Dutch** report states that in the last 25 years, women workers earn on average 25% less than men. In 2000, the figure was 23% for the same or equivalent work. Since 1993, there was a slight drop from 26% to 23%. In the public sector, the figure is 15%. It can vary greatly depending on the age group. Above 45, there is a 31% gap, compared with 3% for the under 23s. In management positions, women earn 32% less than their colleagues, who are men.

In **Italy**, the gender pay gap has not decreased over the past decade. According to Bank of Italy data, women's pay is on average 24% below that of men. The gap is greatest amongst the most highly paid. The pay gap has increased since the abandoning in 1983 of policies aimed at achieving equal pay. This was notably the case of the abolition of pay indexing, whose aim was to protect the lowest paid. Women are mainly to be found amongst low- and medium-paid employees. The negative effects of pay policy in the years after 1983 have been reduced by changes in the age of the supply of women's employment, the growth in the number of women in public services, training policy and non-discrimination legislation.

In **France**, the pay gap throughout the private sector is about 25%. Amongst full-timers, the gap is 20% (2001 data). It is greater for executives (24%) than office workers (8%) and intermediate occupations (14%). This confirms remarks concerning other countries: sectors and occupations, where there are many women, have smaller pay gaps than sectors, where men predominate. In commerce, the central problem is the generally low level of pay: in spite of job shortages, including in most highly qualified positions, pay is hardly attractive. Various collective agreements still have their grading based on minimum pay, which is below SMIC, thus postponing career development, as, at lower levels, promotion does not lead to higher pay. Thus, many employees – the majority of whom are women – are on SMIC plus 50 Euros for all their working life. There is also the problem of short working time, especially for checkout staff (cashiers), where part-time work is the rule (even though it is better protected). 80% of those on SMIC are women. In the civil and public services, women's pay is 13% less than that of men. This gap reaches 24% in the highest grade (grade A = executives). In fact, the pay gap within a grade is explained mainly by the fact that they are doing different kinds of jobs. As we have already said, this system promotes individualised pay, which can lead to major inequalities, notably between types of jobs (technical and administrative ones), and also between hierarchical grades and, thus, indirectly between men and women. But, given the system, it is very difficult to pinpoint these differences and measure them.

Recently published research in **Denmark** (resulting from cooperation between DA (Danish Employers' Federation) and LO) shows a pay gap between blue collar women and men of approximately 15% and between white collar women and men of approximately 20%. Pay formation takes place within the framework of collective agreements; however pay is to a certain degree also an individualised process, which is determined by many factors. Observed pay differences depend on how hourly pay is calculated. By incorporating the greatest possible number of directly measurable factors, which affect pay formation, most of the observed pay gap can be explained, but a gap of approximately 4% between blue collar women and men and approximately 7% between white collar women and men still remains. Factors taken into account are: occupational group, education, sector, experience, overtime, leave, region, number of job changes and children. The most important factor is the gender-segregated labour market.

6. ANALYSIS AND EXPLANATION OF UNEQUAL PAY

6.1. Features of unequal pay

In all the countries of the study, on the basis of literature and interviews carried out for the national reports, the following features of unequal pay can be identified:

1. Unequal pay is of an indirect nature. No direct inequality is referred to in any of the countries or sectors. One of the major sources of inequality resides in access to employment and concentration of women in low-paid employment (see point 6.2. on the cause of inequality and job segregation).
2. Although pay data is available in enterprises, inequality is not very transparent and is difficult to identify. For example, in **Belgium**, the leading woman union representative in a metal industry company did not raise the problem herself, even though her involvement was of a very active nature. Other examples of ignorance about discrimination were found: *"I also have the impression that there is no pay discrimination. Take the example of career prospects, if you are a man or women, in my view - and I have been here for 10 years now - the same opportunities are offered to men and women in shops."* (ACLVB/distribution/ man trade union representative).
3. Inequalities persist and survive for decades, as the **Dutch** report, "Hard to analyse and hard to tackle", states. Moreover, they increase along with men's and women's careers, thus rendering analysis more complicated: a picture of a particular moment does not suffice. Reports in the Netherlands (there has been much research in recent years) mention that the following factors probably contribute greatly to unequal pay: lack of analytical job evaluation systems in some sectors; women's career gaps and the different ways in which women build up their careers in the labour market; insecure contracts and sometimes part-time work; lack of transparency in companies' internal pay policies; discrimination, as a result of traditional views of women's work; the fact that women are trapped in certain jobs and sectors, where pay is generally lower, etc.
4. The gender pay gap is much greater for those in high-level positions than for those in low-skilled and insecure jobs. A **Belgian** study by An Gevers³⁵ found that the pay gap increases with the level within the enterprise. The reason for this is that at the lowest levels, pay is fixed by collective agreements, whereas at the highest levels, pay is fixed by individual negotiation. Unskilled women employees are least affected by pay discrimination; the most affected are women within management. Men managers earn 134% of non-management staff, whereas women managers earn 117%. This observation is shared by all case studies in all the countries covered by our study, including in civil and public services.
5. Tension appears between collective and individual pay determination. All the reports mention the role of individualised pay, which increasingly escapes what is agreed through collective bargaining. However, this seems to jeopardise women's pay above all, as the

³⁵ Ballegeer E, "Loonzakje mannen weegt zwaarder" Vacature, 07/09/2001

Austrian report points out, as women tend to underestimate themselves during individual negotiations. Recent **Danish** reports point out that this issue is also related to the different preferences of women and men during negotiations, combined with awareness of the effects of these preferences and choices on pay differences (men are more concerned about pay increases than women).

6.2. Causes of unequal pay

Theoretical analysis and empirical research on the causes of unequal pay between women and men converge. On the basis of the fact that equal pay for equal or equivalent work is guaranteed by law for individual women and men employees, research and analysis mainly - if not exclusively - concern indirect forms of inequality. Pay gaps are often not the result of just one factor, but of several simultaneous factors. Moreover, inequalities are the result of both objective and subjective factors - the latter being at the basis of discrimination. The various national reports identified the following causes:

Collective protection against indirect discrimination is hardly made use of

The limited effects of legal protection have already been demonstrated. Legislation on gender equality is not able to remove all forms of indirect discrimination. Legal protection concerning equal pay is effective at the level of individual and direct discrimination, but less so regarding collective and indirect discrimination. European legislation has progressed on this point and recognises forms of indirect discrimination and has reversed the burden of proof. But the implementation of these principles in Member States has not been completed or they are rarely used. Besides individual court cases, of which there are not many in the countries of our study, these principles are not collectively applied. Legislation in the **Netherlands** opened up possibilities for union action several years ago. This has led to an increase of court cases, put forward by unions on issues related to pay. Several important cases – relevant for whole populations especially of casual workers and part-time workers, who are mostly women – have eventually – after victory in the court – led to changes in legislation.

Cultural context

Very often, causes of indirect discrimination are stated to be outside the workplace and sectors. Society at large is considered to be responsible for the existence of various causes of discrimination. Thus, trade union officers refer to the traditional system of school education and vocational guidance, which mean that women are often still restricted to training, which does not enable them to access all functions, including those which are better paid.

General culture of society is also pointed to as a cause of indirect discrimination - it gives priority to men over women and incorporates a system of values and general perceptions, which are not hostile to women, but which are reticent to share power and society's wealth with them.

In this context, the **Italian** report considers that "family support" services should be created by companies and working conditions should be adapted to the need to "reconcile" work and family life. Such measures are sometimes introduced with a view to fairly sharing family chores between women and men.

However, the **Danish** experience shows that even if you have childcare systems covering 90% of all children up to school age, it has not led to profound changes in the choices women and men make, nor has it affected their labour market position regarding pay.

Sometimes, the pay gap is maintained because of traditional mentalities and men's refusal to work for lower pay than women or to see women working for the same pay as them - they want to be the main "breadwinner". In the commerce sector in **Austria**, a member of a works council suggested: "*Perhaps men do not apply for the position of head of department, because pay is too low for them.*"

Cultural perceptions are very clear when it comes to the way in which family responsibilities are 'translated' into labour conditions for women. For instance, in the **Netherlands**, women, who re-enter the labour market after a career break for family responsibilities, frequently find themselves nearly in the position of 'apprenticeship' – with the low pay, which this generates. This situation can have lifelong repercussions, for example, as a result of seniority rules, unless action is taken. In some sectors this has led to arrangements in collective bargaining agreements to grant women equal pay with their colleagues, after the retraining period has been finished successfully.

Level of education and training

One of the basic factors contributing to the segregation of functions is undoubtedly educational levels, which for women are sometimes lower, and also the problem of vocational guidance, which is determined by socio-cultural factors, that keep women in lower-paid sectors. There is also the issue of the glass ceiling, i.e., an invisible barrier to women's careers, which means they rarely reach top-level positions.

Vocational training is also a major factor influencing pay gaps. The **Italian** report suggests creating a data bank on occupational skills of staff, thus making it possible to combat discrimination in promotion policies.

The **Austrian** report observes that even if there is investment in (young) women's training, conventional mentalities persist: "*Yes, to be honest, there are only a few women. We have a training session and each time we try to convince young women. We manage to get a couple of young women - they are very good, but the foreman continues to prefer men rather than women*" (BRV, Vehicle production company).

Experiences in the **Netherlands** are similar, especially for traditional men's jobs, which generate higher pay, where men are more frequently recruited than women. This is, for instance, the case for more technical jobs (even chauffeurs and basic technician), but also for more managerial jobs. Trade union activists in *Factory* mentioned this, as did the representatives from *Retail company*. Many companies do not seem to be sufficiently aware that they do not take career paths of all their employees (men and women) equally seriously, and that they, therefore, limit the scope of potential improvement of the qualifications of their employees.

Horizontal and vertical segregation

Both horizontal and vertical occupational segregation leads to unbalanced distribution of women and men in various grades. All the reports insist on this dimension: one of the bases of

inequality lies in the fact that women are either not in the same sectors of economic activity or - within the same company or sector - they do not occupy the same jobs. The **Belgian** report points out that this is the case for Maga 2: "...95% of the positions of responsibility are held by men, although there have been some changes" (LBC/distribution, Maga 2). This leads to pay differences, which are sometimes quite big, given that women are in the less well-paid grades for various reasons.

The **Italian** report denounces the harmful effects of horizontal and vertical segregation in all three sectors. Women are relegated to lower positions and also have difficulties in accessing management positions. Despite recent agreements, which aim at promoting a fairer balance between women and men in public service employment, women continue to be concentrated in certain sectors, such as education and health services.

In **France**, in commerce (in both companies, where case studies were carried out: *Grande Distrib* and *Magasins*), women are concentrated in certain types of job (cashiers) and certain departments (textiles) and are promoted less often than men (to be department heads). Women represent 65% of all staff, but only 30% of foremen and 15% of executives. Moreover, on the basis of CFDT's study of careers, the French report observes that in the civil and public services, there is least career development in jobs, where there are most women.

In **Denmark**, although the focus has been on gender segregation for years, it seems to persist and be the most important cause of observed pay gaps. Women and men are mainly employed in different sectors, occupations and levels. Among blue-collar employees, the gender-segregated labour market explains half the observed pay gap, while among white-collar employees it explains about 25 % .

In the case studies in the **Netherlands**, it became clear that horizontal and vertical segregation is common within the companies described. Small improvements or changes over the years can very often be defined as incidents (when it comes to tackling vertical segregation, where 'token women' can be found at higher levels) and as changes resulting from changes in labour market supplies (when it was hard to find people for certain jobs, women were more easily taken on at lower levels, which previously were only for men - or vice versa). Only in those companies where the issue was actively addressed, real structural changes were seen.

In **Austria** horizontal and vertical segregation is one of the most important reasons for unequal pay. This fact is reflected in the employment structure with highly gender-related segregation of activities. Women are hardly working as skilled, but predominantly as semi-skilled employees. But also within this range, women are not working in all jobs which are available for them. This was especially the case in the vehicle company, which was studied. A prerequisite for overcoming this situation is the possibility of enriching work descriptions with multiple activities (e.g. assembly and repair work). The collective-contractual pay of those employed in the retail sector is clearly lower than those in traditional men's ranges e.g. in the metal-working or building industries. In the retail sector, many women are skilled employees (commerce apprentices), but they are at the bottom of the pay and grading scheme. In the retail sector, there is very marked vertical segregation.

Part-time work

In the context of more flexible working time, there is more part-time work - and most of those who work part-time are women. In the six countries covered by the study, part-time work –

compared with full-time work - is considered to be a source of pay discrimination. In the **Netherlands** – where part-time work is broadly accepted - strict legislation is applied and measures are taken, in order to sanction unequal payment for part-timers and reduce the risk of discrimination against women. Nevertheless the large majority of part-timers are women.

The **French** report mentions that part-time work - even when it is "chosen" - is a source of lower pay - certain bonuses are not paid to part-timers and staff are thus blackmailed. Likewise, access to individual increases are difficult for those, who have chosen part-time work. Part-time work makes people think of women and, therefore, partial pay and... low pay.

The **Italian** report confirms that part-time and atypical contracts only increase the gender pay gap. It points to the appearance of a new type of contract, which is the source of major discrimination "*associazione in partecipazione*", i.e., a para-subordinate contract, which should not be confused with self-employment. In a hospital, that was studied, persistent prejudice was observed against those, who work half-time: "*It's unacceptable. They block the careers of some women - especially those who ask to work half-time, i.e., above all women with family problems and those who return to work after maternity leave.*" (CGIL, public hospital).

Staff employed in the civil and public services, but without civil service status

More women than men are in this situation in all the countries covered by the study. The **Belgian** report mentions one of the aspects of such discrimination: "*They do not have the same pay, because they remain at the level at which they were recruited - there is no promotion for them.*" (ACOD).

Absenteeism / long hours culture and access to promotion

Absenteeism is generally greater amongst women employees than men. It can be the result of several factors, including maternity leave and family responsibilities. It has a negative influence on women's pay and careers. The availability and presence of women is more limited than that of men and, therefore, makes access to higher-level jobs more difficult for them.

Research in work and family life in **Denmark**, as well as in **Belgium**, has shown that family responsibilities are still expected to be and are actually carried out by women.. When women reduce their working hours or make more flexible working arrangements, they do so for family purposes, whereas men use flexibility to work more or to go on training courses. Women take time off, while men prefer money. Children seem to be one of the important factors for the gender pay gap, as has been shown in Danish research, undertaken by LO and DA. However, other research shows that both women and men abstain from leadership positions for family reasons thus families do not seem to be a larger obstacle for women than for men, in this respect.

The **Italian** report highlights the late arrival of women in the labour market, as well as later promotions and career interruptions. In a case study of a hypermarket, it was observed that women are mainly in the department providing services to clients and in the textiles department, whereas in other departments, especially the food department, 80% to 90% of the positions are occupied by men. The departments, where women predominate, are those, which

offer fewer career opportunities and where promotion is rare. The majority of positions of responsibility are held by men. Management decides upon promotion mechanisms and they often use criteria, which are rarely suitable for women (shift working, Sunday working, overtime and reluctance to ask for leave).

In commerce, in **Belgium**, union representatives in both the enterprises, which were studied, say that women have very little possibility of promotion.

In **France**, career development fully reflects inequalities, notably regarding maternity leave and absenteeism linked to children, etc. For example, in the public services, cleaners (80% of whom are women) and street cleaners (100% of whom are men) have careers, which start at the same level - they are totally comparable in terms of recruitment and career opportunities. However, at the end of their careers, about 50 points on the scale separate them. Moreover, access to promotion remains unclear in many companies. Indirectly, many women are left out of promotion - for example, at Zip (metal industry), where presence is highly valued. In Auto (also metal industry), increases are awarded on the basis of proposals made by one's superior: *"For an 'honest' boss, there are 'objective' criteria, such as absenteeism, but it is well-known that women are absent more often... so women do not receive individual increases. Other criteria are overtime, availability and work on Saturdays. This criteria concerning presence and availability is very important in Auto"*, (CGT union representative).

A clear example of how working time policies can influence women's position at work and their pay can be seen in commerce in the **Netherlands**. According to a recent survey by the largest trade union in the larger supermarkets, many older women –who are relatively 'expensive' workers in this sector, because of their age – have been gradually pushed out of their jobs by permanently changing rosters, which prove to be very unfavourable for women with family responsibilities. The imbalance resulting from flexibility required by employers (overtime, sudden changes in rosters etc.) and the possibilities for employees themselves to enjoy flexibility in their own interests (for personal and family reasons) was also mentioned by active union members and their representatives in the metal factory as an obstacle to women becoming fully-fledged employees able – in line with management procedures - to have full promotion and educational opportunities.

In **Austria**, the situation is not much different from other countries. The fact that women tend to interrupt their professional lives more frequently than men for child care and caring for relatives leads to less promotion for women. The majority of managerial positions are only "available" for full-time employees. The proportion of women working part time is very high in the retail sector, especially in food chain stores were up to 80% work part time.

Access to bonuses and individualisation

Access to bonuses is more difficult for women. Some criteria are sometimes to their disadvantage, such as length-of-service. There is also the trend of individualised pay, which is a source of discrimination.

The **French** report points out, in a metal industry company, that there are several types of bonuses - linked to working schedules, workshops (they are generally higher in the forge and foundry). However, women are mainly in the workshops, where there are fewer bonuses. Also, individual and variable bonuses play an increasingly big role in pay, to women's disadvantage. For example, in *Magasins*, where experiments with a variable bonus show that

there are major differences between employees, depending on their availability - and even their docility (accepting changes in schedules and part-timers accepting extra hours, etc.) or their accepting versatility without any pay increase. Likewise, part of pay in local authorities is made up of a bonus, whose criteria are fixed by the local authority and often lead to tension with the unions. More generally, the risk of great individualisation of pay increases is denounced, especially as the system is based on civil service status, which is the same for everyone.

The Dutch report also refers to new forms of pay, based on individual performance or profits. As in many countries, in the **Netherlands**, performance-related pay is becoming a larger proportion of total pay for individual employees. A recent survey showed that these forms of pay lead to bigger gender pay gaps. This report and other experiences in companies and institutions, led to discussion within FNV and affiliated unions on how to cope with this phenomenon, also taking into account the gender bias which can result.

In the private sector companies in **Denmark**, it has been quite common that part of pay is the result of individual performance or arrangements between each employer and employee. This principle was also recently introduced in the public sector, representing some 2% of pay. A bonus system already existed before. It is acknowledged that bonus systems can lead to unequal pay. Local authorities, in particular, try to tackle this issue through awareness-training programmes for management. The effects of individualisation on unequal pay have surfaced in surveys only very recently.

In **Austria** interviews with representatives of employers, trade unions and works councils point out clearly that women are predominantly classified in the lower paid groups and, in addition, women are rarely in fields, where higher bonuses can be earned.

6.3. Relative importance of the causes of the pay gap

In all the countries covered by the study, empirical studies have tried to measure the relative value of factors, which explain the gender pay gap. At the same time, they try to establish which are the objective and subjective factors, which could lead to arbitrary situations.

For example, in **Belgium**, Meulders and Plasman find an overall 20% gender pay gap. They reach the following conclusions:

1. The sector concerned and human capital involved (i.e., individuals' levels of training, experience and length-of-service) contribute more to pay gaps than occupations.
2. Amongst human capital variables, length-of-service is the most important determining factor.
3. About half of the 20% gap can be explained by the diversity of women's and men's characteristics – occupational experience, length-of-service in the particular function, type of contract, features of the sector, bonuses, size of the enterprise.

They conclude that a 10% gender pay gap is the result of pure discrimination. According to other authors, the following factors lead to arbitrary situations:

- evaluation of vocational training;
- job evaluation and classification;
- pay structures, including the individualised part;

- possibility of accessing higher-level functions;
- fields of application of collective agreements.

In **France**, various studies give similar results – out of a total gender pay gap of 25%, the “unexplained” gap is between 10% and 15%, but is different if one takes working time into account: for those who work full-time, the ratio of pure discrimination is only 5% (INSEE, 2000).

The **Dutch** report points out that, according to research of the Labour Inspectorate, a 5% gender pay gap is “inexplicable” in the competitive sector – the same is the case for a 3% gap in the public sector.

6.4. Is job evaluation a solution?

Job evaluation is the last stage of a process, which aims at fair payment of functions. This system begins with descriptions of functions, then analyses and values them and concludes with a gender neutral classification of functions. It is generally considered that this system of (re)evaluation of functions – based on criteria, which are objective and gender neutral - could lead to a favourable evaluation of functions, which are considered to be typically women’s ones (EIRO).

There are debates on the usefulness of this gender neutral system of job evaluation as an instrument for promoting greater pay equality in **Belgium** and the **Netherlands**. Several countries have studied this system (including **Austria**) and others have tested it (**Belgium**), but have observed that its introduction is not without problems, as it is difficult to compare the same functions in different sectors, at different negotiating levels and bargaining areas. Another issue is the role of ‘market value’ related mechanisms, since men work more often in private sectors, where pay is higher due to labour market situations.

In other countries, such as **France**, there has hardly been any debate on this and it is far from have been tackled by trade unions or the government, even if, for example, the most recent inter-sector collective agreement on equality recognises the importance of less discriminatory job evaluation and grading schemes. Another risk of the system is that the degree of objectiveness can always be criticised. Moreover, the introduction of such systems would probably be costly and lengthy. Some examples can be given and others are in the national reports.

In **Denmark**, collective agreements set minimum pay frameworks for occupations, which are based on seniority and job functions. Individual criteria, such as training, efficiency, low absenteeism and personal skills, are set by both public and private companies and organisations. They are sometimes negotiated with shop stewards and sometimes set by middle management on basis of their knowledge, statistics and personal impression.

Some studies have been made of gender neutral classification systems. The **Austrian** report mentions that dismantling the pay gap is not an objective in itself. In general, there is not sufficient information about the equivalent nature of job functions. Over the last four years, the women’s departments of both of the unions studied have held training and workshops for members of works councils on the issue of pay and less discriminatory evaluation, but it cannot be said that the union movement really fulfils its responsibilities regarding the problem of indirect pay discrimination.

In **Belgium**, the government initiated action in this area in 1990. It encouraged the social partners to modernise classifications of functions. The government can fix certain conditions for classification systems to ensure that they are gender neutral. Several collective agreements refer to these commitments. The EVA project (see information box) has been initiated by the government, along with all three representative trade unions.

In the **Netherlands**, the system of job evaluation is considered to be a viable and effective instrument for achieving equal pay. Procedures for evaluating and qualifying functions should be objective, in order to ensure that a function of equal value be paid equally for men and women. However, because of the pressure of various kinds of mechanisms, preconceived ideas and male culture, evaluation procedures open up the possibility of subjective evaluation to the detriment of women. This leads to lower pay. Several factors prove to be important in order to avoid effects of this kind, as ongoing Dutch research. Firstly, a close look has to be made to ensure a clear and extensive description of all functions, which will be evaluated. Descriptions in themselves very often prove to be gender-biased, thus leading to lower grades for jobs, where mostly women work, and higher grades for jobs, where mostly men work. Secondly, all those who are involved in job evaluation – whether they be HRM-professionals or trade unionists – should be trained and instructed, so as to raise their awareness that gender bias effects can occur. Thirdly, several job evaluation systems (still) contain elements in weighting and scaling which can be gender-biased, for instance, by not fully recognising the weight of several important elements in typical “women’s work” (e.g., relational skills and empathy amongst home-helpers); conversely, if various physical elements are weighted differently for women and men (e.g. for warehouse staff, but not for check-out staff), from a legal point of view, this can be contradictory to legislation on equal treatment. The effects can be greater when an analytical system for job evaluation is not used, but rather, more traditional forms of job evaluation, which in many countries and companies is still quite common.

Qualifying functions is very often identified – both at sector- and enterprise-levels – as leading to greatest arbitrariness and affecting the gender pay gap most. However, it is an area where the legislator can intervene more easily, compared with pay bargaining. It is also an area, which can be the subject of social consultation of the social partners. It can be concluded that gender policy is essential in this field.

The Belgian **EVA project** is an initiative of the Equal Opportunities Institute - supported by the Federal public employment, work and social consultation service, as well as the European Social Fund – with a view to improving equal treatment of women and men. CSC, FGTB and CGSLB are involved in this project, which involves various stages over several years. EVA means analytical job EVALuation. The aim of the project is to provide help for introducing new job classifications and encourage changing obsolete systems. The main principle is to raise social partners’ awareness of gender-neutral systems; therefore the Institute can count on the cooperation of all of the social partners.

Job evaluation and classification

Pay can be negotiated individually between individual employees and employers. Many sectors and companies, however, want to create a structure, which ensures that each job is remunerated more fairly, on the basis of its value. This is what is called job evaluation and classification. Job evaluation makes it possible to attribute a value to each job and put them in a correct order. Then jobs are divided into groups and pay is attributed to each group or a scale leads to real pay structure.

Two principles play an essential role in this system: firstly, the nature of the job is the criterion used in job evaluation, quite independently of the intrinsic qualities of the person who is doing the job, i.e., the job is

evaluated, not the services of the person occupying it; secondly, the principle of “equal pay for work of equal value”, i.e., more or less equivalent functions are paid the same. This is of particular importance, when comparing “men’s” and “women’s” jobs and explains why a good job evaluation system is an effective way of re-evaluating women’s pay and reducing the gulf between men and women’s pay.

When classifying jobs, there can be various phases, depending on the system, which is used. It is important to bear in mind gender neutrality at each stage of the process. The following phases can be identified:

- Description of the job – the content of the job is described very precisely and its significant components are listed.
- Analysis of the job – uniform analysis on the basis of the description. Each job is classified in line with a series of identical criteria.
- Evaluation of the job: determining its value on the basis of an evaluation table.
- Classification of the job – distribution of jobs in groups of equivalent jobs.

The main aim of job evaluation is to create a pay structure and justify pay differences. The process of pay formation should, nevertheless, be clearly distinguished from phases of job description, analysis and evaluation. Establishing a link between pay groups and groups of jobs is part of a different process, namely collective bargaining, which is also essential, but should happen separately. Job evaluation is only a way of fixing part of pay, namely that which is related to the job itself. Besides that, there are other forms of pay, which in principle do not have anything to do with job evaluation, such as length of service payments, bonuses, over-time and extra payment for shift-work.

How can prejudice be avoided ?

It is generally accepted that analytical job evaluation systems offer better guarantees of gender neutrality than systems, which are based on peer comparisons and ranking. The reason is that the latter run a greater risk of gender-biased value judgements influencing where jobs are put on pay scales, than is the case with analytical systems, where each job has to be systematically examined according to the same criteria. Gender discrimination is avoided if:

- the content of the job is described in a gender-neutral way (never referring to gender in the description) ;
- all relevant components of the job are described (one cannot evaluate something, which is not described);
- job evaluation is carried out in a gender-neutral way (without taking into account whether a woman or a man does the job);
- each job is systematically examined according to the same criteria;
- all the phases of the evaluation process and procedures are scrupulously implemented.

Only when all mechanisms of indirect discrimination have been identified can all traps be avoided and can job evaluation really lead to equal pay, in line with equal work accomplished.

Source : <http://www.cgslb.be>

7. TRADE UNION STRATEGIES REGARDING EQUAL PAY

7.1. A theme for action, which is not always shared

The trade union movement is well aware of the importance of the issue of gender pay discrimination. However, unions’ approaches vary both in methods and intensity. Moreover, awareness of discrimination does not always lead to permanent action, which might be the

case, given the importance of the issue. During interviews carried out at the level of sectors and enterprises, we observed that a campaigning attitude to combat discrimination was often absent.

In **Belgium**, ACOD (public sector) does not carry out specific action to rectify the pay gap. Such gaps are often considered (not only by ACOD) as being private affairs, in which unions do not intervene. Other related problems are, however, tackled, such as promotion: *“What is really a problem is promotion, for example. If a woman works 4/5 time and there are two candidates and the man works full-time, then the man will be promoted and not the woman. Then we often step in, but the answer is that ‘we need a full-timer’ – it’s often used as an argument”*. (ACOD, public sector).

In **France**, it seems that trade unions are not really prepared for dealing with unequal pay. There are several reasons for this. Transparency regarding pay is not really sought by management, unions and employees themselves. There is little room for manoeuvre and equal pay does not seem to be a priority. For example, in the commerce sector, there is no action or bargaining on unequal pay between women and men. According to a CGT women officer: *“Pay must be increased – all pay, not only that of women. There is no direct discrimination, therefore there is no specific action”*. In most of the cases presented, unequal pay can be observed; but there are rarely agreements which provide measures for catching up and rectifying such inequality.

After several years of little interest from politicians, employers and trade unions, the issue has in recent years become a high priority in **Denmark**. Research in 2000 brought the issue onto the agenda again, as it pointed out that the pay gap was still 20 %. This led LO and DA to look into the situation themselves, as both parties agreed that – if this information proved to be correct – it was not a desirable situation. This in turn led to various activities, including additional research and willingness to look into more detail as to how to tackle the problem.

Sometimes, negotiators are not motivated to bargain on this issue, as a GPA officer in **Austria** claimed: *“There is a lack of analyses and demands and naturally also a lack of motivation of negotiators to promote concrete measures, which would lead to ‘equal pay for work of equal value’ – apart from demands that the lowest paid should have increases.”*

The need to combat indirect pay discrimination is clearly not a priority. The impression one gets is that a general feeling of acceptance of the problem has developed over decades of social struggle and, above all, since the advent of the social and economic crisis. This leads us to the idea that the fight for equal pay has weakened since the achievement of legal equality. The adoption of legislation on “equal pay for equal work” pushed the existence of many less visible forms of discrimination into the background.

An obstacle to union action is clearly that of **labour costs** in general. This means that the demand of “equal pay for equal work” is in competition with demands for general pay increases for both men and women. In times of financial difficulties, the part of company income, which is available for pay, is increasingly smaller. Thus, Belgian newspapers have headlines, such as: *“Belgian women are paid 20% to 21% less than men. Equal pay is a social bomb”*³⁶ and *“The new law on discrimination can lead to great increases in labour costs”*³⁷. Such opinions put another angle on the issue and lead to greater opposition between men and

³⁶ Tendances, Trends, 28 August 2003

³⁷ De Standard, 14 February 2002

women employees in a period of financial difficulties. It is clear that in **Belgium** – as in all the countries covered by the study – the law on pay norms puts a break on trade union action regarding anti-discrimination demands.

In the **Netherlands** it has taken many years for FNV and affiliated unions to come to terms with the idea that unequal pay is an important issue and needs tackling, but in recent years it has been acknowledged and taken seriously. Many steps have been made to try and reduce gender pay gaps. As a result of ongoing discussions, large employers' organisations and public sector employers have denounced unequal pay for women. It has also led to the social partners drawing up a checklist for avoiding unequal pay, with which negotiators can 'screen' pay policies in their sectors and companies.

In **Italy**, the upward trend in women's pay started to take a downturn in 1983. Since that time, which signals the first turnabout in the functioning of the labour market, the gap has widened, due mainly to the demise of policies based on pay equality (abolition of the index-linked "pay scale"). In the previous decade - in order to protect the lowest skill levels - there had been mechanisms to automatically adjust pay, the end of the wage spread and equality strategies pursued by industry-wide bargaining, which had favoured women as they were positioned in the low- to middle-pay levels. There had even been talk of 'involuntary feminism' of Italian unions. Since then – in a general context of low pay for both men and women subordinated employees - the Italian union movement seems not to be really prepared for dealing with unequal pay and this issue is still not considered to be a priority.

7.2. Hesitant trade union action

In **Belgium**, CSC pays much attention to job evaluation and qualifications, as well as training. This is the case both in the public and private sectors – and also for FGTB and CGSLB. All three trade union confederations recognise the problem, but hesitate to make gender pay discrimination a major priority of union consultation and action.

CSC 2002 Congress: "fair income"

It is not possible to say that Belgian trade union confederations are not concerned by indirect pay discrimination. CSC devoted its statutory congress (17-19 October 2002) to the issue of "fair pay"³⁸. During it congress (31 May to 1 June 2002), FGTB demanded that in the 2003-2004 inter-sector collective agreement discrimination be removed and commitment made regarding analytical classification of functions³⁹. CSC made the following proposals:

1. Career breaks and the four-day week should become normal by making them masculine as well.
2. All functions, occupations and economic activities should be rendered as gender-balanced as possible. CSC proposes a ten-year plan: within the next ten years, all functions, departments, enterprises and institutions should be composed of at least a third of each gender.
3. During this ten-year period, there should be a great campaign against all forms of discrimination and for diversity.
4. All classifications of functions should be assessed in terms of all forms of discrimination.
5. Career development possibilities for women and other discriminated groups should be envisaged, i.e., collective action to promote individual job satisfaction.

These policies also apply to affiliated sector unions and workplace branches. But, given the extent of the problem, union action is limited to certain aspects of discrimination.

³⁸ CSC « Dans quelle mesure mon revenu est-t-il juste ? », syndicaliste CSC – Special Edition - 25 January 2002, p. 23.

³⁹ FGTB, Congress resolutions, 31 May and 1st June 2002, pp.9-10

The **French** report also observes a certain degree of union hesitation regarding action. Nevertheless, there seems to be more interest recently. The report proposes making four groups of issues for action:

1. Promoting women's careers and recruitment.
2. Providing for positive action regarding access to promotion.
3. Lengthening working time for those, who do not have full hours.
4. Legal action: another solution, which brings real results, involves taking court action on pay discrimination. Unfortunately, in **France**, this kind of action is hardly used, even though procedures exist.

The **Dutch** report observes continued union interest in the issue of equality, as mentioned above. Apart from striving towards improvements for part-timers and those with insecure contracts, the following elements can be mentioned regarding the FNV approach:

- several cases of unequal pay were taken to court and the commission for equal treatment; some with clear consequences for groups of workers;
- improvements in legislation were lobbied for;
- much leading research in this field was stimulated and supported by FNV;
- in several collective bargaining agreements, substantial progress was made in removing gender-bias elements from pay systems;
- several training courses were organised for groups of active members and legal advisors and negotiators.

However, the issue is considered to be 'difficult to access' and 'hard to tackle', also because a substantial part of the problem is related to broader issues concerning women's position in the labour market.

The **Austrian** report quotes a works council member, who is wondering about the role of gender mainstreaming in implementing the principle of equal pay for work of equal value: *"I think that it is important to take this as a central issue and work on it again. Sometimes, they do not even realise they are telling us stupid things, for example, a man said he could not live on his pay. I responded by asking whether a woman could? Challenging this each time is a permanent process."*

In **Denmark**, even after a long period of equality policies and changes for women in the labour market, social partners were jolted when they realised that the pay gap still existed. For instance, HK - one of the largest unions in the private sector - developed various initiatives on this issue. One of them was gathering statistical information via the membership. All members were asked to give information on their pay situation. More than half of them responded to this request. This led to the creation of a databank, thus enabling HK to create transparency regarding pay. Members, including men, were shocked to discover women's low pay in many sectors. HK then decided to organise awareness-raising courses for its members.

8. EQUAL PAY AND THE PRINCIPLE OF GENDER MAINSTREAMING

8.1. Remediating inequality

Reflecting on the features and causes of the gender pay gap leads to a whole series of solutions, which are both very specific and also more general. There is also the problem that

many levers need to be used at the same time by both women and men actors, who sometimes, within their group, have opposing interests.

The fact that all the problems have to be dealt with at the same time in an overall framework significantly increases the degree of complexity and requires huge political energy, which can only be created by political democracy, that calls on all levels of decision-making involved in the process of emancipation. Our research enables us to draw several conclusions. Equal pay is not only a question of method and legislation, but also of political WILL, regarding the following issues:

- Ensuring that all union members and representatives are aware of the significance of equal pay and legislation and understand the principle of “equal pay for work of equal value”. Training all actors regarding the many explanations of unequal pay. Provide good information on the issue of equal pay.
- Collecting data on men’s and women’s pay. Checking that access to bonuses is the same for men and women and that criteria are free of gender bias. Carrying out equal pay audits. Analysing women’s and men’s careers in equivalent positions.
- Providing specific training for all union members involved in collective bargaining and encouraging the development of the issue of gender equality in all collective bargaining, notably on pay.
- Involving experts in debates on new systems of job evaluation and classifications. Many systems (and collective agreements) seem out-of-date and are no longer in line with criteria for defining jobs and functions, which are totally new, nor are they in line with changes in work organisation. Pay systems are thus in the process of being revised. It is essential to deal with systems of classifications in order to concretely implement equal pay. Clear proposals should be made and be well prepared for negotiations with employers.
- Using existing legislation and calling on legal experts, in order to envisage taking cases to court, including the European Court of Justice.
- Finding financial resources – depending on company results – to fund the reduction of observed pay gaps (without penalising other employees and also preventing the gender pay gap from increasing during the process). In order to avoid competition between employees, financial resources available for positive pay action should be increased. The **Belgian** report suggests that part of enterprises’ increased income resulting from greater productivity should be used for this.

8.2. Conclusion – the need for gender mainstreaming

It is surprising that both in the studies and field interviews, little reference is made to the fact that equal pay is not a stable element in pay negotiations, but a component of the production process and, therefore, subjected to free market laws.

It is also surprising that few studies and few interviewees explain pay differences by the absence of gender mainstreaming in unions, in spite of the general acceptance of the importance of gender mainstreaming processes. However, it is a fact that unions play a central role amongst social actors, who could influence pay negotiations in terms of more gender equality. Employers are guided by production costs. It has to be observed that pay remains a factor of production – a cost for employers – which, in a market economy, is largely determined by the market. The authorities generally abstain from intervening in pay bargaining, which they leave in the hands of the social partners.

The existence of gender pay discrimination is not contested. Scientific studies and interviews of witnesses confirm this. However, such discrimination is not directly obvious in the individual pay packet of each employed woman. Social partners unanimously recognise that legislation forbids all forms of discrimination and strictly applies the principle of “equal pay for equal work”.

Persisting discrimination is indirect and affects all women employees. In spite of positive action over the past fifty years, progress is slow and the gender pay gap remains big – between 15% and 30%. Half of the gap is explained by “objective” factors, while the other half is pure discrimination. This trend is observed both in the public and private sectors, although one must be prudent as there is a lack of viable data for the public sector.

It is important to underline that there is also a hesitant attitude amongst trade unions, which consider pay negotiation also as an individual matter. They use little effort to develop their own gender policy – and even less so, play a role of catalyst for equal pay.

This attitude has obvious consequences for enterprise-level union delegations. At this level, there are also few initiatives for developing dynamic gender equality policy, although a great amount of activity at that level was expected on this issue. Initiatives on pay within a gender equality perspective are also rather limited.

Finally, three issues seem central for the future: evaluation and classification of functions; vocational training; and union action to ensure respect for the legal principle of individual equality.

SECTION II – TRADE UNION STRATEGIES REGARDING WORKING TIME AND WORK-LIFE BALANCE FROM A GENDER PERSPECTIVE

Introduction

The demand for shorter working hours appeared as soon as trade unions came into being. All European unions have turned this measure into an important demand and bargaining topic in order to improve working conditions, develop the idea of the right to free time and combat unemployment. More recently, the issue of work-life balance – linked to the objective of gender equality - has also been promoted.

At its 1976 congress, the European Trade Union Confederation (ETUC) advocated the reduction of working time to 35 hours per week. But, today, this objective has been achieved in few European countries – and only France has adopted a law on it. It would even appear in recent years that the process of the collective reduction of working time is being challenged, including in France. The development of policies of flexible working time is tending to diversify working hours and rhythms – atypical working hours, shift work, part-time work, annualisation and variation⁴⁰ of working hours... These are complex trends and result essentially from economic factors (increased competitiveness and improved productivity, etc.). Social and cultural changes also partly contribute to these developments – the large-scale participation of women in the labour market fosters a new configuration of working time and explains the increase in part-time work. Likewise, aspirations for more free time and a better balance between social times are becoming stronger. As John Monks, ETUC general secretary, recently recalled during negotiations on the revision of the European directive on working time⁴¹: *“Today workers are increasingly men and women who combine paid work with other activities in life”*.

But it is difficult to arbitrate between, on the one hand, economic policies concerning working time - which imply growing flexibility and diversified working hours – and, on the other, employees’ aspirations for working hours, which they choose and control. In the context of an approach that fosters equality, trade unions play a central role regarding working time: the need for flexibility is recognised by European unions, but the search for compensation for employees remains essential – whether in terms of pay, free time or the possibility of choosing the way in which one’s working time is organised.

If, on the one hand, the demand for a reduction in working time is no longer in the forefront, the question of balancing social times - namely working time, family and domestic time, social life time, leisure time and “personal” time – is becoming a major issue. It is central, both from the point of view of the way the labour market functions and economic efficiency, and from a social point of view in terms of promoting a fairer and more balanced society. It involves all the actors of economic and social life – the State and public services, as well as companies, which are increasingly sensitive to this dimension. Families – in all their various forms – are also obviously concerned. The increase of dual-earning families and single parent

⁴⁰ The term “*modulation*” is used in French to describe variations in working time – the average being calculated over any period exceeding a week (often 3 months or 6 months), while annualisation is used for a period of one year.

⁴¹ Directive N° 93/104/CE on working time, which was adopted in 1993, is in the process of being amended. This directive fixes maximum working time (48 hours per week, 13 hours per day and 4 weeks annual leave). Proposed amendments, which are criticised by the ETUC, concern notably the following points: introduction of an “opt-out”, which makes it possible for the employer to opt out of maximum working time, if the employee agrees; extension of the reference periods without collective bargaining...

families (the “heads” of which are mainly women) leads to increasing tension, which is felt significantly more intensely by women, for whom work is not accompanied by any real reorganisation of the sharing of domestic chores. Given this context, trade unions are increasingly involved in this issue, which concerns much more than just the workplace.

In fact, the issue of work-life balance has become one of the major aspects of European policy through the adoption of important directives and recommendations, that are often preceded by agreements between the European social partners, such as: working time, part-time work, parental leave, childcare and, more recently, the June 2000 resolution on the balanced participation of men and women in working and family life and the European council’s resolution, that introduced monitoring indicators on work-life balance in November 2000⁴². The various European action programmes fostering equal opportunities for men and women have also emphasised this issue. Finally, the European employment strategy (1997) and especially the employment guidelines (adopted in 1999), that are incorporated the National Action Plans for employment⁴³, continue this approach. Since 2003, this process has gone even further by imposing quantitative objectives (increase women’s employment rates to 60%; 1% reduction in long-term unemployment; a half-percent reduction in pay gaps by 2010; more childcare facilities, etc.).

The aim of this report is to present the results of national surveys of union strategies on time and equality. As part of the MSU programme (c.f. our website: www.iseres.org/msu), it involves observing how the issue of work-life balance has become a new area of implementation of gender mainstreaming. This report is based on various sources – existing European data and studies and also case studies that we have carried out in enterprises in the three sectors, which we previously chose, in all six countries (c.f. DL7 reports): metal industry, commerce and public services. These monographs are about experiences concerning working time - reductions in working time, annualisation and development of part-time work (c.f. appendix which presents the enterprises). The aim is to identify cases of “good practice” and also to observe negative experiences regarding equality.

1. Trends in working time in the countries covered by the project

1.1. Data on working time

In 2000, according to the European Industrial Relations Observatory (EIRO⁴⁴), the average working week in Europe stabilised at about 38 hours. The data confirm the slowing down of the reduction of working time in recent years.

⁴² These indicators were drawn up after the Beijing programme, during the French presidency of the European Union and led to an appraisal of all existing measures in this field: R. Silvera (2002), *Articuler vie familiale et vie professionnelle en Europe, un enjeu pour l’égalité*, Women’s rights and equality service, la Documentation française.

⁴³ NAP guideline N°19 : incorporate equal opportunities for women and men; guideline N°20: combat gender discrimination; guideline N° 21: reconcile working and family life; guideline N° 22: foster women’s return to work.

⁴⁴ EIRO (2004), Working time developments, 2003, Eiroline

Average collectively agreed normal weekly hours, 2003

Austria	38,5
Belgium	38
Denmark	37
France	35
Italy	38
The Netherlands	37
EU + Norway average	38

Source: EIRO

Apart from in France, it can thus be observed in the countries covered by this study, that average weekly working time is 37-38 hours. It is calculated on the basis of legislation and collective agreements, depending on the country. But the length of stipulated working time is exceeded in practice – in fact, usual working time, based on Eurostat surveys, is generally two hours longer (the European average is 40 hours). In the six countries of our study, the gap between stipulated working time and usual working time is more than 2 hours in Denmark and France (the country where stipulated working time is shortest); however, the gap is only 0,5 hour in Italy.

Usual working time of full-time employees, 2002 (hours)

	Total	Men	Women	Gender gap
Austria	40	40.1	39.9	0.2
Belgium	39.3	39.7	38.3	1.4
Denmark	39.1	40.1	37.7	2.4
France	37.7	38.2	36.9	1.3
Italy	38.5	39.8	36.4	3.4
The Netherlands	38.9	39.1	38.1	1
EU average	40	40.8	38.6	2.2

Source: Eurostat as quoted by EIRO

Gendered data in the above table confirm that even full-time working women usually work shorter hours than men. This gap is especially high in Italy (more than 3 hours) and almost non-existent in Austria.

Rates of part-time employment, by gender in 1992 and 2002 (%)

	Total		Men		Women	
	1992	2002	1992	2002	1992	2002
Austria	12,6	18,9	3,6	5,1	24,5	35,7
Belgium	12,7	19,4	2,3	5,9	28,9	37,7
Denmark	23	20,6	10,7	11	37,1	31,4
France	13,1	16,2	3,8	5	25,2	29,7
Italy	5,5	8,6	2,5	3,7	11,2	16,7
The Netherlands	34,8	43,8	15,2	21,5	64,4	72,8
EU average	14,2	18,2	4,2	6,6	28,8	33,5

Source: Eurostat, as quoted by Coral, Isusi, 2003

In most European countries, part-time work has increased over the last decade. Though, this is not the case in Scandinavian countries, where, on the contrary, part-time work has declined, notably for women. Everywhere, part-time work is essentially a women's phenomenon – it represents, on average, a third of their jobs (this is the case for 4 of the countries covered by our study) and more than 70% of women's employment in the Netherlands, which is an exception. However, the situation is different in Italy, where, as we know, even though part-time work is increasing, this form of employment is still not very widespread (16% of women's employment).

Usual working hours of part-time employees, 2002

	Total	Men	Women	Gender gap
Austria	21,8 hours	21,8 hours	22	-0,2 hours
Belgium	22,7	22,8	22,7	-0,1
Denmark	18,5	13,6	20,4	+6,8
France	23	22,7	23,1	+0,4
Italy	23,8	28	22,6	-5,4
The Netherlands	19,2	19,2	19,2	0
EU average	19,7	19	19,9	+ 0,9

Source: Eurostat, as quoted by EIRO

In Europe, usual part-time work is about 20 hours (half-time). Unlike full-time employment, France and Italy have longest weekly part-time hours (more than 23). In gender terms, the differences are very small, in relation to full-time employment and, above all, vary in both directions – at the European level, part-time working hours are longer for women. This gap is biggest in Denmark, where men's part-time working hours are very short (13.6 hours), because they correspond to men's jobs, which are transitional either in terms of entering or leaving the labour market (young men and older men). However, in Italy, women have much shorter part-time hours, but, as we have already observed, there is much less part-time work in Italy than generally in Europe, regardless of gender.

1.2. General debates in European countries on the issues of reduction in working time and work-life balance

In the 1980s and 1990s, some European countries made the reduction of working time one of the aspects of employment policy and the battle against unemployment. This was notably the case in France (laws on 35 hour week) and partly in Belgium (38 hours), Italy and the Netherlands. However, in Denmark, the issue of the length of working time was linked rather to improving living conditions and gender equality (passage to 37 hours). In Austria, these discussions did not figure much on the political agenda, but are now back on the trade union agenda, as, in 2002, GPA called for a 35 hour week and gradual transition to a 30 hour week.

Although in all these countries, the unions participated in introducing the reduction of working time, the measures have actually been implemented with the support of governments (in France, Belgium and the Netherlands). As we have emphasised in previous reports, the relationship between legislation and collective bargaining on working time depends on the national context of industrial relations and predominant

social models. Thus, in France, the laws on the 35 hour week envisage and encourage sector- and enterprise-level collective bargaining. Elsewhere, legislation only provides a framework and follows collective bargaining on working time.

Ongoing changes

Collective bargaining on working time is developing and various trends can be identified:

- Gradually, the objective of sharing work and improving living conditions is being pushed into the background and leaving the way open to flexibility. As an ETUC study⁴⁵ emphasises: “*Since the mid-eighties, productive flexibility (which is essentially approached on the basis of constraints of production with the aim of optimising productive efficiency) has imposed itself on all European countries (...) – the initiative is now in the hands of employers, reorganisation of working time is predominating over reduction of working time and processes of implementation are being decentralised*”.
- Another trend, that is common to the various countries, is that debates are gradually leaving the single area of weekly working time and are now examining annual working time – with the introduction of variations of working time. This change is related to companies’ search for greater flexibility. Thus, most European countries have adopted measures with a view to accounting for time on an annual or monthly basis, while respecting a weekly average. In all cases, legislation envisages a collective agreement at sector level and sometimes at enterprise level.

Legislative framework on variations / annualisation of working time

	Legislation	Reference period	Maximum weekly hours	Conditions
Austria	1997 law on working time and specific decrees for public services	Up to 12 months	48 hours	Collective agreement (CA) necessary and enterprise agreement if required by the CA. System of extended bandwidth over 13 to 52 weeks
Belgium	16 March 1971 law, 10 August 2001 law, 17 March 1987 law + 1987 CA	Between 3 and 12 months	45 hours (flexible week schemes); 50 or 56 hours for specific reasons	Normally, sector-level CA. Specific reasons (work overload, technical problems, etc.) with agreement of sector-level committee.
Denmark	2002 law – implementation of Directive on part time work But working-time is decided through collective agreements and not legislation	Up to 6 months and 12 months, if agreement	48 hours	Sector-level agreements in public and private sector. The flexibility is due to local agreements
France	1996 Robien law, 1998 and 2002 Aubry laws	Up to 12 months	48 hours	Compulsory sector- or enterprise-level agreements
Italy	1997 law, 2000 circular, 2003 decree	Up to 4 months and 12 months, if agreement		CA to exceed 4 months reference period. All sector-level agreements include

⁴⁵ ETUI (1995), *Le temps de travail en Europe, organisation et réduction*, directed by R. Hoffmann and J. Lapeyre, Syros

				“multi-period” working hours; some include “time banks” (commerce, metal industry...). Only chemical industries provide for complete annualisation
The Netherlands	1995 law on working time	13 weeks	45 hours or 50 hours if CA	CA or agreement with works council for prolonging normal working hours

Source: EIRO, 2003

Some data on the number of employees concerned by variations / annualisation of working time

Austria	Not much information available: OeGB estimates that 10% to 20% of employees, who are covered by CAs, are concerned by the “extended bandwidth” system
Belgium	According to the 2004 National Action Plan for Employment, 68.2% of all employees are concerned by variations (82.3% of women and 50.2% of men).
Denmark	According to the employers’ organisation’s (DA) statistics, 67% of the 650,000 employees covered by DA are concerned.
France	According to an official study on the 35 hour week, 35% of employees, who benefit from the 35 hour week, are concerned.
Italy	No overall data. In the chemicals industry, 75% of employees are concerned.
The Netherlands	No data

Source: EIRO, 2003

The EIRO study lists the advantages and disadvantages of annualisation from the social partners’ point of view. It shows that advantages are greater for employers, who are most often behind the introduction of such measures. It makes it possible to organise working hours most effectively, reduce costs (notably in terms of overtime pay) and absences... From the union point of view, the results are more mixed – it depends on the balance of forces, the collective bargaining context and the economic situation. When unemployment is high, pressure on employees is such that they accept non-standard working hours more easily and negotiate fewer compensations. Thus annualisation is not always compensated by higher pay or more free time. Likewise, *“it is becoming difficult for employees to demand and win working time arrangements, which are in line with their preferences both in terms of pay and free time. The introduction of flexible working time used to be often accompanied by shorter working hours, now in most EU countries, the reduction of working time is tending to stagnate”* (EIRO, 2003). From a gender perspective, the situation is rather negative – problems of knowing one’s working hours ahead and increased atypical working hours are great constraints, especially for working mothers. Work-life balance is sometimes better taken into account in some agreements on annualisation, but this is not always the case.

Thinking and measures regarding the life cycle are in the process of developing. As a result of the pressure of union demands to improve employees’ individual and family comfort – and also as a result of economic concerns regarding flexibility – this issue now goes beyond the

framework of the working day. Measures have been introduced to foster career breaks, time credits, long leave and early retirement, etc.⁴⁶

In all countries of the study, legislation or collective agreements on women's night work have been modified. In line with European legislation on equal treatment of women and men, most countries have removed restrictions on women's night work, notably in industry (Austria, France). In both **Denmark** and the **Netherlands**, for many years already, there have been no restrictions on women working at night or in shifts.

2. The place of working time in union strategies

Working time is becoming an increasingly complex issue, as reference to a "normal" working day is becoming decreasingly relevant. Such diversification renders trade union actions much more complex. We have decided to choose certain modalities, which unions have referred to during our surveys and which have important repercussions in terms of gender, namely reductions in working time, annualisation and part-time work.

2.1. Union positions on reduction of working time and annualisation

In all six countries covered by the study, working time is a central union issue, even if in recent years, the demand for a reduction in working time has been put to one side. France is an important example in this area.

The 35 hour week and gender in France

In France, the issue of the reduction of working time has been one of the main bargaining topics since the 1990s. The 1998 and 2000 Aubry laws made the transition to the 35 hour week compulsory in enterprises with more than 20 employees. Unions have not always welcomed this measure. Paradoxically, FO was against the law, but has signed local agreements, whereas CGT nationally was in favour of collective bargaining on working time, but agreements have not always been signed by the CGT locally. CFDT and CFTC adopted a more consistent position in favour of the law.

Available data show that 117 sector-level agreements (covering more than 9 million employees) and about 42,800 enterprise agreements (covering 4.6 million employees) have been signed. The reduction of working time is, thus, an issue around which employees mobilise – especially women – but it has also, in fact, revealed tensions and contradictions.

According to certain unions (notably CGT), the reduction of working time has sometimes been accompanied by **negative consequences for employees**, because of resulting increased flexibility and imposed variation of working hours. The development of atypical working hours now concerns almost half of all employees (asocial working hours, staggered hours and night work, etc.). These new time constraints increasingly contaminate all life times, including for employees who work short hours or who benefit from a reduction in working time. According to a DARES survey (Estrade et al., 2001), 28% of interviewed employees consider that their working conditions have worsened since the reduction of working time. This is the case for all men, regardless of grade, whereas 35.4% of unskilled women consider that their conditions have worsened, while only 18.4% of women executives do so. Some agreements have led to removal of breaks and less time for informing the next shift of

⁴⁶ For an analysis of working time during the life cycle, c.f. J.Y. Boulin, R. Hoffmann (2000), *Les nouvelles pistes du temps de travail*, Editions Liaisons

developments – both of which are signs of intensified work, which is reflected in the repeated phrase “*they ask us to do the same work in less time*”. Moreover, there is greater tension around notice of changes in working hours – many enterprises do not respect notice stipulated in the agreement, using the excuse of flexibility requirements and putting more or less informal pressure on employees to accept unexpected changes, sometimes even from one day to the next. Clearly, family organisational needs, which weigh mainly on women, are heavily penalised by such practices.

However, studies on the consequences of the Aubry laws, do show up certain **positive points for employees**. The primary effect of the 35 hour week concerns changes in employees’ life rhythms. Without actually seeking new leisure, cultural and community activities, employees – especially women – mainly show the need to relax. This reaction is greater amongst those employees who have difficult working conditions – and, in their view, the reduction in working time is accompanied by more intensive work. This is even more so for working mothers, for whom domestic chores are “reserved”.

Although women are generally less unionised than men, they participated more in collective bargaining on working time and there were proportionately more women amongst “mandated” negotiators, i.e., non union members, who are mandated by a representative union to negotiate and sign an agreement on its behalf when it does not have members in a particular company. This shows that the issue of reduction of working time mobilises women more than other bargaining topics, most certainly because it concerns organisation of life at work and also outside work (Defalgard et al., 2004). In certain agreements, many women thus refused to allow the 35 hour week to be introduced in the form of four working days (i.e. four 9-hour days), which would not coincide with the school day; in other cases (e.g., hypermarkets) the reduction in working time made it possible to increase hours of part-time employees. In other words, employees are more satisfied when their collective agreement made it possible to negotiate the way in which the reduction in working time was implemented in their workplace.

Surveys of employees’ perceptions of the reduction of working time emphasise greater satisfaction amongst women, who appreciate the extra free time. In a study on working time and employees’ living patterns (Anxo, Boulin, Lallement, Lefevre, Silvera, 1998), some men employees were reticent about proposals for collective reduction of working time at the beginning, because they interpreted it as less involvement in work. They saw reducing working time as a transition to part-time work and challenging the unchangeable principle that “*skills rhyme with presence and availability at work*”. More women than men said that they “do not have enough time” before working time was reduced, even when comparing men and women in the same grades (Estrade et al., 2001). Women say that with a reduction in working time, they are able to organise domestic chores better and “*free up time on weekends*”. This contributes to loosening time constraints, which is especially appreciated by women, who continue to assume most of this kind of work.

The results of this measure are thus mixed, notably from a gender perspective.

Reduction of working time in other countries: a union issue that has been abandoned for flexibility?

In **Denmark**, working time has been gradually reduced by collective bargaining. By the beginning of the 1990s, the working week in most important collective agreements was 37

hours. The general reduction of weekly hours is not an important issue on the current bargaining agenda. However, both the social partners and the government are interested in developing more flexibility – it is as much a matter of improving working and living conditions of employees with young children, as of using equipment and labour more effectively with a view to company competitiveness. Thus, on the one hand, extra days off have been offered to parents of young children (“care days”), while there is also a greater use of annualisation of working hours via company agreements. In 2000, the reference period for varying working time increased from 6 months to 12 months (with an average of 37 hours).

In **Italy**, during the 1980s, collective bargaining on working time was incorporated in general collective bargaining without success – not only because of employers’ opposition. Hours were reduced by only 5-6% in the form of extra days of leave and compensated in industry by the use of overtime. In the 1990s, the government launched the idea of introducing a law on the 35 hour week, as in France – under pressure from the most radical political forces. A law was not adopted in the end, because of union opposition to the form rather than content – they consider that the reduction of working time should result from collective bargaining and not legislation. In recent years, individual solutions have been developed (a major increase in part-time work) and also flexibility regarding the organisation of working time, which was fostered by the framework law N° 53/2000⁴⁷ (on increased possibilities of reorganising working time, notably via flexibility of the working day and the possibility of having additional leave). Negotiations for these flexible solutions take place, above all, at the second level of collective bargaining, during which it is easier to experiment alternative working schedules with respect to standard ones, at the same time taking into consideration the requirements of users and consumers, the organisation of work and technological level, as well as the needs of both men and women workers. However, these are but drops in the ocean. Ever since it was enforced, the effects of law N°53 have mostly been limited to the first part of the text relating to maternity and paternity leave, whereas the second part of the law, which is the most innovative, has remained largely unimplemented. There are very few firms, which responsibly consider the personal requirements of their employees - more often than not, workers, and, above all, women workers, are left with no option but to accept the working hours imposed by the enterprise. On the other hand, trade unions still consider these measures as residual or, at best, supplementary with respect to the other topics, which are tackled during collective bargaining. This mainly occurs in defensive phases such as the current one. In fact, over the past few months, collective bargaining in Italy, even at corporate level, has aimed at contrasting the effects of job insecurity and of working hours, which have been unilaterally rendered more flexible by the law.

In the **Netherlands**, the issue of working time has been one of the major union demands for many years – in order to fight against unemployment and promote access to the labour market for young people, women and foreigners. The aim was to reduce working time, not only on a weekly basis (although this was an important aspect, as many enterprises reduced weekly hours from 40 to 38 and sometimes to 36). Reduction of working time was also seen as creating more possibilities for women to enter the labour market. However, now – in a period of recession after an economic boom - employers, still concerned about increasing participation in the labour market, are not focussed on reducing working time, but rather on

⁴⁷ Law N° 53 of 2000, which defines the *"Provisions aimed at sustaining maternity and paternity, health and occupational training, and the maximisation of time in cities "*, unifies regulations governing maternity, paternity, care, occupational training and time devoted to social initiatives. Article 9 of the law sets out measures to sustain flexibility of working hours, so as to encourage and stimulate working schedules that can reconcile working and personal life.

increasing the number of hours for everyone, for instance by increasing the weekly number of working hours again to 40. The trade unions are strongly opposed, even though in some sectors labour market shortages are acknowledged to be a problem, which has to be tackled. Trade unions in the Netherlands are not striving any more for overall reduction of working time, but try to create more worker-friendly flexibility and greater say for employees concerning their working schedules.

In **Belgium**, there has not been such a big debate on the reduction of working time as in France, even though the government tried to launch it. The process has been gradual since the 10 August 2001 law on reconciling employment and quality of life with the transition to 38 hours per week. This reduction could not lead to loss of pay and implied a collective agreement or labour regulation. Maximum limits on working hours can be reduced by collective agreements, while the law makes it possible to exceed 38 hours per week in certain cases. Collective bargaining has concentrated, above all, on the life cycle - in January 2002, "time credits" were introduced. They involve full- or part-time career breaks of up to a year and the possibility for the over-50s to work part-time. The aim is to enable employees – both men and women – to suspend their contract, while benefiting from an allowance and maintaining their labour rights with a view to promoting work-life balance. Unions recognise that, up to now, the majority of those who take time credits are women...

Austria is unlike the other countries covered by the study, in that the reduction of working time is not an issue of debate and plays a secondary role in union strategies, except in the commerce sector. The national trade union confederation, OeGB, does advocate a general reduction of working time to 35 hours per week and then a gradual reduction to 30 hours, as well as a more widespread reduction throughout one's life, in order to improve the quality of life. However, over the last 7 years, the reduction of working time has been pushed to the background by the debate on the flexibility of working time. During preparations for the 1997 law on working and leisure time, OeGB won the right for employee representatives to be consulted about all changes to working hours linked to production needs. But this law does also make it possible to work up to 12 hours per day and 60 hours per week in certain circumstances, notably if there is a sector-level collective agreement and an enterprise contract. OeGB tries to limit the negative effects of flexibility and increase the power of works councils, but the centre-right wing government is pushing for deregulation of working time. By limiting rights and protection to collective agreements and promoting enterprise-level agreements, employers' campaigns to increase working time are helped. Over the past ten years, use of overtime has increased by 100%. Half of Austrian employees work overtime, which is often not compensated. The same goes for the development of weekend and holiday shift work. In some low-paid sectors, employees are forced to work longer hours during periods of peak activity without any bonuses in compensation. This situation is incompatible with work-life balance, because working hours are increasingly unpredictable.

2.2. Part-time work – a controversial topic

The issue of part-time work divides people in different European countries and also within countries – some consider that it provides real choice for employees and corresponds especially to working mothers' needs, while others denounce it as a new source of job insecurity for both men and women employees.

In the **Netherlands**, until recently, unions have long been reticent about the development of flexibility and part-time work, because of two factors – firstly, part-time work and flexible

contracts concerned mainly women (and young men during education) and were not considered a very important union objective. Moreover, casual and part-time workers were considered as competitors of full-time employees and a danger to full-time employment. Unions found that if they defended the rights of such employees, they would be accepting the principle and would, therefore, encourage the growth of this kind of employment. Gradually, opinions changed – not only because of the influence of women in unions, who were demanding improvements in the situation of part-time workers, but also because more men (both young men and those affected by the economic recession) ended up with flexible and part-time jobs. Now, unions consider that it is better to incorporate policy on part-time work and flexible employment, strengthening their rights and legal position, in order to reduce gaps with standard employment regarding pay. This also puts unions into a position of being able to negotiate on these issues. When it comes to part-time work, two important laws justify this position. One of them concerns the equal treatment of part-time employees (granting them equal pay, equal access to social security, training and career possibilities, thus limiting the previous advantages of part-time work for employers, but also encouraging not only women to take up skilled part-time employment. The other law on adapting working time gives every employee with at least a year's length of service the right to request a transfer from a full-time contract to a part-time one or vice versa with 4 months' notice. This can only be refused if there is a valid reason and it is possible for employees to contest decisions. This law aims at promoting part-time work in sectors where men predominate and where employers were reticent about allowing women (and men) to work part-time, for example, to cope with family responsibilities – and also to enable women part-timers to move to jobs where part-time work did not exist. This law also hopes to enable women who have short part-time contracts to increase their hours and even access full-time positions. In short, the labour market policy regarding part-time work in the Netherlands is aimed at creating more possibilities for employees to differentiate their working time according to their personal situation during each period in their working life.

These debates exist in all the countries, covered by our study, but unions are not so involved in them elsewhere. In **Austria**, OeGB puts alongside the general demand for a 35 hour week, the issue of part-time work: the right to part-time work during specific periods of working life, with the right to return to full-time employment of the same quality; full strategy for transition between full- and part-time employment; maintenance of the right to training and career development for part-timers. In **Belgium**, unions were also reticent about part-time work at first and then, gradually, this form of employment has been accepted, provided that social protection is identical as that of full-timers. In **Denmark**, part-time work is seen as an individual solution - not as a measure for solving labour market problems. Part-time work is, therefore, not a subject of debate as such and is not part of the collective bargaining agenda.

In **France**, however, the recent increase in “imposed” part-time employment means that unions are still reticent about this kind of employment. However, one cannot say that there is radical opposition to it. This certainly reflects the place of equality issues in all union strategies and the difficulty of adopting a position on an issue that is related partly to individual choice. In some sectors, especially commerce (see below), the battle against job insecurity and imposed part-time employment is a priority.

For a long time, in **Italy**, unions were also hostile to the development of part-time work, because most of the jobs concerned were marginal ones or offered limited career prospects. However, more recently, this attitude has changed, above all because historical analysis of the low rate of women's participation in the labour market – compared with other European

countries – can be explained by the fact that there is little part-time employment. The traditionally low spread of part-time work can partly be explained by the specific nature of the public sector where « reduced full-time » has made the part-time option less attractive and necessary. What needs to be assessed is whether the low incidence of part-time work in Italy, compared to other European countries, is somehow linked to the type of manufacturing specialisation existing in the country and, therefore, to the relatively lower presence of sectors having a “part-time vocation”, including a public sector that is hardly service-oriented. The domination of small enterprises within the Italian manufacturing system is another factor that does not encourage the spread of part-time work. In this kind of environment there is a natural flexibility that curtails the reliance on a formal flexibility, that is set down and regulated by laws and work contracts. It is also probable that the development of part-time work has been hindered by the reticence of the labour demand. The introduction of a significant percentage of part-time work in a company implies organisational changes which Italian companies are not always prepared to make, especially as they can be costly in the initial phase. There are many other factors, which have a natural inclination towards part-time work as, for example, the commerce and service sector, where women employees are often obliged to work part-time or shifts, even if they would prefer a full time position. In fact, Italy has the highest rates of imposed part-time work compared with the other European countries. However part-time work is often concentrated in marginal employment areas, which offer poor career prospects, thus reducing the women workers’ propensity to choose such jobs.

3. Relationship between working time issues and equality in local experiences

3.1. Examples of “good and not so good practices” regarding time and equality

The case studies - some of which are presented here – concern three sectors: metal industry, commerce and public services. The tables presented in the appendices provide additional information about the various enterprises. The objective, which was fixed for all the partners, was to carry out one or two monographs per sector, each being chosen because they have interesting experience concerning working time. They are not ‘best practices’, but experiences which give an insight into the way in which the issue of working time effects the position of women in the various organisations. We wish to point out that in most countries, it has been difficult to do these monographs either because there are few such experiences in some sectors (such as the metal industry) or because it is difficult to access certain workplaces (commerce and public services). Without it being possible to transpose or generalise these experiences, they are, however, significant as to the way in which equality is – or is not – incorporated into working time issues.

Metal industry

“Expanded bandwidth” variable working hours in “*Electronic Company*” (Austria)

In “*Electronic Company*”, an agreement provides for an “extended bandwidth” variation model with a system of overtime payments for those working 3 shifts. The problem is to cope with high turnover. But management recognises that the personal needs of employees should also be taken into account via a system of “time accounts”. According to the collective agreement, this should make it possible, in the long-term, to increase the responsibility of each member of the group of employees. It implies a balance between individual responsibility, team work and the needs of the enterprise. In practice, it means that each employee has a time account ranging between +40 and -20 hours. In this framework, the enterprise can vary working hours and introduce longer shifts on Saturdays and during holiday periods. When there is overtime due to Saturday work, compensation takes the form of additional time off (not overtime pay). Bonuses appear only when more than 8 extra hours

per month are worked. The way in which credited time is used is decided upon jointly by the employee and management.

Time credit and part-time work in *Méta 1* and *Méta 2* (Belgium)

In these enterprises, working hours are shorter than the legal 38 hours (36.5 hours in *Méta 1* and 35 hours in *Méta 2*). In *Méta 1*, women are favourably treated – part-time work is generalised, at the request of the women in the enterprise (80% of women work part-time), unlike in *Méta 2* and generally in industry. As there are financial advantages, men increasingly choose to work four-fifths time. But, according to a trade unionist, part-time employment is used by women, in order to look after children, while men use it to work elsewhere.

Night work is reserved for men. Flexible working hours are possible for those who work during the day, but not for night work, so this is considered to be an “advantage” for women.

In *Méta 2*, on the contrary, women have asked to transfer to part-time work, but management has categorically refused.

Segregation through working time arrangements in “*Metal products*” (Netherlands)

In production at ‘*Metal products*’, women have always worked largely in one unit, in which the specific work (painting of the products) was traditionally seen as especially fit for women. In the other units, where physical strength is more important to fulfil the work, less women work, although gradually more women are also involved in this work. Part-time work is common in the unit, where the majority of the employees are women, although some of the women work full-time. Here, to a certain extent, mutual changes of shifts can be agreed upon, and requests to change the weekly number of working hours in the contract are honoured when possible. Working time arrangements in the other units are more fitting to a ‘man’s life’: full-time, with few possibilities of adapting working hours to personal life. According to trade union activists, this not only contributes to the fact that hardly any women enter these units (and that more of them disappear after some time), but also that no women are found in middle management, where working time coincides with the demands of a (more than) full-time position.

35 hour week in *Zip* (France)

The 226 employees of this zip factory are all now on a 35 hour week with the possibility of varying between 28 and 44 hours, depending on work fluctuations. The agreement (1999 Aubry 1 law) envisaged the creation of 10% of jobs, which occurred, but were offset afterwards by a drop in production. Out of 150 employees, who work on the shop floor, under a third work days (8.30. to 5.15.). They are mainly women employees with long length of service. The great majority work shifts (6 – 2 or 2 - 10). There is a small group (only 6 or 8 men), who work nights.

CGT, which is the majority union in the enterprise, did not sign the agreement, because it involves flexibility and variations in working time: “*Before, women worked mainly days. At the beginning, management wanted 28 hour weeks, but the women were against that, because they would have also had to accept 44 hour weeks. Since then, there have been attempts to make them do 44 hour weeks and Saturday work, but the women refused*”.

Management wants employees to be able to react quickly. Even if it is only for short periods (approximately 3 weeks per annum), employees must accept versatility and variations. The agreement stipulates 8 days’ notice (if working hours are changed). Sometimes, notice is not respected and employees change shifts, but this happens rarely. “*Employees can refuse,*

without being subjected to penalties, but we know that if we accept, it is possible to make arrangements”.

In practice, employees appreciate the agreement, while variations in working time continue to be rarely implemented. The agreement was signed at a time when production needs could justify longer working hours (Saturday and night work). However, since then, the situation has deteriorated and management does not use these margins of manoeuvre. *“In fact, things are alright. They do not impose a 44 hour week on us, nor Saturday work. In general, we have kept our working hours... we can have Wednesday or Friday off... At the beginning of the year, a calendar is drawn up and we can take our time off when we want – in half-days or whole days added on to leave, etc... Provided work organisation is respected, we try to make arrangements amongst colleagues... The threat of flexibility still exists, but it is true that management has not used all the possibilities that annualisation provides. However, that is because current demand does not require them. If they need us to work 44 hours, they could make us do so...”* (CGT, Zip).

Commerce

Experience of “checkout pool projects” – Hyper 1 and Hyper 2 (Italy)

In the context of law N° 53, an initiative has been developed for checkouts, which enables cashiers to organise their working hours themselves. This example shows how the same flexibility tool can have different repercussions, depending on the role given to employees and their representatives. In both hypermarkets, the project dates back to the year 2000.

In *Hyper 1*, the project was negotiated and implemented with the participation of RSU (works council) and CGIL Filcams and involves the organisational and personal qualities of the women employees concerned. A series of rules have been created, which the cashiers have been informed about and are monitored by RSU, in order to avoid employees losing control of their working hours. Credited hours are put in a kind of time bank and are called “stocked hours” and must return to zero each month. So, at the end of each month, extra hours worked are considered to be overtime, while if one has worked fewer hours, the difference is deducted from leave. In order to avoid having to recuperate too many hours, the system stipulates that one cannot accumulate a whole week without working. There is a ceiling of 8 hours per day and 35 hours per week. The period of work must not exceed 12 hours from the time of first entry and last exit. There is rotation of Sunday working, closing shifts and rest days. In this kind of work, where shift work is compulsory, part-time work rarely chosen and weekly working hours very short, this experience of “checkout pools” is positive for regaining control of time, provided both parties have the same objectives. However, if objectives are not shared, work organisation will continue to follow the usual model, namely management decides and employees have to accept their decisions. Union participation is essential during negotiations on work organisation, in order to monitor the effectiveness of the system and avoid losing control of stocked hours.

In *Hyper 2*, on the contrary, management was behind the initiative and has maintained power relations between managers and employees, because the autonomy of the cashiers in the choice of their working hours varies a lot, as soon as the hypermarket’s needs change. In this context, the principle of “checkout islands” is very advantageous for management, because it avoids the presence of too many or too few staff. Nevertheless, it has improved the life of those women employees involved: *“Before, I never had Saturday off, but now I manage to have every third Saturday off and I no longer have to ask my boss”*. However, unions are reserved about it, because the project has been managed in a unilateral way right from the

beginning and without the agreement of the parties concerned. Even the choice of cashiers, who tested the system was discretionary and considered to be privilege that was given to certain employees, namely those whom management think are most “suitable”... Two years after the system was introduced, cashiers no longer manage their time, but, on the contrary, are even more dependent on management than the others. In fact, certain cashiers work less than others and have to catch up their hours whenever management decides. There have even been cases of cashiers, who have had to work 8 non-consecutive hours in the same day – and even during their holidays, at Christmas or on Sunday. Some employees are terrified, because they have to recuperate 80 hours in a few months! This happens because management of checkouts has remained in the hands of management and unions are kept out and cannot intervene.

Part-time work as an element of labour market policy in “Food retail” (Netherlands)

More than half of the employees in food retailing work part-time, in a variety of part-time jobs (longer and shorter ones). Many of them are women, but also young men, working in short part-time jobs in order to earn some money to pay for their education. A major problem concerning working time is the predictability of working schedules, especially for those with family responsibilities. According to a trade union study of many supermarkets, time arrangements are used to demotivate older women from staying in the job, thus creating possibilities for recruiting more younger people and reducing costs. ‘*Food retail*’ allows employees to be involved in making working time arrangements on the shopfloor. In each establishment, mutual exchanges can be agreed upon, and also working time schedules are published in good time. As a larger variation in working time schedules (for instance long part-time jobs) is also possible in middle management, more women are working in these positions than elsewhere in food retailing.

The dual trap of part-time work (France)

Where there is a high proportion of women, part-time work can either be imposed (in commerce and local authorities in the form of non full-time work) or “chosen”. In the former case, it is accompanied by difficult working and living conditions, but in the latter, it does not necessarily mean there is no discrimination.

*“Constrained”/imposed part-time work. In **Magasins**, as in the commerce sector in general, there is much part-time work – it actually represents 46% of all employment and 57% of women employees. Agreements on reduction of working time have, in general, provided for longer part-time jobs (e.g., minimum of 22-23 hours per week). But, according to CGT, “It is easier to transfer from full-time to part-time employment than for part-timers to become full-timers. Since the reduction of working time, we have not managed to get anyone transferred from a part-time contract to a full-time one, whereas that is in fact the aim! The law provides for part-time contracts not being short – if this wasn’t the case, employers would use them more. They use temporary contracts for weekend work”. In other words, need for flexibility, notably on weekends, requires short contract hours, according to management, who thus often offer such contracts to students, thereby getting round the 22-23 hour lower limit.*

In **Grande Distrib.**, the agreement provides for lengthening part-time work to 26-28 hours per week. However, their longer working days are accompanied by variations in their working hours and greater job diversity... i.e.; in order to obtain a few extra hours of work, employees have to accept more frequent changes in their working hours, systematic Saturday work and even work on Sundays and public holidays. Unions also denounce the fact that employees are put into competition with each other on the basis of their length of service and working hours

– younger employees accept constraints more easily and are more malleable; they consider that those with longer service are privileged, because they have less difficult working hours (daytime) and full pay (which is, at best, the minimum wage!).

In local authorities, the problem of very short working hours is one of the forms of women's job insecurity. In the hope of being later able to become local authority civil servants (with protected employment and longer hours), women, who are often single mothers, accept working only a few hours as ancillary staff in schools, etc.

"It is sometimes rather dishonest of local authorities to recruit ancillary staff, because all of those who do this work hope later to be turned into civil servants, because they, thus, remain in an insecure situation, without looking for other work. They are mainly women working in schools, crèches and old people's homes". (CFDT, Ville 2). The great majority of ancillary staff are women – the main reason for this is the kind of work they do and some say that *"it's because they are women that these poor conditions are possible"*. (CGT, Ville 2).

Part-time work requested by employees. Those who ask to work part-time also sometimes have working conditions that penalise them. At **Auto**, the few women, who do work part-time, are penalised: *"You hear that those who work 80% of full-time hours do not get bonuses!"* A CGT member said: *"There is a woman, who has worked here for more than 30 years, but she is still on grade 180, as she works half-time – that's not normal. Her boss says her job is not good enough for her to get a higher grade, but men on the same job do so! Moreover, Auto recently encouraged people to take half-time jobs!"*.

Another factor has led to a reduction in the spread of part-time work and that is the timing of the special buses that take employees from the town (30 kms away) to work. They leave according to shifts and do not take into account working hours that are not "classical" shifts.

The bonus system in **Ville 1** is such that part-timers have little chance of having bonuses. *"In theory, those on non full-time hours and part-timers are not excluded from the bonus system. However, as the system is related to supervisory functions and co-ordination, etc., the issue is whether part-time work is compatible with this kind of job"*. (Human resources director).

In **Ville 1**, "chosen" part-time work is not possible in supervisory and management positions. According to the human resources director, *"Currently, it is true that a part-time woman, who is less available, is penalised vis-à-vis a man for getting a high-level position. I don't think the local authority could function properly with part-time managers – it wouldn't be able to cope."*

Likewise, in **Ville 2**, although they are less extreme in the way they speak, a woman executive, who changed from full- to part-time work, was transferred – in consultation with her – to a different (non-supervisory) position and had to commit herself to *"showing that she could be flexible"* if necessary (i.e., come to work on Wednesdays⁴⁸ if necessary).

Part-time work and reorganising services in Hospital (Italy)

In Hospital, the introduction of part-time work involved great efforts of reorganisation, not only concerning nurses' and health staff's working hours, but also actual work done. The agreement between unions and management led to continuous collective bargaining between social partners.

⁴⁸ Her day off – there is no nursery and primary school on Wednesdays in France.

The results of the experience are positive for employees (both men and women) and unions, because it has made part-time work possible, without discrimination regarding careers and pay (those who change to part-time work are transferred to the outpatients' department, where work is less skilled, but with fixed hours and shifts). Employees are pleased with this agreement, but management is not at all pleased, because they consider that the only people to gain from the agreement are the employees. Management considers that this agreement was imposed on them, as, in their view, too many employees are concerned (25%) and it means that they are no longer subjected to the same flexibility proposals as the others. Some employees ask for part-time work, in order no longer have to work shifts and this has negative repercussions on full-timers.

Working time in line with family obligations (Denmark)

The conflict between long opening hours in retail and family obligations, as well as between long opening hours and ageing staff, etc. have resulted in different models of planning working hours in Denmark. In Ikea, employees have the opportunity of negotiating the planning of their working hours (opening hours of the stores are from 10 a.m. to 9 p.m.). Employees with children under the age of 6 can choose to work between 8 a.m. and 4 p.m. (the opening hours of childcare facilities). Both in Ikea and Butikken, human resources policies include the possibility of planning working hours in line with one's life-phase, i.e., as a person with child-related responsibilities or with other family responsibilities or in relation to age.

In Coloplast, team-working makes great flexibility of working hours possible – it is up to the team to meet their responsibilities regarding production. Thus, in line with the agreement and in practice, working time is flexible and allows other responsibilities to be met. In general, employees work full-time, but company policies are very strong in their intention to keep older employees and those, who for other reasons (psychical or psychological) need reduced working hours to stay in the workforce. These arrangements can be permanent or for shorter periods of time. Coloplast has shifts and has introduced 3x12 hours working time, which means that one works 3 long days and then has 4 days off.

3.2. Appraisal of favourable and unfavourable factors regarding equality and time

On the basis of the various experiences that we have presented, we can draw a few conclusions:

- Firstly, there is no one single general measure, which fosters equality in the area of organising time. The examples we have show that part-time work can be favourable or not, depending on the context of the enterprise, the state of industrial and social relations, as well as the specific modalities that are proposed. Besides the classical opposition between constrained/imposed and chosen part-time work, we have seen that some imposed part-time work can actually lead to forms of autonomous organisation for employees (*Hyper 1* in **Italy**); whereas, requesting part-time work can sometimes penalise employees in terms of pay and career (*Ville 1* in **France**).
- Most successful experiences are based on similar factors: the presence of women in collective bargaining and, more generally, the impact of employee representatives (*Hyper 1* in **Italy**); the existence of measures that provide advantages for both employees and employers (*Electric Company* in **Austria**; opposition between *Hyper 1* and *2* in **Italy**; *Ikea* and *Butikken* in **Denmark**).

- The main issue for employees is not so much the length of working time, but the way in which it is distributed and organised: employees – especially women – want to know exactly when they are going to work as early as possible and be sure that their hours will not change and, even better, be able to organise them according to their own needs.

However, we have identified some important limits that hinder such approaches:

- From a union point of view, another aspect emerges from our analysis – in most countries (with the exception maybe of Denmark and the Netherlands, where work-life balance is a serious issue, incorporated in trade union policies) - few trade unions have brought the issue of occupational equality directly to the bargaining table, nor the demand to take family constraints into account when negotiating working time. However, in France, for example, the law on the 35 hour week provided for this link between working time and equality (in terms of employment, careers, availability criteria and improved work-life balance). The main argument, that was put forward, is the difficulty of dealing with these issues in companies, given the large number of bargaining topics and battles involved in implementing the agreements on reduction of working time (employment, maintaining pay at the same level, limiting flexibility and annualisation, etc.). All these bargaining topics are considered to be priorities. While in **Belgium**, in *Méta 1*, there are ambiguous feelings concerning the organisation of childcare. There is a preference for collective facilities, which are subsidised by the community, rather than by employers. *“If the employer provides childcare, we will be obliged to hold our child in one hand and our meal in the other. In fact, we do not discuss this issue - it is considered to be an issue that concerns society in general. Unions do not envisage any action regarding who looks after our children, ourselves and our families”*. (*Méta 1*, FGTB). A lot still has to be done in order for such issues to be taken on board by unions.
- In some cases – of which there are very few – the issue of “reconciling” working and family time has appeared in enterprises. But, according to a French study, this is especially the case when women are mandated to negotiate or when men take this issue to collective bargaining not for everyone, but on behalf of women and mothers: *“Generally speaking, men have negotiated reduction in working time for women (...) and they speak of time that is freed up for women – half days, Wednesdays and school holidays”* (Defalvard, 2004). Men negotiators have sometimes taken up the idea that reconciling times is a women’s affair without in anyway questioning themselves. For men, careers are primordial and their free time does not seem to coincide with family organisation. Another example is the collective agreement at **Auto (France)**, which offers up to 20 hours per employee for taking children to the doctor. They are awarded to all mothers, but only to single fathers... Unions recognise that this measure is discriminatory, but they have never denounced it and attempted to have it extended to all parents – perhaps because they fear it will be jeopardised? This issue was also raised in commerce in **Belgium**, where the theme of reconciling private life and working life is still considered to be a women’s issue. Union leaderships are mainly dominated by men (while the majority of union members are women) and still often have a traditional approach to this issue and are reluctant to take it on board. But if such measures are aimed at women in priority, then gender divisions at work and in the family will only be reinforced.

Behind the issue of work-life balance is – more or less explicitly - that of gender equality both at work and in private. We are thus using a very broad definition of equality by linking the issues of the world of work and those of society in general. If we do not link these spheres (both occupational and domestic – and even societal), real equality cannot emerge. Public measures adopted on work-life balance, in fact, correspond with policy in the area of equality. Such measures are far from neutral – the creation of collective childcare structures, which are sometimes funded partially by companies or works councils, (as in France, where some works councils participate in financing workplace crèches), more effectively foster full occupational activity of mothers, whereas (parental) leave and even part-time work have negative repercussions for women’s careers, which increase with the length of such interruptions. Even when guarantees are offered to employees (e.g., the possibility of returning from part-time work to full-time work, as in the Netherlands, and maintenance of sufficient pay during leave periods in the Nordic countries), these measures are still mainly used by women and less used by highest grade employees (even though more and more high-grade women use them). It seems that is still incompatible today to have a real career and also benefit from these various measures. Thus, paradoxically, these measures, on the one hand, allow more women than previously to enter and stay in the labour market, but on the other hand actually tend to reinforce discrimination against women – at work, mothers’ assumed lesser availability contributes to maintaining occupational segregation (access to positions with less responsibility, which are considered more “compatible” with family life) and at home, by maintaining the gendered division of domestic labour.

Conclusion

The overall appraisal of the link between work-life balance and equality from a union perspective is mixed. There has been some progress, but observation shows that unions in most countries are still little concerned by this dual issue – the urgency and complexity of collective bargaining on working time has limited their involvement in equality issues; they feel they have to intervene above all on jobs, pay and work organisation, while work-life balance and equality remain, in most cases, once again in the background. However, as we have seen, the possibility of adopting a gender mainstreaming approach sometimes exists, as is the case in union agendas in Austria or in legislation in France. Denmark and the Netherlands provide examples of active union involvement and the integration of work-life balance in trade union policies, although one can see that, also there, attention is not yet guaranteed automatically.

We can also observe that sometimes union strategies on equality are of an indirect nature – for instance, the issue of job insecurity in terms of working hours (especially in commerce) is an important union demand. There, it concerns women, above all, whose employment conditions are very poor. Although most collective bargaining and demands still concern sectors where employment is full-time (e.g., technical services in local authorities in France), now efforts are also devoted to those who have been “left out” of collective bargaining on working time (i.e., part-timers and those with non full-time contracts). Even though the majority of collective agreements in these countries cover all employees (both full-time and part-time), social guarantees are not systematically extended to those with insecure and short part-time jobs, except, of course, in the Netherlands, where great efforts have been made in this area.

The results of reduction of working time itself regarding equality are mixed:

- Development of flexibility, variations/annualisation and lack of warning regarding changes in work schedules. Women in low-skilled jobs are very much affected by these results in all our case studies, also because of their family responsibilities. We have also seen that working time can be vehicle of occupational segregation: in the metal industry, access to certain jobs - which are more highly valued and skilled - require long working hours in rolling shifts and are mainly occupied by men.
- More positive aspects concern the satisfaction of some groups of women employees, notably when they have gained a certain degree of control over their working time and time outside work. If one earns sufficient income, reduction of working time can be a way of increasing free time and fostering work-life balance. This has been the case when flexibility has not been imposed and compensations have been negotiated for employees (choice of the way in which working time is reduced and control over managing one's time, etc.) – and when job creation has made it possible to limit pressure on workloads.

The latter situation is not a general phenomenon, because of the weak nature of the balance of forces (for employees and their representatives) during collective bargaining. Moreover, we have observed, at the European level, that the issue of reduction of working time has been pushed to the background by flexibility. The idea of “flexi-security”, which implies linking flexibility to security for employees – in order to conserve job conditions and quality, while at the same time providing more flexibility in working hours (for enterprises and employees) – opens up new collective bargaining prospects, where win-win situations can be created for employees, improving work-life balance, provided unions are really involved.

Moreover, we have emphasised that there are significant national differences regarding the issue of part-time work with a gender perspective from a union point of view: unions in some countries continue to resist (France, Belgium and Italy), while the Netherlands has adopted the opposite policy. Part-time work - and more broadly adapting working time to individual needs - is in the latter's view, an opportunity that fosters equality. In fact, we know that part-time work takes very different forms depending on the situation and is sometimes linked to job insecurity and not individual choice concerning working time arrangements. Provided certain conditions are respected (guarantees concerning the possibility of returning to full-time work, as well as guarantees regarding pay and careers; gender balance of jobs; possibility to vary ones working hours, etc.), this could be an area of future debate and research.

Finally, the low level of women's representation in unions has never facilitated the introduction of such issues. It remains an inevitable pre-condition for incorporating equality in all areas of collective bargaining.

GENERAL CONCLUSION

At the end of this three-year research programme, it has to be observed that gender mainstreaming is a slow process, which still comes up against many difficulties, including in industrial relations contexts, which seem favourable (such as the Austrian and Danish systems of cooperation and the Dutch “polder” model). There is still not full recognition of women - or even of the theme of equality - within union structures. Such integrated social models developed much more around the defence of the interests of a “hard core” of employees, who were essentially men (industrial manual workers). The Austrian example is edifying in this respect – despite early and great unionisation of women, they have remained broadly excluded from union decision-making centres at all levels of the three structures, on which the Austrian social model is based. Moreover, it is alarming to observe that when gender mainstreaming seems to be achieved – sometimes for a long time already – it remains fragile and, everywhere, it appears difficult to maintain both permanent and transversal action.

Many questions arise from the different stages of analysis, which can be grouped together in various themes:

How can a specific approach and a mainstreaming approach be combined?

The question of combining specific action and gender mainstreaming is present throughout the history of the union movement and remains at the heart of its development today. Most research on this issue – as well as certain trade union practices themselves – fit in with this type of question: should “women’s”, “gender balance” and “equality” committees be kept or should not these issues be dealt with in all union practices – during each major action and, above all, during all collective bargaining? Should specific structures be kept (which bring together women alone, in order to foster their own identity) or, on the contrary, should one ensure that men take up these issues as well and be involved in the egalitarian process themselves? The answer lies, in reality, between these extreme positions: just as is the case for public policies, unions should respond simultaneously to needs, demands and specific representation of women, while incorporating a global approach to equality. In fact, both of these strategies are complementary. Regular intervention by women’s committees and the existence of conferences on women within unions foster mainstreaming and make it possible for these issues not to remain specific, but to intervene permanently in union strategies and action. But such a process can only be achieved if those places, where discussions are held and decisions are made, have a real effect on the way unions function and if their resources – both financial and human – are sufficient and their activity really recognised – but this is not yet the case in all the countries, covered by this study.

A real mainstreaming approach should also inter-link gender balance committees with other decision-making bodies at all levels of unions. If there are not relays and interaction between the various structures, there is a real risk of “ghettoisation”. This is, in fact, one of the points that the ETUC women’s committee has emphasised. But, including at this level, where the approach has been promoted by the women’s committee for a decade, results are partial, especially as men in ETUC still have difficulties in interpreting all issues “from a gender perspective” and, above all, tend to consider that important issues have nothing to do with “women’s issues” and *vice versa*, according to C. Cockburn’s observations (1997).

What kinds of positive action should be promoted?

Comparative study of the challenge of gender mainstreaming in unions has enabled us to identify prerequisites, which are necessary for such an approach: so-called “neo-corporatist” industrial relations systems - which are marked by high union membership and ascendancy of equality issues, as well as being promoted jointly by public authorities and social partners - have fostered such an integrated approach. However, it would seem that in **the Netherlands** and partly in **Denmark**, positive action measures - in the form of quotas and reserved seats – are not promoted (although these issues are being discussed again in **Denmark**). Gender mainstreaming appears in other forms (incorporating this issue in all union practices, reflection on organisation and timing and integrating equality in collective bargaining, development of training...). Even though these measures are effective regarding union culture, the share of women in leadership positions of the main trade union confederations remains far off parity (especially in **Denmark**).

In countries, where the industrial relations system is more oppositional (in **France** and partly in **Italy**), the State has made up for the absence of consensus on equality, by introducing legislation, that is more binding and/or using European directives (as in **Italy** and **Belgium**). In these countries, recently, it seems that strong measures are appearing in unions with a view to improving consideration for women in union structures and their demands, as a result of two-fold pressure from social movements (including feminist ones) and legislation. In this context, deliberate positive measures appear (such as quotas, anti-discrimination standards and parity...), whose impact is still relatively limited for the time being. However, it proves more difficult to implement real mainstreaming measures in all union strategies and actions.

Quantitative and qualitative measures should not, however, be set against each other: the presence of women in union leaderships influences the issues, which are taken up by unions (sexual harassment and childcare, etc.) and also working methods, that are considered to be more democratic. Thus fostering women’s representation is one of the ways of disseminating egalitarian themes.

An ILO study confirms the last point, by showing that the presence of women union officers makes it possible to deal with new priorities in collective bargaining, such as equal pay, childcare, maternity leave and sexual harassment. *“Morris’ (deputy equal rights officer of the British TUC in 1992) thesis, that gender pay differences are the key to authentic feminisation of unions has been confirmed by women in Nordic countries, who – although they have the smallest pay gap in Europe – have all embarked on activity to improve women’s pay and base it on the “value” of their work. (...) Equality will change the dominant culture of work – namely that women are low paid and men better paid – and by changing this relationship, one goes to the very heart of the essence of union activity”* (Coleman and Hastings, 1993).

It, therefore, seems difficult to envisage real gender mainstreaming policy without continuing deliberate positive actions, even if, of course, such measures are not sufficient in themselves. Such positive action programmes (quotas and reserved seats) simultaneously require global equality policy in unions and real commitment to such policy.

Thinking at trade union confederation level, which is not always reflected in national sector-level unions and throughout union structures

The study of sectors, which was made in the second phase of our research programme, is very significant as far as what still has to be done, in order for the gender mainstreaming approach to permeate all union structures. It is sometimes very difficult to find relays within sector-level unions for implementing the process. We have seen the number of obstacles that exist for varying reasons in the sectors, which we studied: the historical place of women; the employment situation in the specific sector (job insecurity, widespread part-time work and rapid staff turnover); the influence of civil service status and official reference to equality (in the public sector). However, if gender mainstreaming is not relayed throughout union structures, it will be only a process of formal, general statements and not of real ongoing daily change.

The battle against unequal pay and the issue of working time

The third part of the programme, which involved case studies of enterprises, enabled us to show how gender mainstreaming can be implemented regarding two major issues, namely equal pay and working time. Both of them incorporate many forms of discrimination and also levers, which trade union action can use. Without high quality tools (statistics and audits, etc.), in-depth analysis of the causes of unequal pay and also of possible solutions (studies of job evaluation and classification, gender balance of jobs, bargaining equality at the same time as pay, etc.), inequality will persist. Trade union involvement in this area is essential. Likewise, working time and work-life balance are productive themes from a trade union point of view: both internally (discussion of availability) and externally - in enterprises: seeking ways of organising working time, which are favourable to employees, should be a priority in the face of increased constraints of flexibility sought by management. Without such general and integrated analysis, the issue of working time and the way it is organised runs the risk of leading to new traps for certain categories of employees, notably women (because of increased job insecurity, imposed part-time work, split shifts and low pay, etc.).

However, throughout our research programme and at both of the European meetings⁴⁹, which we organised, it became clear that this kind of research can promote action and make it possible to remove some constraints, as well as fostering communication and raising the awareness of the players involved. The objective of our Manual (DL11, which has been published in English and French and widely disseminated) is precisely to disseminate these different experiences.

Overall - in differing forms and to varying degrees - it seems that not only is the issue of equality more often present within trade union confederations, but also it leads to joint transversal discussions and action between different unions within a country and at the European level. Women's rights' issues bring people together around joint objectives in different trade union confederations, including in countries, which are marked by strong union divisions (notably in France). At the European level, the ETUC's women's committee's actions are an important relay for expression. Thus, the European initiative in 2000 on the issue of equal pay was reflected in European countries and made it possible to hold totally new kinds of inter-union meetings.

⁴⁹ See DL6 and DL12 on our website: www.iseres.org/msu

All these discussions and initiatives on gender mainstreaming go well beyond the issue of the level of women's representation in union bodies, even if this is an essential prerequisite. Such an approach is one of the major issues for the union movement, in order to foster occupational equality and also equality in all dimensions of life. Equality will remain an empty objective if the social partners are not involved and, conversely, the future of the union movement depends on real recognition of the place of women inside and outside the workplace.

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APPENDICES

A. Research methodology

Research on equal pay was carried out on the basis of existing empirical studies (see bibliography). This study did not carry out quantitative surveys. The existence of unequal pay appeared, above all, in interviews of privileged witnesses in representative trade unions. Thus, trade union leaders of various confederations concerned were interviewed in three sectors: metal industry, commerce and public sector.

At enterprise level, union activists were interviewed. These interviews were generally carried out in the form of separate discussion groups for each enterprise. A semi-directive questionnaire guided interviews in all six partner countries.

The following table indicates the number of enterprises and individuals concerned by the case-studies.

Table A.1. People interviewed (MSU surveys)

Country	Sector	Trade Union	Enterprise	Number of people met
Austria	Metal industry	GMT	Electronic Company	4
			Vehicle company	4
	Commerce		Retail Company 1	2
			Retail Company 2	2 ⁵⁰
Belgium	Metal industry	CMB	Meta1	3
			Meta2	3
		CCMB	Meta1	1
			Meta3	3
	Commerce	LBC-NVK	Maga1(C)	3 ?
			Maga2	2 ?
		BBTK-SETCa	Maga1(C)	4 ?
			Maga2	8 ?
		ACLVB	Maga1(C)	2 + 1 ⁵¹

⁵⁰ but many interviews (approx. 25) and workshops with job steward (of other shops and “plants”) and union representatives for this sector were actually the basis for the whole “retail chapter”.

⁵¹ Also met the ACLVB-CGSLB office for commerce

			Maga2	2
	Public sector	ACOD	Enterprise	3
			Ministries	1
		CCOD	Enterprise	2
			Ministry	2
		VSOA	Enterprise	2
			Ministry	1
France	Metal industry	CGT	Auto	3
			ZIP	2
		CFDT	Auto	1
		FO	Auto	1
	Commerce	CGT	Grande Distrib.	1
			Magasins	2
		CFDT	Grande Distrib.	1
		FO	Grande Distrib.	1
	Public sector	CGT	Ville 1	1
			Ville 2	10
		CFDT	Ville 1	2
			Ville 2	1
		FO	Ville 1	2
			Ville 2	6
Italy	Metal industry		Factory 1	X
			Factory 2	X
			Factory 1	X
			Factory 2	X
	Commerce		Hyper-market1	X
			Hyper-market 2	X
			Hyper-market1	X

			Hyper-market 2	X
	Public sector		Hospital	X
			Research institute	X
			Hospital	X
			Research institute	X
Netherlands	Retail		Retail company	2
	Metal		Factory	2

Table A2 Data on surveyed enterprises

Country	Sector	Name of enterprise	Number of employees (% of women)	Data on pay gap
Austria	Metal industry	Electronic Company	617 (33.4 %) (blue and white collar workers)	No data available
		Vehicle company	1,800 (2.7 %) (blue collar workers only)	No data available
	Commerce	Retail Company 1	branch of the chain store 68 (80,9%)	Representative data not available
		Retail Company 2	1,140 (84.9%)	Representative data not available
Belgium	Metal industry	Meta 1	697 (15.5%)	X
		Meta 2	108	X
	Commerce	Maga 1	12 400 (33.3%)	X
		Maga2	12,000 (60%)	X
	Public services	Federal employment services	1 516 (54.3%)	X
		National employment office	3,888 (67.3%)	X
France	Metal industry	Auto	11,648 (13.2%)	3% - 10% depending on category
		Zip	292 (50%)	7% (manual workers), 4% (technicians) 57% (executives)
	Commerce	Grande Distrib.	36,891 (65%)	23% above all executives
		Magasins	18,103 (72%)	1% of sales staff, but 20% of executives

	Public services	Ville 1	2,046 (54%)	Not communicated
		Ville 2	4,668 (58%)	Not communicated
Italy	Metal industry	Factory 1	X	X
		Factory 2	1,346 (10% ^o)	X
	Commerce	Hyper-market1	417 (87%)	X
		Hyper-market 2	130 (90%)	X
	Services publics	Hospital	4 202	X
		Research institute	1,813 (22%)	X
Netherlands	Metal industry	Factory	4.200	X
	Commerce	Retail company	X	X
	Public services	X	X	X

Appendix 2

Graph 1 (Uncorrected) gender pay gap in the six partner countries⁵²

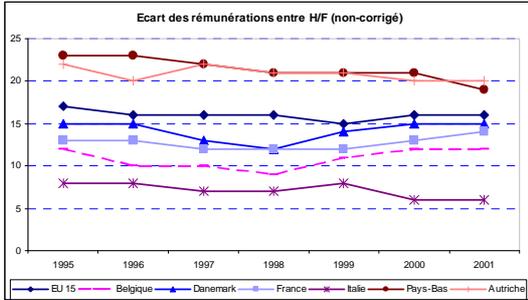
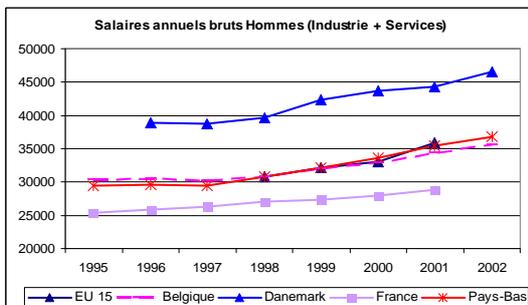


Table 1

	1995	1996	1997	1998	1999	2000	2001
EU 15	17	16	16	16	15	16	16
Belgium	12	10	10	9	11	12	12
Denmark	15	15	13	12	14	15	15
France	13	13	12	12	12	13	14
Italy	8	8	7	7	8	6	6
Netherlands	23	23	22	21	21	21	19
Austria	22	20	22	21	21	20	20

Source: Eurostat

Graph 2 Annual gross pay, men (industry and services)



Source: Eurostat

⁵² The gender pay gap is given as the gap in average hourly gross pay between men and women employees as a percentage of the average hourly gross pay of men employees. The population includes all employees between 16 and 64 years, who work at least 15 hours per week. Data comes from the Community panel of households, which is a survey based on a standardised questionnaire, which involves annual interviews of a representative panel of households and individuals, covering a large range of subjects.

Table 2 National legislation in the six countries covered by the study

Country	Year	Principle legislation
Austria	1979	Law on equal treatment for men and women (amended)
Belgium	1999	Law on equal treatment for men and women (Articles 12 & 25) Royal decree of 9 December 1975
Denmark	1973	Act on Equal Pay for Men and Women (amended in 2003)
France	1946	Constitution and Articles L. 140.2 and Labour Code – 13 July 1983 et 9 May 2001 laws
Italy	1977	Constitution (Articles 3 and 37) et 903/1977 law (Article 2) and 125/1991 law
Netherlands	1994	Constitution (Article 1) and 1994 law on equal treatment

Source: EIRO

Table 3 Principle actions taken by trade unions at inter-sector level regarding equal pay (non-exhaustive))

Country	Awareness-raising / Conferences	Research / Studies	Procedures	Publications	Training
Austria	<p>Campaign: ‘Look closely to make discrimination against women visible’</p> <p>Symposium ‘Wages, qualifications and gender’</p> <p>Spring-conference of GPA-women on equal pay and less discriminatory job evaluation. (2002)</p> <p>Campaign: Equal money for equal performance (2004)</p>	<p>Members of the women’s departments of OeGB, GPA and GMT took part in several EU-projects on the issue of unequal pay.</p> <p>e.g. “Equal pay for work of equal value – dialogue about strategies and instruments”.</p>		<p>GMT: GMT, ‘<i>Mit gutem Beispiel voran</i>’, <i>Gender mainstreaming in den Kollektivverträgen am Beispiel der Kollektivverträge der Gewerkschaft Metall-Textil</i>, 2nd edition, Vienna 2003</p> <p>ISF: Toward a Closing of the Gender Pay Gap. A comparative study of three occupations in six European countries. Oslo 2002.</p> <p>Edeltraud Ranftl: <i>Erfolgsvoraussetzungen zur Umsetzung der Entgeltgleichheit im österreichischen Einzelhandel. Kollektivvertragliche Regelungen, betriebliche Praxis und Herausforderungen für SozialpartnerInnen. Teilprojekt Österreich</i>. Linz, 2003</p>	<p>GPA seminars for the negotiation board on the issue of equal pay. (2003 and 2004)</p> <p>Workshops on less discriminatory job evaluation and classification for social partners (2001)</p>

<p>Belgium</p>	<p>ACV-CSC : Video on equal treatment, brochure on job classifications</p>	<p>ACLVB-CGSLB, ACV-CSC, ABVV-FGTB : EVA project: equal pay for work of equal value</p> <p>ACV-CSC : full-time officers</p>	<p>ACV-CSC : Congress (October 2002)</p> <p>ACV-CSC : Internal working group on 'job classification'</p> <p>ABVV-FGTB : Procedure for centralising requests for court cases on equality</p>	<p>ABVV-FGTB : Pamphlet on equal opportunities</p> <p>ABVV-FGTB : Brochure on Classification of functions</p> <p>ACV-CSC : Increase of low pay</p> <p>ACV-CSC : Rapport of activities (Congress - October 2002)</p>	<p>ACV-CSC : Systems of gender neutral classification of functions</p> <p>ACV-CSC : Training of women officers</p> <p>ABVV-FGTB : Enterprise level</p>
<p>Denmark</p>	<p>LO: Seminars and information, manuals and websites</p>	<p>Analysis of women's and men's pay in 2003 together with DA</p> <p>Initiated an research by Center for kvindeforskning at Ålborg Univeristy center</p> <p><i>'Når køn forhandler løn'</i></p>	<p>LO: 5-Point Programme for tackling equal pay</p> <p>Main point in the congress - accepted action plan for LO's equality committee</p>	<p>LO: Pamphlet on 'Pay as deserved?'</p>	<p>LO: Training for 'Shop Stewards'</p> <p>HK collection of wage data, training of shop stewards inside companies, seminars and campaigns to create knowledge outside and inside the trade union</p>
<p>France</p>	<p>Campaigns on pay - CGT and CGT-FO</p>	<p>Project of a study of job evaluation in certain classifications (CGT)</p>	<p>Inter-sector agreement on equality (March 2004) signed by all 5 unions.</p> <p>Launching of enterprise-level collective bargaining.</p>	<p>CFDT and FO: guide on negotiating equality</p>	<p>Training programmes negotiating equality in all unions</p>

Italy	UI : Manual for managers trade union members in SMEs Conferences, different unions	UIL : search for 'Good practices'			
Netherlands		Research projects of different unions Research projects together with employers' organisations	FNV : 'Bringing cases to court' FNV : Amendment of the collective agreement FNV : 'scrutinizing job evaluation systems'	FNV: several brochures National Board (employers and trade unions): Checklist on equal pay	FNV : training for legal advisors FNV : awareness meetings for trade union women members, trade union activists

Some data presenting the case studies

Austria

Name of enterprise or establishment	Type of activity	Jobs and (proportion of women)	Proportion of women amongst supervisory staffs/executives	Length of working time (proportion of women with part-time or non full-time work)
<i>Electronic Company</i> (metal industry)	Digital light equipment	617 (33,4 %) (blue and white collar workers)	8,1 %	38,5
<i>Vehicle company</i> (metal industry)	Vehicle production	1.800 (2,7 %) (blue collar workers only)	0,0%	38,5
<i>Retail Company 1</i> (commerce)	Supermarket (chain)	branch of the chain store 68 (80,9%)	In the branch 50%	38,5 hours (63%)
<i>Retail Company 2</i>	Supermarket (chain)	1.140 (84,9%)	75 %	38,5 hours (59%)

Belgium

Name of enterprise or establishment	Type of activity	Jobs and (proportion of women)	Proportion of women amongst supervisory staffs/executives	Length of working time (proportion of women with part-time or non full-time work)
<i>Meta 1</i> (metal industry)	Battery production	697 (15.5%)		36.5 hours (80%)
<i>Meta 2</i> (metal industry)		108		35 hours
<i>Maga 1</i> (commerce)	Hypermarket	12,400 (33.3% of employees)	Very few (none?)	35 hours (25%)
<i>Maga 2</i> (commerce)	Hypermarket	12,000 (60%)	2 shops out of 120 managed by a woman	Majority of women work part-time
<i>Federal employment service</i> (public services)	Employment administration	1,516 (54.3%)	"glass ceiling"	38 hours
<i>National employment office</i> (public services)	Management of unemployment	3,888 (67.3%)	39%	

Denmark

Name of enterprise or establishment	Type of activity	Jobs and (proportion of women)	Proportion of women amongst supervisory staffs/executives	Length of working time (proportion of women with part-time or non full-time work)
<i>Coloplast A/S</i> (metal industry)	Develop, produce and market Medical equipment and services	Worldwide: 6120 Danish production site: production: 400 (230) warehouse: 38 men skilled metal workers: 80 men others: mainly men	Supervisors: 20 % Executives. 0%	Mainly full-time for all, but also flexible working hours related to family status and life-phase. Alternative working arrangements, e.g. 3 days of 12 hours a week, week-end work, etc.
<i>Ikea A/S</i> (commerce)	Design, produce and sell low-price furniture	Worldwide: 76,000 in 43 countries Denmark - 4 warehouses 800 Study - 1 warehouse: 250 (50% except warehouse)	Supervisors: 50%	Mainly full-time, but in fact one can decide upon one's working hours and schedule. Employees with children under 6 can work between 8am-4pm; working time can be adapted to life-phase.
<i>Butikken</i> (commerce)	Danish retail	Nation-wide: (70 %) Store study: 80 (83%)		In general, full-time, but more women under 30 hours. Working time and schedule can be adapted to family status and life-phase = company policy.

France

Name of enterprise or establishment	Type of activity	Jobs and (proportion of women)	Proportion of women amongst supervisory staffs/executives	Length of working time (proportion of women with part-time or non full-time work)
<i>Auto</i> (metal industry)	Car production	11,648 (13.2%)	6%	36.75 hours (13.7%)
<i>Zip</i> (metal industry)	Manufacture of zips	292 (50%)	6%	35 hours
<i>Magasins</i> (commerce)	Small town centre general supermarket	18,103 (72%)	24% (senior executives)	36.75 hours (57%)
<i>Grande Distrib.</i> (commerce)	Food hypermarket	36,891 (65%)	6%	36.18 hours (62%)
<i>Ville 1</i> (public services)	Local authority	2,046 (54%)	44% (grade A)	35 hours (12% imposed part-time) (14% chosen part-time)
<i>Ville 2</i> (public services)	Local authority	4,668 (58%)	45% (grade A)	35 hours (5% imposed part-time) (14% chosen part-time)

Italy

Name of enterprise or establishment	Type of activity	Jobs and (proportion of women)	Proportion of women amongst supervisory staffs/executives	Length of working time (proportion of women with part-time or non full-time work)
<i>Factory 1</i> (metal industry)	Electrical home appliances	803 (25%)	1 / 12	40 hours
<i>Factory 2</i> (metal industry)	Tin manufacturers	1,346 (10%)	No women	40
<i>Hypermarket 1</i> (commerce)	Cooperative	417 (87%)	Many women	36
<i>Hypermarket 2</i> (commerce)	Grande distribution	130 (90%)	No women	36
<i>Hospital</i> (public services)	Health	4,202	Women are under-represented	36/38
<i>Research Institute</i> (public services)	Research	1,813 (22%)	Few women in management bodies and examination board	36

The Netherlands

Name of enterprise and / or establishment and sector	Type of activity	Jobs and (proportion of women)	Proportion of women amongst supervisory staffs/executives	Length of working time (proportion of women with part-time or non full-time work)
Metal products (métal industry)	Assembling big equipment (including machines)	4.200 (in production, one unit with 60% women ; about 20% in the others)	Less than 10%	38 hours per week (approx. 50% of women have long part-time jobs in the production unit with many women)
Food retail (commerce)	Small and big supermarkets	12,500 (approx. 50 %)	Approx. 30 % (% increasing slowly amongst higher level executives – more than a few years previously)	37 hours per week (approx. 50% of women and young men have part-time jobs)