

**ECEG Position Paper on the Commission's Public Consultation on  
the Evaluation of the provisions in the Directive 2006/54/EC  
implementing the Treaty principle on 'equal pay'**



The European Commission launched a Public Consultation (11 January – 05 April 2019) to gather input from a broad range of stakeholders on the functioning and implementation of the 'equal pay' principle, enshrined in the EU Treaty, further embedded in Gender Equality Recast Directive (Directive 2006/54/EC) and reinforced by the 2014 Pay Transparency Recommendation (C(2014) 1405 final).

As the employers' representative in the chemical, pharmaceutical, rubber and plastic sectors, the European Chemical Employers Group (ECEG) answered to the consultation and emphasised the importance of the issue of professional equality and gender pay gap. As a matter of fact, existing measures on gender equality at EU level are sufficient and the problem of the application of the "equal pay" principle does not originate from the lack of a comprehensive legislative framework, but rather from an ineffective implementation of existing measures. Given that the concept of "equal pay" is adequately stated both at national and Union legislative levels, the Commission's attention should focus on a better implementation of existing measures and not on the idea of reopening the Equal Pay Directive.

Concerning pay transparency measures, the ECEG is quite sceptical about the benefits deriving from their implementation and it considers that these measures could produce increasing administrative burden, costs and red tape both for public authorities and employers of the private sector. In fact, the disclosure of pay information might lead to a hostile working environment, where factors such as the culture of the company, personalities of the staff and the economic conjuncture could be put at risk. Rather than making single employees' salary accessible and public, it would be more useful to have an open pay level system: when an employee is well informed on how to secure a more demanding job and how to perform better or foster his/her competences so that everybody is in a win-win situation. In addition, measures on pay transparency inevitably raise the issue of privacy and the use of personal data. In fact, many employees consider their salary is a personal information and, according to many national legislations, remuneration is considered a matter of privacy in terms of contractual relationship between an employee and an employer. According to the privacy standards set by the EU GDPR legislation, employer must respect and safeguard employees' personal information. In addition, if an individual considers his/her salary as a personal information and he/she decides not to disclose his/her pay, this decision has to be respected.

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Employees’ productivity, performance and involvement could be better increased through informing them about the existing formation mechanisms and evolution of their personal salary at a company level, rather than through the implementation of pay transparency measures, which could also limit the possibility for the employers to negotiate wages.

Gender imbalances should be actively addressed through lifelong learning training schemes, education and qualifications equally accessible for men and women. At the same time, it is important to secure properly functioning child care system, to offer stereotype free study and vocational guidance as well as to promote STEM sciences among women. Moreover, to remove/break down social and tax disincentives to enable extensive employment opportunities for women. These actions would tackle segregation and positively address the issue of gender pay gap, which could be addressed also through a greater involvement of social partners.

As the recognised Social Partner at EU level for the chemical, pharmaceutical, rubber and plastic sectors, the ECEG identifies the Social Dialogue as an essential tool to exchange good practices and contribute to a cultural shift which is important for implementation of the “equal pay” principle, thus focusing on issues such as combating gender stereotypes or gender segregation. Social partners and social dialogue at EU level already play an important role especially in the promotion of gender equality and the closing of gender pay gap and they are essential for encouraging a cultural shift to combat gender segregation and reinforce gender neutral measures. European social partners are already actively involved in the subject with a strong commitment in the promotion of gender equality in the framework of social dialogue work programmes (i.e. a chemical sector specific EU funded project: Children - Care - Career: Equal Participation of Women in the European Chemical Industry in 2013 (<http://www.childrencarecareer.eu/en/about.html>)) and cross-sectoral actions, such as the signature of the Framework of Actions on Gender Equality (2005); Gender Equality Toolkit (2014) or the seminar on tackling the gender pay gap and childcare (2018).

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For more information, please contact:  
Eleonora Isopo, Junior Policy Executive  
+32 (0)2 238 97 73 or [e.isopo@eceg.org](mailto:e.isopo@eceg.org).

**About ECEG**

ECEG, the European Chemical Employers Group, founded in 2002, is a recognised European Sectoral Social Partner, representing the chemicals, pharmaceuticals, rubber and plastics industries in Europe. Our sector provides approximately 3.3 million direct jobs in more than 94.000 enterprises.