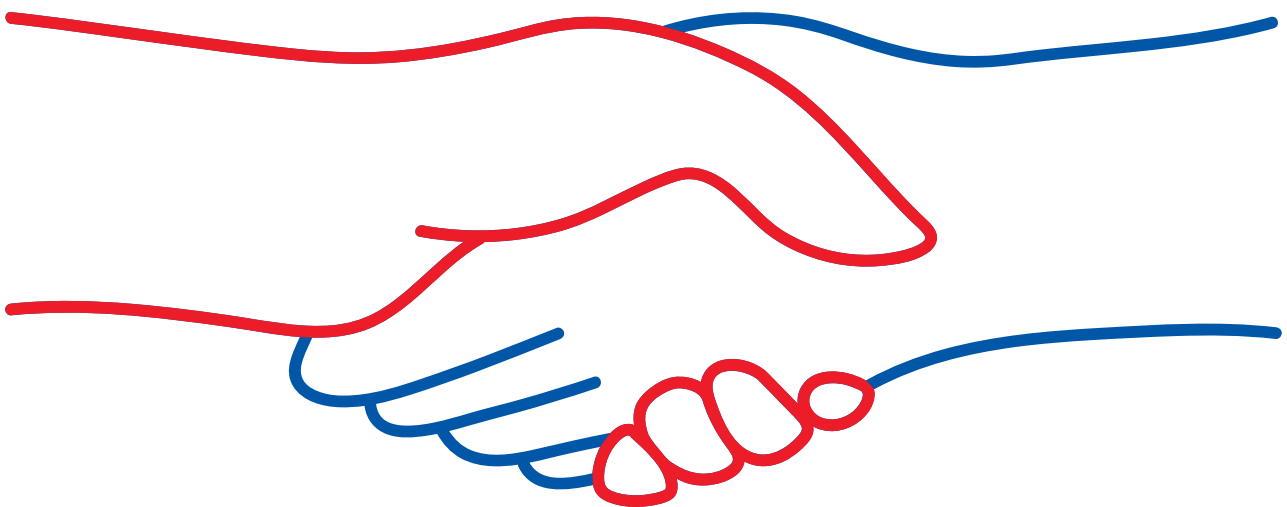


# Bargaining for Equality

RESEARCH STUDY INCLUDING EXAMPLES OF GOOD PRACTICES,  
GUIDANCE AND RECOMMENDATIONS FOR TRADE UNIONS  
AND WORKERS' REPRESENTATIVES

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# INTRODUCTION

In 2024, equality and diversity were a top priority for the European Commission, involving five key strategies, targeted action plans, measures, and legislative initiatives such as the Pay Transparency Directive. However, despite the progress made in the field of equal opportunities in recent decades, inequalities and discrimination still exist in the workplace, and additional challenges have emerged in the context of the profound changes in our labour market resulting from the digital and green transitions.

The focus of this research project has been on the process of reaching collective agreements dealing with equality at work and on the development of corresponding bargaining agendas. An analysis of successful negotiation processes behind several selected collective agreements and strategic approaches of the negotiating parties (trade unions) has been in the foreground. We were aiming at identifying relevant factors with a great impact on the spreading and promotion of equality at the different levels of collective bargaining with the overall objective to facilitate learning from the experiences of others, and to provide trade unions with a set of recommendations and guidance to encourage them to (better) bargain for equal opportunities.

Bargaining for equality includes bargaining for gender equality, diversity and inclusion, as well as the fight against all forms of discrimination, harassment or prejudice, with the aim of guaranteeing equal opportunities and equal treatment for all in the workplace, including equal pay.

As framework conditions differ between countries, sectors and workplaces, general recommendations to improve bargaining for equality have been developed. This study takes into account possible fields of action for trade unions and workers' representatives that may be relevant under different framework conditions.

This study is based on desk-research and several semi-structured interviews with trade union representatives from different European countries, covering seven out of eight regions of industriAll Europe. Initial findings and draft recommendations were discussed with participants at a workshop organised by industriAll European Trade Union, the results of which have also been incorporated.<sup>1</sup>

The report is structured along the following main themes, including 'guidance boxes' with a brief summary/checklist of topics to support trade union considerations and actions:

- Why bargaining for equality?
- Framework factors – drivers and obstacles when bargaining for equality
- Bargaining for equality in practice, including bargaining at different levels, strategies for the negotiation process and agenda-setting, examples of fields of action and possible demands, and implementation and monitoring strategies
- What else can trade unions do to promote a culture of equality?

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1. The workshop "Bargaining for Equality!" took place from 9-10 October 2024 in Istanbul, Turkey, with about 50 participants from 10 different countries.

# WHY BARGAINING FOR EQUALITY?

In most countries, the general principle of equality is enshrined in the **Constitution**. Equality in the workplace is regulated by **national labour law and collective bargaining law** as well as several other relevant laws.

In the **European Union**, the principles of equality and non-discrimination are among the founding values (particularly in Articles 2 and 3(3) of the [Treaty on European Union](#), TEU). Equality is also enshrined in Articles 8, 10, 19, 153 and 157 of the [Treaty on the Functioning of the European Union](#) (TFEU) and Articles 21 and 23 of the [Charter of Fundamental Rights](#). Several pieces of legislation are aiming at improving the integration of certain vulnerable groups into the labour market and at preventing or eliminating discrimination in access and supply of goods and services. **Equal opportunities, regardless of gender, racial or ethnic origin, religion or belief, disability, age or sexual orientation, access to the labour market and fair working conditions, including equal pay for work of equal value**, are also at the core of the [European Pillar of Social Rights](#).

Furthermore, the elimination of discrimination in all aspects of employment and occupation is one of the [fundamental principles and rights at work](#) of the **International Labour Organization (ILO)**. All ILO members have an obligation, to respect, promote and realise these fundamental rights. According to the ILO, *“Discrimination in the world of work [...] is of huge cost to society [...]”*.<sup>2</sup>

Even though equality is enshrined in law, which is an essential step towards eliminating inequalities, there are still discrepancies and problems in terms of scope and implementation in practice. **Discriminations and inequalities in the workplace still exist. That is why trade union action is important.**

## INEQUALITIES IN THE WORKPLACE

The prerequisite for promoting a culture of diversity and inclusion at work, including better bargaining (for) equality, is to be aware of existing inequalities and discriminations in workplaces and to recognise the importance of taking action.

### 1. Assess and analyse the situation

Trade unions should therefore first **assess and analyse the situation**. It is important to identify the needs and expectations of workers, but also to understand the causes and effects and the interrelated and complex nature of inequalities and discriminations in the workplace. For example, trade unions should consider that some groups face multiple forms of discrimination (e.g. based on grounds of gender and ethnicity or sexual orientation) and that it may be useful to apply an **intersectional and holistic approach**.

### 2. Define an understanding of equality at work within your union, create awareness and identify priority areas/issues for action

When we asked trade union representatives about their **understanding of discrimination and inequality in the workplace** and the most important **areas for action in bargaining for equality**, ‘gender-specific issues’ continued to dominate their responses. The most frequently mentioned topics were the labour market participation of women, horizontal and vertical occupational segregation, (gender) pay gaps that translate into pension gaps, the reconciliation of private and working life for all genders, “motherhood penalty” instead of maternity protection, care responsibilities and the unequal distribution of care work between sexes, difficulties in accessing dedicated care services, (discriminatory) recruitment practices, (unequal) access to education and vocational training and career pathways, as well as (sexual) harassment and violence (in the workplace). They also pointed out the often rather **hidden or indirect nature of inequalities and discrimination** (e.g. differences in variable parts of remuneration).

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2. Source: ILO (2007) : Equality at work: Tackling the challenges (2007), p. 120

In certain countries, sectors or companies, some of these issues have been dealt with for decades in collective bargaining (e.g. the fight for gender equality), while other issues are relatively new on the collective bargaining agenda (e.g. harassment and violence, LGBTQI+ rights, young workers). For many of the trade unions surveyed, racism, for example, is not yet a main issue in collective bargaining but tends to be more addressed through antidiscrimination or awareness-raising campaigns. Although **national circumstances, priorities and commitment** differ between trade unions, most respondents confirmed an **increasing awareness** of “equality issues” among both delegates and members.

## **HOW CAN COLLECTIVE BARGAINING CONTRIBUTE TO MORE EQUALITY?**

**Social dialogue**, and in particular **collective bargaining**, as the main and strongest instrument of non-legal social regulation of labour and working conditions, can be a powerful tool for addressing persisting inequalities and thereby promoting more equality in the workplace and better working conditions for all. Social partners can have a significant impact in **shaping economic and social policies**. They are often involved in the **development, implementation, monitoring and evaluation** of legislation through tripartite consultation and through their role in bipartite collective bargaining at the different levels (e.g. national, cross-industry or sectoral level, at territorial/regional level or company/workplace level).

**3. Ensure the effective implementation of and compliance with existing laws, rights and collective bargaining provisions on equal opportunities**

**4. Try to extend negotiations to new equality issues to reduce existing gaps**

**Trade unions**, as key actors in collective bargaining processes expected to advocate for better working conditions for all, should not only ensure the effective implementation of and compliance with existing laws, rights and collective bargaining provisions on equal opportunities in the workplace. If they want to prioritise equality, they should also try to **extend negotiations to new issues, propose targeted measures** (e.g. from awareness-raising and training to flexible working time arrangements to the introduction of equality plans and monitoring tools) **and introduce new and better regulations** to protect and promote the interests of their members.

Given the different national industrial relations systems, **the role and impact of collective bargaining and the scope of bargaining** naturally vary from country to country. (see also [Bargaining for Equality at different levels](#)). In some cases, legislation plays a dominant role in regulating relations between workers and employers (and their representatives). In others collective bargaining has a greater influence, and issues such as pay, working time and career development opportunities are regulated by collective agreements. Sometimes, employment conditions are primarily regulated in individual labour contracts, while both the state and collective bargaining have little influence. Nevertheless, the scope of collective bargaining has expanded over the last years to address equality issues, and, in all systems, there are opportunities for trade unions to push for greater equality. Generally, in unionised workplaces with collective bargaining, the inequalities and opportunities for discrimination are smaller.

**Bargaining for equality** includes bargaining for gender equality, diversity and inclusion, as well as the fight against all forms of discrimination, harassment or prejudice, with the aim of guaranteeing equal opportunities and equal treatment for all in the workplace, including equal pay. It is important to remember that equality bargaining should go beyond the traditional connotations of gender and **include all workers**, especially certain vulnerable groups. Bargaining for equality can help to **reduce existing gaps** and to **promote cultural change and change people’s attitudes towards greater equality** – in the workplace and in society. It is a crucial strategy for creating a working environment in which everyone feels valued and respected.

## IN SHORT

### TO START WITH ...

#### 1. Assess and analyse the situation

- **Where do inequalities and discrimination at work exist and what are the main issues in your ...?**  
Country, sector, workplace, trade union
- **What are the causes and impacts of these inequalities?**
- **Do you have access to all information needed?**

#### 2. What does your trade union do to promote equality?

- **How present are equality topics in your union?**
- **Have you defined a common understanding/an official position?**
- **Do you bargain for equality?**

If yes, which aspects and topics are addressed in bargaining, where do you see gaps?

What are the challenges?

Stereotypes?

Resources? (including, e.g., lack of expertise)

Do you include all workers?

# FRAMEWORK FACTORS – DRIVERS AND OBSTACLES WHEN BARGAINING

The framework factors affecting bargaining for equality differ significantly, not only between EU member states and non-EU countries, but also between countries, sectors and companies. Several factors can be either a driving force or an obstacle to equality negotiations, or both. Each recommendation or good bargaining practice must be seen in its specific context and there are limits to the transferability of practices from one context to another.

## 1. Identify factors that can trigger or support bargaining for equality as well as obstacles

It is important for trade unions to **identify and utilise the factors that can trigger or support bargaining for equality**. At the same time, they must **recognise challenges** and try to find solutions to overcome them or to change the negotiating context for the better. In the following, we will focus on a few exemplary factors.

### THE LEGAL AND POLICY FRAMEWORK

First, there is the **legal and policy framework** at various levels, from the international level down to the workplace level. The political context - the priorities and strategies of the governing parties or local authorities – including a given political atmosphere, are another factor to be considered.

## 2. Identify levers and reference documents to support your negotiation agenda with regard to the legal and political framework at global, EU and national level

**At global level**, the most important normative framework of equality and anti-discrimination in the world of work, is set by **ILO conventions**. Two fundamental conventions that prohibit discrimination on the grounds of sex and promote equality are the Equal Remuneration Convention ([C100](#), 1951) and the Discrimination (Employment and Occupation) Convention ([C111](#), 1958). In addition, the Workers with Family Responsibilities Convention ([C156](#), 1981), the Maternity Protection Convention ([C183](#), 2000) and the Violence and Harassment Convention ([C190](#), 2019) (see also [\(Sexual\) Violence and harassment \(in the workplace\)](#)) can serve as important **reference documents** (e.g. for definitions, implementation measures) to trade unions when bargaining on these issues. ILO Conventions are legally binding treaties that were developed in tripartite negotiations. Eight fundamental Conventions are binding on all member states, regardless of ratification. The other Conventions create a legal obligation to apply their provisions and to incorporate them into national legislation upon ratification.

**Legal regulations and requirements can be a decisive lever** for collective bargaining on equality issues. It is not just that they require the introduction of certain policies, measures or tools aimed at reducing inequalities in the workplace. In many cases, collective bargaining and the involvement of workers' representatives are explicitly provided for. For example, the Violence and Harassment Convention, states that: *“Each Member, in consultation with representative employers’ and workers’ organizations, shall seek to ensure that ...[.]”* (Art. 11) and *“The provisions of this Convention shall be applied by means of national laws and regulations, as well as through collective agreements or other measures consistent with national practice, including by extending or adapting existing occupational safety and health measures to cover violence and*



*harassment and developing specific measures where necessary.”* (Art. 12).<sup>3</sup> This last Convention, for example, led to widespread attention for the topic, related adaptations of the legal framework and new provisions in collective bargaining in several countries.

Interview partners also pointed to the impact of the [UN Agenda 2030 for Sustainable Development](#) as a major driver for the promotion of equality. Among the 17 [Sustainable Development Goals](#) (SDGs) that were adopted by all UN Member States in 2015, SDG No 5 (gender equality) and SDG No 10 (reduced inequalities) focus explicitly on equality and non-discrimination, calling for the implementation of measures to monitor the progress towards achieving these goals (e.g. with targets and indicators). The agenda has not only triggered a broad debate but also contains instruments that can inspire the social partners.

In the **European Union**, for example, legislation and case law at European level are becoming increasingly important for national labour law. Member states must transpose the provisions of European directives into national law within a certain timeframe. Key legislative initiatives in the field of equal opportunities at work include the Directive [2006/54](#) on equal opportunities and equal treatment in matters of employment and occupation, related amending Directive [2024/1500](#) on standards for equality bodies, the Pay Transparency Directive [2023/970](#), or the Directive [2024/1385](#) on combating violence against women and domestic violence, Trade unions should be encouraged to **monitor developments at the EU level** and to compare EU recommendations and legal requirements with national realities to **identify gaps** that they can then use for their negotiations.

### **European Directives: The Pay Transparency Directive (2023/970)**

The EU Pay Transparency Directive has to be transposed into national legislation within 3 years' time (by spring 2026). In a first step, companies with more than 250 employees must report annually how much they pay women and men for work of equal value. They are obliged to act (by conducting pay assessments) if their gender pay gap exceeds 5%. In case of non-compliance with the requirements, penalties are provided for. Later, reporting obligations will also be extended to smaller companies (more than 100 employees).

The ETUC has very actively campaigned throughout the legislative process, and they are providing support to their affiliates towards an ambitious transposition of the Directive through a briefing note and toolkit, a dedicated working group, and a dedicated project, for example.

Source: Pay Transparency Directive 2023/970 and workshop input by ETUC

Furthermore, besides providing an enabling legal framework for bargaining for equality, the “European agenda” in general, committed to achieving a **Union of Equality**, is very likely to have a positive influence on the bargaining context by raising awareness and pushing towards more equal societies. Policy developments, strategies, initiatives and targeted actions, (e.g. the [gender equality strategy](#), the [anti-racism action plan](#), the [LGBTIQ equality strategy](#), the [disability rights strategy](#), high-level conferences, etc.) may have fallen short of taking the workplace dimension into consideration but are nevertheless steps in the right direction. **European funding** opportunities and related conditionalities are another aspect. Noncompliance may lead to the suspension of funds.

3. Source: ILO (2019): Violence and Harassment Convention C190 (access date 31.01.2025)

## Gender Equality Certification linked to incentive mechanisms

The Italian [Gender Equality Certification](#) has been introduced by the National Recovery and Resilience Plan (NRRP) negotiated with the EU, and regulated by national [Law No. 162/2021](#) (aimed at strengthening equality between male and female workers and preventing discrimination at the workplace) and by the [2022 Budget Law](#) (No. 234/2021). The implementation is led by Italy's main government equality body, the Department of Equal Opportunities of the Presidency of the Council of Ministers.

Companies can obtain a gender equality certificate on a voluntary basis. The certificate is issued by accredited certification bodies following an assessment of the employer's performance in accordance with a standard (UNI PdR 125:2022), which sets out the guidelines for an internal gender equality management system. It is valid for three years. Key performance indicators (KPIs) are used to measure the company's performance – and improvements – in the following six areas: culture and strategy, governance, HR processes, growth opportunities, gender pay equality, parental protection and work-life balance.

As this certification procedure was linked to incentive mechanisms when it was introduced, it is quite popular with companies. On the one hand, companies (especially SMEs) can apply for assistance services and for contributions to certification costs. On the other hand, certified companies can benefit from reliefs from social security contributions and a bonus score linked to government grants and public funding.

Trade union delegates are involved in monitoring processes. One of the positive aspects of certification is, that it establishes conditions for boosting the practice of equality within companies, with the aim of bringing about sustainable and lasting change over time. However, trade unions see a risk of "pink-washing" in the implementation.

Source: Italian legislation, interview with a representative of UILTEC, Italy

While international normative and legal frameworks can be an important source of support for trade union initiatives for equality bargaining, interviewees in this project also highlighted national legislation as important reference points for bargaining at different levels.

At the national level, for example, anti-discrimination legislation in Sweden ([Discrimination Act](#)) requires social partners to cooperate in work on a given set of active measures. So, there is an obligation to work out measures, but the design is left to the social partners (negotiations).

## Law on measures for equality and non-discrimination of LGTBI+ people in companies

In October 2024, Royal Decree [1026/2024](#), which develops the provision set forth in Act [4/2023](#) (law for the real and effective equality of trans people and for the guarantee of the rights of LGTBI+ people), obliging companies with over 50 employees to have a planned set of measures and resources to achieve full and effective equality for LGTBI+ people, entered into force in Spain. It is foreseen in the regulation, that this planned set of measures shall be negotiated at collective agreement level.

Spanish trade unions were, on the one hand, involved in the tripartite negotiations for this law. On the other hand, now, they are involved in the transposal of the new legal provisions into collective agreements at the different levels (several thousand agreements). Within a very short time (3 months), negotiating committees have to be set up. In the case of a sector-specific collective bargaining agreement, the agreement can establish that the measures be adapted at company level. It was an aim of social partners to extend the practices also to SMEs.

While the regulation requires companies to adapt to a defined minimum content regarding the planned measures in LGTBI+ plans (cross-sectoral development, training, awareness-raising, measures aimed at access to employment, promotion, social benefits, obligation to have an anti-harassment and anti-violence policy for LGTBI+ people, etc), this can be completed and improved by trade unions and employers within collective bargaining. The regulation also advocates agile negotiations and seeks to avoid unjustified negotiation blockage.

Since this law is very new, it is too early to know about challenges related to the implementation and to assess the impact. Still, the case of LGTBI+ is an example where, in contrast to gender impact assessments, there is no aggregated statistical data. Other ways of assessing the impact on those affected need to be considered.

Source: Spanish legislation, workshop input from a representative of CC.OO. de Industria, Spain

In the boxes, you can see two more examples of legal triggers at national level in Spain that led to collective bargaining on equality issues and the negotiation of concrete provisions and measures.

## Equality plans and trade unions' involvement

In Spain, Title IV of [Organic Law 3/2007](#) on the effective equality of women and men deals with the right to equal opportunities at work, including programmes to improve women's employability, the promotion of equality in (and through) collective bargaining, and the promotion of rights to reconcile personal, family and working life. For companies, it creates an obligation to develop equality plans according to specific guidelines – involving negotiations and agreements with the workers' legal representatives and referring to collective agreements.

As the interpretations of how equality plans should be drawn up varied widely, Royal Decree [901/2020](#) on equality plans and their registration now regulates in more detail the contents of equality plans, and the negotiation of both, the diagnosis and the equality plan itself with the workers' legal representatives, including time limits. A negotiation committee must be formed consisting of company and worker representatives, with equal representation from both sides. The diagnosis will cover at least the following matters: (a) Selection and recruitment process, b) Professional classification, c) Training, d) Professional promotion, e) Working conditions, including the remuneration audit between women and men in accordance with the provisions of Royal Decree 902/2020, of 13 October, on equal pay for women and men, f) Co-responsible exercise of personal, family and working life rights, g) Under-representation of women, h) Remuneration, i) Prevention of sexual and gender-based harassment. This Royal Decree equates the Equality Plan to the same normative rank as collective agreements.

Today, for all companies with at least 50 employees (or those that have it included in their collective bargaining agreement), it is mandatory to negotiate, draw up and implement an equality plan.

Royal Decree [902/2020](#) aims to regulate equal treatment and non-discrimination in terms of pay, using pay transparency mechanisms. It specifies how to do the remuneration audit (also mandatory for companies with at least 50 employees). Requirements differ depending on the size of the company.

Source: Spanish legislation, interview with a representative of USO Industria, Spain

While the legal and policy framework can act as a key lever for including equal opportunities in the bargaining agenda, conditions may change quickly as political majorities, governments and economic conditions may change towards a more challenging bargaining context for equality.

## FURTHER FACTORS

### 3. Assess the economic and market situation and identify factors within the company/sector that can drive the equality agenda

As a result of recent progressive legislation, employers have started to be more proactive in including equal opportunities in bargaining agendas. A second important point is **reputation**. The **shortage of skilled labour** is a serious problem for many industries and employers, and in the competition for this rare commodity, many are prepared to invest even more in good and attractive working conditions to attract potential new employees. This also includes measures to retain workers and enable them to work as long and as healthily as possible, as well as targeting groups of people who have perhaps been underrepresented to date (reconciliation of work and family life, activities to attract a diverse workforce, etc.). Employers might be more open to bargaining on some equality issues and there may be **common interests** on which trade unions can build. However, this is by no means the case for all negotiations and there are also plenty of examples of conflict-ridden negotiations on equality issues.

Further triggering factors, especially in large multinational companies (see also paragraph on MNCs in [Analysis of agreements - with an equality lens](#)), are related to internal policies, guidelines and initiatives. **Corporate social responsibility (CSR)**, for example, has the potential to improve compliance with labour standards and drive the non-discrimination and equality agenda. Equality, diversity and inclusion are usually included in **diversity strategies, corporate values or codes of conduct**. Some companies have themselves certified according to **standards**, e.g. the Gender Equality European & International Standard ([GEEIS](#)).<sup>4</sup> On the one hand, trade unions could critically compare the content/objectives of these instruments with their implementation in the workplace and take action in the event of deviations; on the other hand, provisions could be incorporated into collective agreements (if they are not already included).

4. In general, trade unions view standards set by private standardisation bodies and the certificates obtained by corresponding audits very critically.

Factors relating to the economic and market situation of a particular company or sector, whether it is a public or private company, or the composition of the workforce (e.g. the proportion of female employees) can also have a negative or positive impact on equality negotiations (and the priorities in negotiations).

#### **4. Seize the moment - when individual equality issues come to the forefront of public discourse**

Furthermore, topics that are suddenly attracting widespread public attention, like “Me too”, can act as door openers and encourage discussions on equal opportunities with positive effects on bargaining for equalities.

#### **5. Work on your industrial relations (including membership, collective bargaining coverage, scope of bargaining)**

Finally, strong industrial relations at national and sectoral level and active workers’ participation at company level can facilitate successful bargaining for equality. This includes, for example, a large membership (union density) as well as a high coverage rate of collective agreements (often related to legal extension mechanisms). While, in the EU, on average, about 60% of workers are covered by collective bargaining agreements, coverage may vary from a high coverage of 80% or above in countries like Austria, Belgium, France, Italy or Finland, to a low coverage of less than 30%, as in several Central and Eastern European countries.<sup>5</sup> The level at which bargaining for equality takes place is also of interest (see also [Bargaining for Equality at different levels](#)).

#### **6. Be aware of obstacles and limiting factors to bargaining for equality, face up to them and try to change or overcome them**

Two major obstacles or limiting factors to bargaining for equality seem to be resources and “culture/stereotypes”, including traditional connotations of gender roles. Simply said: “If people are not aware of inequalities, they won’t bargain for equality.” Once there is awareness, people still need to be convinced of the need to stand up for equal opportunities and recognise the positive impact this can have in the workplace and in society (see also [Focus on awareness-raising, training and education](#)). This applies to all parties involved. Individual employers, workers or their representatives may all show resistance to advancing equality. At the same time, interviewees agreed that attitudes are changing, albeit slowly, along with a new generation of workers, employers and trade unionists with different priorities and expectations.

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5. Source: ETUI: [Collective bargaining | Worker Participation](#) homepage (access date 31.01.2025)

## IN SHORT

### YOUR (LOCAL/NATIONAL) NEGOTIATION CONTEXT – DRIVERS AND OBSTACLES WHEN BARGAINING FOR EQUALITY

#### 1. The legal and policy framework

- **National framework on equality and anti-discrimination**
  - Know your rights and responsibilities and those of your workers  
Provide workers with this information
  - Which laws support or promote collective bargaining on equality issues?
  - Identify discrepancies or gaps (if any) and advocate for change
- **European framework**
  - Stay updated on legislative initiatives
  - How does your country transpose European directives?
  - Identify discrepancies or gaps (if any) and advocate for change
- **Global framework**
  - International Treaties (e.g. ILO Conventions, United Nations)  
Has your country ratified any ILO Conventions? Which ones?
  - If yes, could this support your demands and negotiations?
  - Could you use them as reference documents?

#### 2. The company/sector context

- **Assess the economic and market situation**
- **Do you have to face a shortage of skilled labour?  
What do competitors offer in terms of working conditions/  
equal opportunities?**
- **Are there any internal company policies or activities that might support your cause (e.g. CSR, diversity strategy, corporate values, code of conduct, audits)?**

#### 3. Further factors

- **Promote “cultural change” (e.g. by fighting stereotypes and challenging “traditional connotations of gender roles”) through awareness-raising and capacity-building activities**
- **Are there any other movements (“Me Too”) that could trigger public debate/support your bargaining agenda?**

# BARGAINING FOR EQUALITY IN PRACTICE

## 1. Apply equality mainstreaming to all aspects of the collective bargaining process

The first and overarching strategy for better bargaining for equality is **equality mainstreaming**. It involves integrating equality perspectives and concerns into all aspects of the collective bargaining process in order to achieve greater equality, both in the process and in the outcomes. The question is, how can you get there? What influencing factors and interdependencies need to be taken into account **before, during and after the negotiations**? And how can bargaining actors, trade unions and workers' representatives, be supported in the promotion of equal opportunities?

## BARGAINING FOR EQUALITY AT DIFFERENT LEVELS – ROLE AND SCOPE

Collective bargaining in practice is regulated by law or higher-level general agreements. Compared to the rather universal approach of legal regulations, collective bargaining offers the flexibility to develop more targeted approaches. It may take place at **different levels** - national, regional or company/workplace level, as well as at cross-industry or sectoral level. There is a wide variety of collective bargaining in Europe. The same applies to the **scope of agreements** reached. While in some countries there may be extension mechanisms to cover all workers, in others this is not the case. Higher-level agreements often set the minimum standard for lower-level agreements (improvements are always possible). The interdependencies between agreements at different levels and the coordination between the different negotiations also vary from country to country.

From our research, we also learnt that collective bargaining on equality varies greatly in terms of **functional scope**. At one end, social partners negotiate an agreement dealing exclusively with equality issues (e.g. "Agreement on equal opportunities and elimination of the gender pay gap", "Agreement on the professional integration of people with disabilities"), while in other negotiations, equal opportunities are negotiated in the scope of one chapter or one provision on one equality issue in a package with a wide range of other topics or even wages. In other cases, equality is not on the bargaining agenda at all.

## 2. Include equal opportunities at higher-level bargaining rounds (if existing) to define minimum standards and provide orientation

What are the **driving factors behind an equality-sensitive agenda-setting**? Is bargaining on equal opportunities mandatory, permissive, voluntary or prohibited? While in some cases, the legislation pushes social partners to negotiate on equality issues (see also [The legal and policy framework](#)), in other cases, bargaining for equality entirely depends on the voluntary decision of the parties involved in the bargaining process. If there is no legal regulation that defines an obligation or at least recommendations related to bargaining for equality, **national or sectoral agreements have a crucial role in defining general minimum standards and providing orientation for lower-level bargaining rounds** on the issue.

Due to the weakness of sectoral industrial relations (especially employers' organisations), the company level is the main and often the only level of negotiation in countries such as Romania, Poland, or Turkey. It is also important to consider and assess changes in the bargaining system. Concerning the gender pay gap, for example, according to the ILO, it has been shown that "*the more collective bargaining is decentralized, the wider the wage disparities [...]*".<sup>6</sup> With the long-term trend towards decentralisation of collective bargaining, there are shifts in roles, tasks and responsibilities from one bargaining level to another.

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6. Source: ILO (2007): [Equality at Work](#): Tackling The Challenges, p.91



## HOW DO/CAN NEGOTIATIONS INFLUENCE EACH OTHER?

The interdependencies of collective bargaining at different levels highly depend on the national bargaining system. Still, it is worth exploring how the negotiations at one level can influence negotiations at other levels. One of our research questions therefore was, **if sectoral bargaining learns from company bargaining or vice versa.**

### Beyond bargaining on wage increases, towards equal opportunities

In Belgium, for example, the cross-industry collective agreement, which covers all employees in the private sector, sets the framework for negotiations on wages and working conditions at the other levels. If the social partners at cross-industry level determine that there is no wage increase possible, sectoral negotiations cannot deviate from this. Negotiations on wage increases are limited by the 1996 Act, which foresees that pay rises in Belgium are in line with expected developments in neighbouring countries. Nevertheless, wage-indexation is foreseen in all sectoral agreements, ensuring hereby the protection of purchasing power. This, however, may open the opportunity to negotiate on issues that are not related to wages and income directly, for example improvements of working conditions (e.g. holiday hours instead of company closure in summer). Bargaining rounds on non-wage issues have also been a good opportunity to place equal opportunities higher on the agenda than usual. Employers were more open to certain provisions because it was at least something they could offer to their employees.

Source: interview with a representative of ACV-CSC METEA, Belgium

In several countries, (minimum) standards in terms of pay and working conditions are set by collective bargaining agreements **at cross-industry or sectoral level**, which provide the framework for negotiations at other levels and rarely contain very specific provisions. Nevertheless, they establish **general principles and lines of action, and a minimum benchmark** agreed between the parties. For SMEs that often have no company level agreements, the provisions of higher levels are particularly important because they cover/reach more people. Sometimes, agreements at higher levels anticipate legal changes, and the social partners proactively negotiate equality provisions, sometimes the agreements just transpose new legal requirements.

In Italy, for example, the national collective labour agreement (CCNL, *contratto collettivo nazionale di lavoro*) at sector level defines the issues that can then be dealt with - in more detail - at the second level of negotiations. As most CCNLs in Italy include at least one paragraph or provision on equal opportunities, equal opportunities are also firmly anchored at the second level of negotiations (where second level bargaining is foreseen). In other countries, where negotiations take place at both sectoral and company level, it works the same way, and collective agreements at company level often follow the same structure as the sectoral collective agreement. Therefore, new agreements at higher levels, in particular if they introduce new provisions on equality, can trigger or inspire bargaining for equality at lower levels.

**Agreements at company or local level** can be more specific. Although some company agreements merely repeat the national/sectoral agreement or provisions without changing the terms or going beyond, they usually improve the provisions, contain higher targets and offer more favourable conditions.<sup>7</sup> They can translate the indications from sector agreements into concrete actions (e.g. training, leave arrangements, protection measures) tailored to the specific needs of one workplace. According to our interview partners, new measures and actions can be tested at company or workplace level. It is the decisive level for **experiments and new, innovative ideas**. These partly come from individual solutions (because if you have a concrete problem on the shopfloor, you will look for a solution). Agreements in large/ multinational or public companies often serve as **role models** and can act as a triggering factor for agreements in other companies (see also paragraph on MNCs in [Analysis of agreements - with an equality lens](#)).

7. Only in some exceptional cases, are downward deviations possible.

### 3. Identify good bargaining practices and innovative solutions at company level, try to promote them and to extend them to other companies or bargaining levels

If they prove to be good, successful bargaining experiences or good provisions from the company level are shared as good or innovative practice and are taken up at sectoral negotiations and in respective agreements. They may also serve as an inspiration for legislative proposals. Trade unions have a decisive role to play here, by **ensuring communication and the exchange of good practices** and agreements among companies in one sector, among sectors, as well as between the different bargaining levels. This leads us to the role of joint bodies, which is briefly described in the following section.

## THE ROLE OF SOCIAL DIALOGUE AND JOINT BODIES AT DIFFERENT LEVELS

### 1. Strengthen your social dialogue activities

**Good industrial relations and a functioning social dialogue** can be decisive precursors for successful and less conflictful collective bargaining and negotiations at all levels. Social dialogue encompasses, besides collective bargaining, all types of negotiation, consultation or exchange of information on issues of common interest between representatives of government, employers and workers. Depending on national industrial relations and practice, trade unions and employers' organisations are commonly involved at different levels, starting with the **European social dialogue** at cross-industry and sectoral level, and tripartite processes and bodies with the government at national level. At sector level, social dialogue takes place mostly in **joint (bipartite / bilateral) committees**. Equality and equal opportunities are often addressed in all these bodies. In Belgium, sectoral collective bargaining agreements are concluded at joint committee level.

#### European Social Dialogue: Framework of Actions on Gender Equality

In 2005, the **European social partners** UNICE/UEAPME, CEEP and ETUC adopted a framework of actions on gender equality, explicitly addressing gender equality through social partners' actions including collective bargaining. Alongside four priorities for action, they have set up a five-year plan for national social partners' actions and follow-up measures. In the annex of the agreement, several good practice cases are attached.

Source: [ETUI \(2005\): Framework of Actions on Gender Equality](#)

Social dialogue and in particular the joint bodies/committees have, among others, a role to **prevent or settle disputes**. Social dialogue aims to bring together different perspectives to create a **common understanding** of key aspects, to promote participation, stability and progress.

### 2. Ensure your involvement and explore your options for promoting equality within the framework of joint bodies at the various levels

In several countries, there are examples of joint bodies at sectoral level that only deal with equality issues (equal opportunities, non-discrimination, diversity and inclusion) and take over decisive tasks and activities in this field (e.g. **policy development**, monitoring activities). They can have a positive impact on the dissemination and advancement of equality issues. While a lack of trust often prevents consensus in collective bargaining, the working atmosphere in joint bodies is generally less conflictual and more respectful. It is often the same people who work together in joint committees who are also involved in collective bargaining. Joint bodies can provide a more neutral space to address issues that are also the subject of collective bargaining. Sometimes, within these bodies, trade unions may reach outcomes that they do not reach in collective bargaining. From a trade union view, it is also important for successful negotiations to **know and consider the employer's views and motivations** and also here, these bodies might help.



## Reallocation of bipartite funds at sector level in Belgium

In Belgium, there exist bipartite funds “*Fonds voor Bestaanszekerheid*” (Subsistence Security Fund) at the sector level in most sectors. Both employers and employees contribute to these funds, that work like a second social security system for workers at sector level. Workers can receive money out of these funds if they are unemployed for example. Recently, social partners have agreed to reallocate money out of these funds to childcare support (financing of childcare). If parents send their child under the age of 3 years old to an acknowledged childcare facility, they can ask for financial support out of the funds. To receive this money, you have to fill out forms and to apply for it (this, for many, is an obstacle). It started in a few sectors and by now, all sectors have adopted the system, including the textile sector, which has a high proportion of female workers. In some sectors, the scope is widened (for electricians, e.g. for children up to the age of 14; increase of the daily “allowance”).

These funds have existed for decades, so, it is probably not so easy to transfer this good practice to other countries. But in countries where a similar system exists, there is an opportunity to negotiate changes to the scope of the funds so that more workers can benefit, especially in situations where inequalities exist. The social partners analyse each year how many people have made use of these funds.

Source: interview with a representative of ACV-CSC METEA, Belgium

However, it also emerged from our discussions with trade union representatives that there might be discrepancies between the tasks and the ambitious objectives of joint initiatives (agreements, recommendations, guidelines) at national and/or sectoral level and the practical implementation in the workplace or in companies.

There are also **joint committees at company/workplace level**. The existence of these bodies often stems from a legal requirement for joint committees or consultation between workers (representatives) and management/company representatives, e.g. in the areas of health and safety at work, training or social issues, including equal opportunities. Bodies dedicated to equal opportunities may include committees for inclusion, equal opportunities, diversity or women’s committees. Sometimes, there are also working groups.

### 3. Define the tasks and responsibilities of joint bodies dedicated to equal opportunities

The **specific tasks and responsibilities of these committees should be defined in collective agreements**. They usually deal with policy developments, opinions and joint activities. In the workplace, they are an important **platform for dialogue** between stakeholders and are usually involved in the preparation of negotiations on equality as well as in the implementation and monitoring of collective agreements. If these bodies do not exist yet, trade unions and their representatives should think about setting them up to support bargaining for equality in a given workplace.

## Bipartite Equal Opportunities Observatories and Equal Opportunities Commissions

In Italy, the national collective labour agreements (*contratto collettivo nazionale di lavoro*, CCNL) at sector level define the topics and set the framework for negotiations at other bargaining levels. They cover more than 90% of workers in the private sector. Among other things, they provide - for the establishment of bipartite - thematic observatories to monitor key developments. Recently, many sectors have set up Equal Opportunities Observatories to promote equal opportunities in the world of work – and in collective agreements.

In the oil and energy sector, Confindustria Energia and Filctem-CGIL, Femca-CISL and Uiltec-UIL set up an Observatory on Diversity, Equity and Inclusion (DE&I) in 2023. Based on the analysis of best practices and collective bargaining at company level, the Observatory developed guidelines on DE&I to raise awareness and promote these values. Six areas of intervention have been identified as key strategic and organisational levers that have a direct impact on workers: Governance and Policies, Benchmarking and Certifications, Recruiting and Talent Management, Training, Remuneration and Compensation Policies, Welfare and Wellbeing. Concrete measures and practical tools are proposed for each area. For the social partners, these guidelines are a good practice, perfectly in line with the provisions of the EU Pay Transparency Directive.

The guidelines are complemented by activities to develop a more participative process, such as the creation of **Joint Equal Opportunities Commissions** within companies, composed of members of the trade union/RSU (*Rappresentanze Sindacali Unitarie*, elected union committees), workers’ representatives and employers’ sides.

Source: interview with a representative of UILTEC, Italy

## PREPARING AND CONDUCTING NEGOTIATIONS

Collective bargaining follows defined processes that comprise several key phases. The negotiation strategies differ from union to union and depending on the context of the negotiations. One of the main aims of our research was to gather recommendations and suggestions **for trade union strategies for equality-sensitive negotiations** based on practical experience. These recommendations, which emerged from the interviews with the trade unions involved, are presented below. They focus on three topics that were emphasised as particularly important:

- **First, to carry out a critical analysis of existing agreements “with an equality lens”**
- **Second, to identify needs and bargaining objectives and define priorities in a participation-oriented way**
- **Third, to set up (if possible) representative and diverse bargaining teams**

## ANALYSIS OF AGREEMENTS - WITH AN EQUALITY LENS

A first step in preparing for collective bargaining is to analyse existing agreements, starting with the agreement to be renegotiated, but also considering best bargaining practices and provisions from other agreements. It is important that this is done with an “equality lens”.

### 1. Analyse the current collective agreement

Trade unions should analyse the current collective agreement to **identify gaps and areas for improvement**. If legal changes lead to new requirements or obligations, the agreement must be adapted accordingly. This is always an opportunity to bring forward and negotiate new demands to improve the existing provisions. The same holds true for necessary adaptations to changes or provisions of higher-level agreements. Usually, there is room for manoeuvre in the transposition and implementation of obligations. Trade unions can also decide to opt for a proactive approach and consider anticipated future changes. Through evaluation and monitoring activities of the implementation of the current agreement (see also [Implementation, follow-up and impact assessment](#)), as well as considering the input, feedback or complaints of those covered by the agreement (see also [Defining the trade union bargaining agenda and objectives](#)), further gaps or areas for improvement can be identified.

### 2. Improve existing collective agreements to avoid possible discriminatory aspects

Trade unions can and should always look actively for potential discriminations and infringements in their agreements – and not only when preparing their demands for upcoming negotiations. They can also propose changes to existing agreements during the term of an agreement. Several trade unions are already doing this, but not all do it in a **systematic and continuous way** (e.g. through established review procedures at regular intervals). Often this is done on an ‘ad hoc’ basis, i.e. in response to an indication of discriminatory provisions. These indications may come out of the membership or from shop stewards. According to our interviews, if existing, it is often the women’s/equal opportunities or diversity groups/committees that provide this input or that take over the task to scan agreements. Some trade unions review the agreements together with external experts, some even together with the employers. It is worth establishing a habit here. Employers are often willing to adjust agreements – especially if they do not meet current legal requirements. This situation must be assessed on an individual basis.

### 3. Carry out benchmarking activities, identify and promote innovative practices

To improve a current agreement or certain provisions, it can be useful to look at other collective agreements (at the same bargaining level) that could work as a **model or benchmark**, be it agreements of other companies in the same sector, or in other sectors, sectoral collective agreements of other sectors, or even agreements negotiated in other countries to identify best practices. It is not only about inspiration and innovative practices, but also about **competitiveness**. If other companies or sectors have provisions that make them more attractive to workers, this could be a trigger for certain favourable provisions. Furthermore, trade unions can resort to higher or lower-level collective agreements or the national or international legal framework on equal opportunities for definitions, wording or ideas for (proactive) initiatives.

Both multinational companies (MNCs) and public companies are often regarded as pioneers when it comes to equality, and others can learn from them. They often have a different focus and different opportunities (e.g. in terms of resources).

- **MULTINATIONAL COMPANIES** often have very favourable equality provisions in their collective agreements. It is worth examining the agreements in other countries and considering whether they can be transferred to your own location if they provide for best practice. Measures that apply in one country or company are often transferred to other countries (e.g. from Volvo in Sweden to Finland). The **supply chain** could also be included. When multinational companies have negotiated international or global framework agreements (**IFAs, GFAs**), they commit to applying common standards across their operations. Existing European Works Councils can also be a good body to exchange and promote good negotiation practices between countries and to put certain issues on the negotiation agenda.
- **PUBLIC COMPANIES** are often among the first to transpose new legislation. This includes equality issues. Therefore, public companies – and the provisions in their agreements – could serve as an example for the private sector.

#### Learning from good practices in the public sector

French state-owned Enedis company, the national provider of electricity grids, is regarded as an example of good practice in bargaining for equality that could also inspire trade unions in the private sector and other companies. The company has a long tradition of including equal opportunities in collective bargaining, usually going beyond agreements at national/sector level and providing for more favourable conditions. They are like a laboratory of the state that does pioneering work on legal changes.

As the company itself states in the foreword to the 2024-2027 collective agreement: to anchor the professional integration, job retention and career development of people with disabilities in Enedis' businesses', its ambition is to continue to be a benchmark for the inclusion of workers with disabilities within the company and with its partners. This commitment to inclusion is intended to be a source of pride and belonging for all Enedis employees, as well as a lever of attractiveness for the company.

Source: interview with a representative of CFDT, France

An important prerequisite for all benchmarking activities and the (possible) extension of collective agreements is the **constant exchange and promotion of good bargaining practices**. These could be shared through a trade union's database for example.

## 4. Consider the integration of equality issues in the negotiations of agreements with other thematic and/or functional scope

Some equality demands can be included or attached to demands in another field such as occupational health and safety (e.g. teleworking, sexual harassment, gender-specific protective equipment).

### Try to introduce articles on equal opportunities in every new/renegotiated collective agreement

About five years ago (2019), Turkish United Metal Workers' Union, Birleşik Metal-İş, started to introduce equal opportunities issues into their bargaining. Starting with one article, they have now agreed on several articles on equal opportunities that they try to introduce into every new or renegotiated collective agreement. These articles are like a minimum standard, and even if they only succeed in introducing them in some of their agreements, it is a success. Some of the provisions formulated refer to the Constitution, ILO Conventions, UN Conventions, or to the Istanbul Convention. Today, the articles cover:

1. Prohibition of discrimination,
2. Gender equality (including awareness-raising, gender equality trainings, dealing with violence and harassment)
3. Recruitment policy (including equal access to training)
4. Gender-based worker health and safety

An important precondition and trigger for their union's work on gender equality had been a change to their union statutes. Subsequently, they also decided to create an "Equality Department" within the union. This was preceded by internal pressure from the union's Central Women's Commission, composed of representatives from the branch-level women's commissions (formed by female representatives and female members in the workplaces organised under the union's branch).<sup>8</sup>

Source: interview with representatives of Birleşik Metal-İş, Turkey

## DEFINING THE TRADE UNION BARGAINING AGENDA AND OBJECTIVES

Better bargaining for equality requires the **development of an equality-sensitive bargaining agenda** and therefore the decision to create room for equality issues. Why and how do trade unions include equal opportunities in their collective bargaining? In addition to those rather external triggering factors that have already been mentioned (e.g. legal requirements, collective bargaining at other levels, developments in other sectors/companies), we took a closer look at how trade unions identify and define their **demands, objectives and priorities** for negotiations.

### 1. Identify the needs, adopting a participatory approach

When preparing the negotiating agenda, trade unions must identify the most important demands for a particular sector or company, starting with identifying the needs. A **participatory approach** is particularly important for successful negotiations on equality, for several reasons. Firstly, because the workplace is the crucial level of implementation of collective agreements. Trade unions should ensure that they consider the contributions of those affected in the respective company or sector, and include different perspectives. They should be aware of existing inequalities or discrimination, as well as individual best practices and ideas, to solve existing problems. In addition, they must provide the necessary tools or mechanisms to gather this input.

### Collect input from (joint) groups, committees or bodies

An important source of information, if available, are the (joint) **working groups, committees or bodies** that are dedicated to equal opportunities or diversity, for example, or that represent women or other groups of employees within a company. The health and safety committee, volunteer committees or working groups are other possibilities. All these bodies could **collect ideas and proposals** for bargaining for equality. Information could also be obtained through works councils and shop stewards/trade union delegates (often also participating in those bodies mentioned).

8. Birleşik Metal-İş has 10 local branches, covering different regions.

## Collect additional information through surveys, mailboxes, feedback and complaint mechanisms, workshops or trainings

Surveys, mailboxes or feedback and complaints mechanisms aimed at all employees - from staff to management - are another important tool for collecting suggestions as part of a bottom-up approach. This should always include anonymous offerings (e.g. digital platforms or traditional mailboxes) to ensure low-threshold access and utilisation. Meetings, workshops or training courses are another option to get in contact with people and to collect their feedback. To support participation and mutual exchange, it is also necessary to **empower people and to build up capacities** (e.g. by awareness-raising and training activities on equal opportunities issues).

## 2. How to decide on priorities – try to promote an equality-sensitive bargaining agenda

Trade unions should **make equality a priority, also in collective bargaining**. While internal processes might differ according to the (national) bargaining context and trade union's practice, the decision on priorities is mostly a mix of bottom-up (described deasupra) and top-down measures.

### Platform of demands

In Italy, the trade union federations in the industrial sector of all three main trade union confederations usually agree on a common platform of demands for the renewal of a national collective agreement in the months before a collective agreement expires. The platform of demands is based on the needs and priorities expressed in the respective sector, but also on trade union political objectives. After approval by the management bodies and an assembly of shop stewards/union delegates, it is presented to the workers through meetings in the workplace and subject to certified consultation. In case of a positive outcome, the platform is validated by sending a request for a meeting, accompanied by the platform, to the employers. This process includes a broad information campaign and discussions involving the trade union structures and RSUs, with meetings in all workplaces. All members can suggest proposals in a bottom-up process.

Source: interview with a representative of UILM, Italy

Usually, each trade union sets its priorities for bargaining in a rather lengthy process, involving members and representatives, with lively exchanges at different levels. When agreements are negotiated by several unions, each union puts forward its demands and they then in turn, look for common demands and priorities to negotiate with the employers. In some unions, all members can submit proposals for demands to a special committee.

An example at sectoral level could be that committees or equivalent bodies at each workplace draw up demands, taking into account the needs and demands of their workforce (e.g. following staff assemblies). In a next step, several workers' representatives at company level (different companies) decide on demands and then submit them to the negotiating body, which is made up of trade union experts and representatives, who then narrow them down and decide on priorities.

## Set up specialised bodies (if not existing yet) and give them a voice

**Specialised bodies** (equal opportunities committees or working groups, women's committees etc.) are a good starting point for giving more room to equality issues and demands and promoting them. They may be involved in all the steps and at all levels described above, having a mandate to bring forward their demands to the sector group or to the negotiators. Like this, equal opportunities can be pushed higher up the agenda. These "bodies" can also serve as a kind of safe space for exchange and consultation and the development of new ideas or demands. Finally, through these bodies, trade unions should **ensure their involvement in all equality-related initiatives at different levels**, including for example, the design and implementation of training programmes including equal opportunities issues.



## Try to include equal opportunities into every bargaining agenda (set targets)

As we have seen in former chapters, there are huge differences in the **scope** of existing agreements. Trade unions should try to include “equality issues” in all their bargaining agendas and, even if they do not negotiate an agreement only focusing on equal opportunities, **highlight the gender dimensions of general issues - like wages and working time - when bargaining**. They could agree on appropriate strategies to promote bargaining for equality. Among the examples shared by our interview partners, there were also a few that, as a rule, for example imposed **at least one equality demand to every negotiation round**. Another strategy is, to **pick one priority topic** and to focus activities including collective bargaining activities only on this one issue (e.g. health).

### 3. Ensure representativeness and diversity at all stages of the process

When talking about equal opportunities, diversity and inclusion, it should go without saying that **all workers and all trade union officials** should be included and involved in all stages of the process of bargaining for equality. This starts with giving them a voice and considering their needs through to participation in specialised bodies and decision-making, promoting diversity at all levels. Within trade unions, for example, women are often underrepresented when comparing the proportion of members and leadership.

### Think about introducing targets and quotas

**Targets and quotas** are two tools often used to promote a greater diversity or representativeness. In the collective agreement of the French metalworking sector for example, it is mentioned that they are aiming at mixed delegations of trade union and employer organisations in the joint/bilateral bodies of the sector. This relates basically to a balanced representation of men and women. It is a challenge to ensure that different genders, minorities or vulnerable groups are represented in decision-making bodies. Quotas can be another tool to ensure or increase the participation of certain groups of employees in decision-making processes. However, a popular argument against quotas is that women (or other groups) feel discriminated against or disrespected because they are made to feel that they have only gained a position because of a quota and not because of their qualifications. This can cause stress for those affected, who feel that they have to perform better than their colleagues in order to prove that they are competent.

#### Ensuring the representation of women through provisions in CBAs in the Turkish metalworking sector (2023-2025)

In the Turkish metalworking sector, several articles of the group collective bargaining agreement signed by the Turkish Employers' Association of Metal Industries MESS and the Turkish Metal Workers' Union Türk Metal (covering multiple workplaces and approx. 200,000 workers) provide for the representation of women in decision-making bodies.<sup>9</sup>

For example,

- The appointment of a female worker representative in workplaces with more than 50 female workers
- One of the members appointed by the union to the “Disciplinary Board” must be a women
- One of the workers' representatives in the Annual Paid Leave Committee” shall be elected from among women
- The inclusion of female workers in the “Organisational Health and Safety Committee”

In the agreement, MESS and Türk Metal also commit themselves to raising awareness of gender equality in working life and to strive for its implementation, e.g. by identifying factors that negatively affect women's participation in the labour market and by identifying areas of inequality and discrimination. They will monitor progress in this area and carry out awareness-raising activities, including training to promote equality. The parties will meet at regular intervals (at least twice a year) to draw up a roadmap for addressing these issues.

Source: interview with a representative of Türk Metal, Turkey

9. Similar provisions are also included in individual company agreements that Türk Metal concludes.

## Think about creating “safe spaces” within the company and within the union

Another problem is that vulnerable groups may not share or contribute their ideas in less diverse structures. Trade unions could offer them a **safe space** by setting up relevant structures or offering special training, only available to these groups.

### Gender groups as a safe space with a voice

In the Belgian trade union ACV-CSC, where women are in the minority, there is a gender group at sector level. The gender group (shop stewards and trade union delegates) is like a safe space where women can discuss and contribute more openly, especially on more sensitive or personal issues. In this gender group, the women decide on demands, which they then pass on to the sector group. They have no voting rights in the sector group, but they do have a mandate to raise issues. This required an amendment to the statutes. If possible, they ask a female member of the sector group to introduce their demands into the negotiations. If this is not possible, this task is delegated to a male member.

There is also a youth group at sector level. There is a greater variety of groups at national level.

Source: interview with a representative of ACV-CSC METEA, Belgium

Within the union, for example, this could be a “Women’s Commission”, working together with the equal opportunities department of the union.

## THE BARGAINING TEAM

The selection process for trade unions’ bargaining teams differs from country to country and from union to union, and is usually laid down in the trade union’s statutes and rules of procedure. The negotiation level and the scope of collective bargaining also have an impact on the composition of the bargaining team.

### REPRESENTATIVENESS AND DIVERSITY OF BARGAINING TEAMS

As part of our research, we took a closer look at bargaining teams at different levels and their selection, focussing on whether they were diverse and inclusive. The composition of the negotiating teams of the unions surveyed varied greatly. While in the past, union structures and negotiating teams were often dominated by men, some of the current teams were described as diverse, while others consisted only of women.

#### 1. Try to set up a bargaining team that is representative and diverse

Bargaining teams are often made up of trade union officials (e.g. experts from the collective bargaining department, officials from the local/regional/national trade union structure), shop stewards and elected workers’ representatives. Important criteria for election or appointment are usually expertise and experience. At lower bargaining levels, the size of the bargaining team can vary depending on the number of shop stewards in a company, which depends on the number of workers. The bargaining team should be representative for the workforce of a company or sector, reflecting its composition. Still, a diverse representation is mostly not guaranteed. If there is a **representation quota** for female shop stewards (in a male-dominated sector) for example, chances are higher that women are part of the bargaining team. At the national level, in some cases, the same officials from the national trade union structure negotiate all agreements.

In the end, in our opinion, for the bargaining team, the same holds true as for all other actors involved in the bargaining process. **Negotiating teams should ideally be representative and diverse** to bring a greater diversity of topics and perspectives to the negotiating table, especially, when bargaining for equality. Interviewees pointed out that negotiations on equal opportunities, were/are sometimes conducted from a patriarchal/male perspective. If you have different genders in the bargaining team, you can, on the one hand, ensure exchange and promote mutual understanding, and, on the other hand, the likelihood of gender-sensitive outcomes increases.

## SUPPORT AND GUIDANCE TO NEGOTIATORS

### 2. Provide your negotiators with all information and support needed and train them on (specific) equality issues

The more experienced, prepared and qualified the negotiators are, the better the results of the negotiation processes. It is therefore of the utmost importance that trade unions support their negotiators as much as possible by providing them with all the **necessary information** and investing in **training and capacity-building**. This should include everything from negotiation, communication and leadership skills, to specialised training on equality issues (see also [Focus on Awareness-raising, training and education](#)). This is an area where even experienced negotiators can have gaps in their knowledge - especially if they have not experienced inequality and discrimination themselves and if they are not involved in any other activities or bodies dealing with equal opportunities, e.g. surveys among members. It would be best if all training programmes for negotiators included mandatory content on equal opportunities.

The main sources of information for negotiators in preparing for negotiations on equality are those described above: the **legal and policy framework**, **existing collective agreements**, including those at other levels or those of other companies for benchmarking purposes, and the **experience and knowledge (including complaints) of relevant actors** in the workplace and in relevant bodies dealing with equal opportunities. The results of **monitoring and evaluation activities** (of the implementation of existing agreements) are also part of the negotiators' preparation (see also [Implementation, follow-up and impact assessment](#)).

While negotiators can also draw on external expertise, our interviewees cited the following tools that trade unions themselves can provide to support their negotiators:

- **Trade unions' negotiation guidelines and recommendations, including good bargaining practices on equality issues, rights and obligations**  
(These could also be joint guidelines drawn up by several trade unions or even by trade unions and employers in the same sector)
- **Policy papers**
- **A code of conduct for bargaining for equality**
- **Digital platforms or databases with a collection of (good practice) collective agreements** from different levels of bargaining
- **Guidance documents with model clauses/provisions on equal opportunities**
- **Formulation of a model agreement**
- **Mentorship programmes for new negotiators**

#### **The tool of equality planning and workers' participation**

In Finland, according to the [Equality Act](#), it is the employer's duty to promote equality in the workplace. Employers who regularly employ at least 30 people are obliged to draw up an equality plan according to certain defined specifications at least every two years. The equality plan must be prepared with the shop steward, OHS representative or other representatives elected or appointed by the staff. The employer must ensure that all those involved in planning have sufficient opportunities to participate and influence. Employees must be informed about the plan and any updates.

The PRO trade union, for example, trains its shop stewards to draw up equality plans and provides them with ideas and tools to promote equality in the workplace. Some collective agreements contain provisions for the joint training of employees and employers to draw up an equality plan.

Source: interview with a representative of Trade Union PRO, Finland

10. The Equality Act (609/1986) prohibits discrimination on the basis of gender, gender identity and gender expression. The Non-Discrimination Act (1325/2014) forbids discrimination based on other personal characteristics other than gender.



## EXAMPLES OF EQUALITY ISSUES AND POSSIBLE DEMANDS

This chapter briefly introduces selected equality issues or areas of equal opportunities that are addressed in collective bargaining at different levels, as well as some key aspects or possible demands that trade unions and their representatives/negotiators could consider in order to achieve (more) equality.<sup>11</sup> Some topics and demands suit different areas of equal opportunities. Trade unions should include them where they fit best in their bargaining context. For example, domestic violence could also be part of a collective agreement on telework.

The variety of topics and provisions in collective agreements is large and ranges from “standard” provisions to very innovative or detailed provisions, all of which entail further measures, activities and workplace policies in practice. Here too, trade unions’ priorities and options for action vary depending on the scope of negotiations, the legislation in force in their respective countries, company policies, previous collective agreements, market conditions, culture, workers’ needs, etc.

### 1. When formulating demands and negotiating provisions, pay attention to non-discrimination and inclusivity

Key aspects that run through all topics and should always be considered when formulating or reviewing demands and negotiating provisions, include **non-discrimination and inclusivity** (neutral language; who is addressed? all genders, all families, all professions), **participation, clear responsibilities, set targets/KPIs (measurable), provisions for implementation and follow-up, awareness-raising and training, sanctions in case of infringements**. As regards these issues, we have included the example of violence and harassment for a more detailed description and illustration, as this topic has been one of joint concern and priority for many of our interview partners involved in the project.

## EQUAL OPPORTUNITIES, DIVERSITY AND INCLUSION

- Promote a corporate culture of equal opportunities, diversity and inclusion within the CBA
- Agree that equality is a value
- Ensure that the necessary measures are taken to eliminate inequalities
- Anchor the respect and valorisation of each individual and their personal experiences and competences
- Establish structures/committees/networks/key responsibilities at company level (equal opportunities/diversity committees or working groups, etc.)
- Set up policies like gender equality policy, transgender policy, DE&I Policy
- Establish a code of conduct/code of ethics
- Include provisions for awareness-raising and (obligatory) training measures
- Provide for communication training (inclusive; gender-neutral language)

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11. The examples are primarily based on the interviews and some selected collective bargaining agreements at sectoral and company level.

## RECONCILIATION OF FAMILY AND WORKING LIFE – WORK-LIFE HARMONY

- Recognise that workers must reconcile different responsibilities in their lives (e.g. care responsibilities and professional responsibilities)
- Guarantee equal opportunities for all workers to overcome conflicts between private life and working life
- Accept the (temporary) need for more flexible working arrangements for all workers – without having to justify it (all genders, all families, all professions)
- Provide for flexible/(reduced) working times
- Promote a better division of responsibilities between sexes (through a different organisation of work)
- Offer time accounts/time banks (e.g. solidarity hour banks in favour of employees who need additional leave to deal with serious situations)
- Support sustainable shift models/exemptions from shift work or night shifts
- Offer remote working (teleworking) or hybrid working models
- Provide for leave arrangements for caregivers
- Provide for grants or agreements for nurseries/on-site provision of day-care
- Facilitate access to facilities supporting children’s extracurricular activities

## PROTECTION OF PARENTHOOD

- Support pregnant women and working parents
- Provide for (extended) maternity protection (paid leave before and after childbirth, extended depending on health conditions and nature of the job)
- Provide for (additional) parental/family leave regardless of gender, marital status and sexual orientation (ideally paid, same number of days for all)
- Provide for breastfeeding leave/breaks and access to dedicated rooms
- Provide for “Sick child leave“, (increase workers’ entitlement to short temporary absences)
- Offer scholarships for the children of workers, grants for summer camps for workers with low incomes, educational grants
- Grant the right to return to the day shift if an urgent matter makes it difficult to continue work on the night shift (e.g. if parents must care for their sick children during daytime and then work night shifts this could also be a safety issue)

### Provision of guidance related to parental leave

In the French metalworking sector, the Joint Working Group (GTP Observations) has produced two videos, accompanied by two guides, directed at both, management staff and workers, to help companies manage absences linked to family leave. The national agreement provides for regular updates of these information materials by a working group within the GTP Observations.

Source: interview with a representative of CFDT, France

## **WORKERS WITH SPECIAL NEEDS**

- Negotiate specific agreements considering the situation of workers with special needs that often face barriers to education, training and employment
- Negotiate for “reasonable accommodation”, i.e. the adjustment of workplaces to the worker
- Increase employment and recruitment of people with special needs/disabilities (setting measurable targets)
- Provide for equal opportunities in fields like career development and training, as well as pay
- Provide for monitoring and evaluation mechanisms, e.g. studies on the effectiveness of career development activities
- Offer benefits for workers with children with a handicap (in terms of financial benefits or time)
- Provide for flexible working models
- Establish responsible structures/bodies at company level
- Provide for paid leave for medical examinations
- Accompany workers with special needs in all dimensions (through a multidisciplinary approach) together with doctors, social assistants, HR departments, diversity correspondents, managers

## **GENDER EQUALITY/PAY GAPS**

- Set measurable targets for increasing (fe)male employment rates
- Classify workers according to responsibilities
- Provide for pay transparency
- Include reporting obligations on pay gaps
- Agree on specific measures/activities to reduce gaps/improve equality
- Link improvements in related KPIs to (financial) benefits
- Promote the inclusion of women/other gender in activities where they are under-represented
- Consider potential inequalities linked to workplaces and equipment and provide for suitable workplaces for all (link to OHS topics)
- Consider the potential of artificial intelligence algorithms to exacerbate discriminations
- Set up equality plans

## **RECRUITMENT/VOCATIONAL TRAINING/CAREER DEVELOPMENT**

- Define selection and recruitment procedures that guarantee no bias (e.g. interview tools that guarantee objectivity)
- Provide specialised training for HR managers and people involved in selection procedures
- Improve/guarantee equal access to training and qualifications for all (make it more inclusive and accessible, e.g. in terms of methods)
- Promote training initiatives in favour of weaker persons
- Monitor career progression (how many workers of different genders moved from one level to a higher level)
- Monitor the participation in training activities from a (gender) equality perspective (include measurable targets)

## (SEXUAL) VIOLENCE AND HARASSMENT (IN THE WORKPLACE)

Harassment and violence are a particular problem for women and LGBTQI+ people - not only in the workplace, but also at home (domestic violence). Domestic violence appears to have increased during the COVID-19 pandemic. In general, teleworking or remote working blurs the distinction between the domestic and professional spheres. In addition, domestic violence can have a negative impact on productivity, health and work outcomes. Therefore, it can be regarded as a workplace issue. Harassment and violence in the workplace can occur in several ways. In the first case, the victim and culprit both work in the same company. The second case relates to third-party violence. Another case is, if coworkers of a victim (of domestic violence) are threatened at work – which can affect both their work and their safety at work. The newer forms of violence and harassment include cyber violence and cyber harassment (at work).

Trade unions can do much to combat violence and harassment and to protect and support the workers concerned. The **social stigma** surrounding this issue is probably even greater than for other acts of inequality or discrimination - which complicates matters further. If you ask employers what they do - because it is their duty to protect workers according to EU and national law - some might say that violence and harassment do not happen in their organisation. This is partly due to the fact that many people do not talk about it voluntarily or that misconduct is not recognised as such. Ideally, trade unions and employers should discuss and introduce measures together. If an employer does not take action, at least the trade union should take the initiative.

### Harassment in the workplace: A theatre play to raise awareness

The French trade union CFDT has had very good experience in one company with the following method for raising awareness of discrimination and harassment in the workplace. First, employees were asked, in a survey, to give examples of concrete experiences of discrimination and harassment in their workplace. They then asked a group of actors to create a play based on these real-life dialogues and events, which they performed in front of the entire workforce. This was very surprising and shocking for many people. Until then, they had been unaware of certain situations people – particularly women – experience at work.

Source: interview with a representative of CFDT, France

In some countries, such as Italy, France and Spain, trade unions have been very active in this area for a long time and have negotiated corresponding collective agreements. This is often due to legal obligations. Lately, [ILO Convention C190](#) (2019) has placed responsibilities on ratifying governments and duties on employers to mitigate the effects of domestic violence in the workplace. In addition, gender-based violence and harassment (GBVH) are considered psychosocial risk factors that are treated as an **occupational safety and health (OSH) issue**, which in turn also leads to obligations for employers. OSH can therefore be a good entry point for the topic. Even if a country has not ratified ILO Convention C190, trade unions could use it as a reference point for collective bargaining and for their activities to address violence and harassment (see also [The legal and policy framework](#)).

Back in 2007, the **European social partners** ETUC/CES, BusinessEurope, CEEP and UEAPME concluded a "[Framework Agreement on harassment and violence at work](#)". It was aiming at providing "*employers, workers and their representatives at all levels with an action-oriented framework to identify, prevent and manage problems of harassment and violence at work.*" The ETUC also published a report and guidelines entitled "[Safe at work, safe at home, safe online](#)" in 2024, which contains several recommendations, including **collective bargaining, to combat and prevent gender-based violence**.

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12. ILO C190 defines domestic violence as a workplace issue – but not all countries and trade unions do.

## Statutory entitlement to paid leave for victims of domestic violence extended by collective bargaining

According to Italian law ([Legislative Decree 80/2015](#), Art. 24), female workers who are victims of domestic violence and participate in a “protection programme” are entitled to up to 90 days paid leave. This paid leave can be taken on an hourly or daily basis over a period of three years, as provided for in the national collective agreement. More favourable provisions can be negotiated as part of collective bargaining.

The national collective agreement (CCNL) in the gas and water sector for example, provides for a right to abstain from work for a maximum period of six months (100% paid), and a further right to take periods of unpaid leave within the maximum time limit of 12 months. In addition, further measures may be implemented (through consultation with the company bilateral committees where they exist), such as, for example, the temporary choice of a different work location with the same economic and regulatory conditions, the advance payment of parts of the accrued severance pay, facilitation in the use of agile working methods or forms of hourly flexibility and/or telework, as well as access to part-time work on a temporary basis with the right to return to full-time work.

Source: interview with a trade union representative FILCTEM CGIL, Italy

The following table (Table 1) shows the main areas of action and examples of measures or activities that trade unions can consider when addressing this issue, ideally when negotiating it in collective bargaining. As always, **the first and most important step is awareness-raising, information and training**, as a lack of awareness and knowledge, e.g. about cyber violence, can be particularly widespread in this very sensitive and personal area. It is also important to ensure that there are mechanisms in place for people to ask for help anonymously.

Table 1: Addressing violence and harassment at work - Examples for fields of action and measures

FIELD OF ACTION	MEASURE/ACTIVITY
<b>PREVENTION (Awareness-raising and training)</b>	<ul style="list-style-type: none"> <li>● Promote a culture of mutual respect</li> <li>● Clearly define what a discriminating behaviour is (in terms of harassment)</li> <li>● Awareness-raising campaigns or trainings targeting all staff (obligatory) in terms of prevention</li> <li>● Special training for responsible persons/contact points at the workplace (managers, workplace representatives/ shop stewards)</li> <li>● Special training for union representatives</li> </ul>
<b>SECURITY/SAFETY MEASURES</b>	<ul style="list-style-type: none"> <li>● Support phone numbers</li> <li>● Alarm systems/specific risk assessment</li> <li>● Code words</li> <li>● Safety measures at night shifts</li> </ul>
<b>PROTECTION AND SUPPORT MEASURES/ MECHANISMS FOR VICTIMS AND VULNERABLE WORKERS</b>	<ul style="list-style-type: none"> <li>● Flexible work arrangements</li> <li>● Reorganisation of work tasks/work location</li> <li>● Protection from dismissal</li> <li>● Financial support, housing support</li> <li>● Legal advice</li> <li>● Psychological support, health support</li> <li>● Leave arrangements, paid leave</li> </ul>
<b>SANCTIONS</b>	<ul style="list-style-type: none"> <li>● Sanctions against employers who do not take measures to protect their workers</li> <li>● Sanctions against perpetrators, holding them accountable (from warnings to termination of employment contract)</li> </ul>

**BARGAINING FOR EQUALITY IN PRACTICE**

- 1. Equality mainstreaming – integrate equality perspectives and concerns into all aspects of the bargaining process**
- 2. What is the scope of collective bargaining in your country /sector/company?**
  - What role do equal opportunities issues play (at which bargaining level)?
  - Have there been any recent legal changes?
- 3. Where are you involved in social dialogue on equality?**
- 4. Are you involved in joint bodies at national, sectoral or company level?**
- 5. Analyse the current collective bargaining agreement to identify areas for improvement/challenges**
- 6. Look at old/existing agreements through an equality lens to identify gaps, discriminatory aspects or infringements**
- 7. Carry out benchmarking activities and promote good practices**
  - Look at demands/provisions of other agreements (at other bargaining levels, other companies, other countries, other trade unions, ILO Conventions) and think about which could work as a model
  - Identify best practices and good formulations (wording)
- 8. Consider the integration of equality issues in the negotiations of agreements with other thematic and/or functional scope**
- 9. Ensure that you consider the input of relevant stakeholders/ people that have to face inequalities, their needs and priorities, as well as good practice examples and individual solutions from the shopfloor**
  - Through bodies/groups/committees (If not existing yet, consider setting up bodies responsible for equal opportunities in the workplace and in your trade union)
  - Through surveys, mailboxes, meetings or similar mechanisms – also provide anonymous solutions/“safe spaces”
- 10. Make bargaining for equality a priority**
  - Set targets (e.g. include at least one equality demand in every bargaining round)
- 11. Ensure representativeness and diversity at all stages of the bargaining process (from working groups to joint bodies to bargaining teams)**
- 12. Support your bargaining team**
  - Gather relevant data/support for your negotiations (also arguments from other agreements, legal frameworks, research)
  - Invest in awareness-raising and training – and include provisions on related training measures in your bargaining
  - Provide guidance documents, model agreements/clauses, etc.
- 13. When formulating demands and negotiating provisions, pay attention to:**
  - non-discrimination and inclusivity (neutral language; all genders, all families, all professions)

## IMPLEMENTATION, FOLLOW-UP AND IMPACT ASSESSMENT

Like the legal framework for equality and its application, collective agreements or equality provisions are a very important first step towards realising equal opportunities for all workers. However, there is a risk that the agreed provisions and measures only exist on paper. Even if they are implemented as planned, it is important to monitor whether they actually lead to a reduction in inequalities in practice or whether they need to be adapted.

Some of our interviewees admitted that they had negotiated equality provisions in their agreements, but that they were weak in following up and still needed to put mechanisms in place. Ideally, trade unions should include provisions for effective implementation, monitoring and impact assessment in their collective agreements when bargaining for equality (if this is not already required by law). Establishing clear procedures and defining responsibilities is crucial.

### IMPLEMENTING AGREEMENTS

#### 1. Introduce or appoint key persons/bodies responsible for implementation

As described in relation to the negotiation experience and the importance of specialised “bodies”, it seems useful to introduce or appoint key persons or committees responsible for the implementation of collective bargaining agreements at the respective negotiating level. This could be the same bodies (women’s groups, inclusion committees, equal opportunities groups) or new bodies (See previous chapters [The role of social dialogue and joint bodies at different levels, Defining the trade union bargaining agenda and objectives](#)). At company level, trade union delegates or the works councils should play a crucial role in the development and implementation of action plans. Workers and their representatives must put the provisions of collective agreements into daily practice.

#### 2. Include concrete provisions on implementation in the collective agreements (including time schedules, training activities, flanking measures)

The deadlines for implementing the measures should also be laid down in the collective agreement. In addition, specific training should be organised for the responsible persons/committees on the employers’ and workers’ side. Collective agreements should be accompanied by flanking measures to ensure that they are implemented in company practice.

### EFFECTIVE MONITORING AND EVALUATION MECHANISMS

Continuous monitoring of the implementation of collective bargaining agreements makes it possible to identify and address potential problems that arise during implementation and to obtain information about the effectiveness of the agreed measures. Success factors can also be identified in the same way. The following tools and strategies should be considered:

#### 1. Identify key indicators for monitoring

To assess progress towards greater equality or the achievement of set targets, **specific measurable, and time-bound indicators** must be defined. These may include input indicators (e.g. expenditure on equality trainings), output indicators (e.g. the number of individuals having received training), and outcome indicators (e.g. improved capacities or performance). Initially, trade unions could monitor a wider range of indicators (or those data that are readily available) and then gradually find out which indicators are really important to them by analysing the data. This should be an ongoing process, with indicators being adjusted as necessary.



Ideally, key indicators for monitoring should be defined within the collective agreement. In the case of equality plans or equal pay programmes/pay transparency measures, for example, a set of key indicators is often already clearly defined (by legislation).

## 2. Gather and analyse reliable quantitative and qualitative data

Trade unions should **gather and analyse reliable quantitative and qualitative data in a systematic way and from an equality perspective** (e.g. salary structures, career paths – especially with regard to the development of responsibilities, skills, etc.). On the one hand, this is the basis for identifying potential inequalities and discriminations (and therefore needs) in a particular sector/workplace and understanding the underlying causes or influential factors. Trade unions need this information to advocate for improvements. On the other hand, data collection and evaluation is the basis for monitoring. The role of the trade unions is to monitor how and whether the provisions and measures provided for in collective agreements are applied in practice and whether they make a difference towards greater equality.

An important prerequisite is the access to the necessary data and information. Among the trade unions interviewed, most said that they had access to data or that workers' representatives at company level could always ask for it. In many cases, access to data and information is regulated by law or collective agreements. If this is not the case, or if there are gaps or a lack of relevant data, trade unions should take the necessary steps to fill these knowledge gaps.

- **Quantitative data** is often readily available from official **statistics** or company/trade union **databases** and can be easily monitored. While gender-disaggregated or age-disaggregated data is rather the norm (it is often required by law, especially in the case of gender), in other cases it can be more difficult to obtain data.
- For a holistic approach, **qualitative information** is even more important. This can be obtained through **stakeholder consultations**, e.g. through regular (anonymous) **surveys or studies**, the development of **questionnaires** or the creation of **checklists**. For example, trade unions could send a questionnaire to all workers to find out how satisfied they are with existing equal opportunities policies. **Complaints and feedback mechanisms** (see also [Identify the needs, adopting a participatory approach](#)) are another source of information. Other sources include **on-site inspections** and contributions from **meetings** (of relevant bodies such as works councils, working groups, (joint) equal opportunities committees, unit committees at different levels, etc.).

Detached from the monitoring of collective agreements, trade unions should always evaluate activities and practices, such as participation in trainings, utilisation of support offers, etc.

## 3. Establish mechanisms and include relevant parties

Data collection and analysis can take place at various levels, both internally and externally: within trade unions or their associations, within employers' organisations, in specific departments within companies (management, human resources), in the relevant working groups, (joint) committees, or in cooperation with external partners such as government bodies or independent experts such as universities or research institutes. Some companies carry out equality or diversity audits with specialised audit companies that combine data collection with employee surveys and certify good and effective practices.

At higher levels, in most countries, evaluation or assessment bodies exist, as well as for example, an Equality Ombudsperson, etc. At company level, either existing committees take on the monitoring tasks or a **monitoring committee** is set up. As a rule, these are trade union representatives, employee representatives, employer representatives and members of existing committees (e.g. occupational health and safety).

Depending on the specific context (agreed provisions/measures, related indicators, access, priorities, financial and human resources (expertise), short-term and long-term objectives, etc.), the choice of the responsible structure and monitoring tool may vary.



It is important to carry out monitoring in a structured manner, to establish mechanisms with fixed timeframes (e.g. annual staff surveys, regular progress reports, regular meetings between company management and delegates) and to define responsibilities and focus groups, taking into account different perspectives – ideally all written down in the collective agreement.

### **Provisions relating to the evaluation of professional equality in the national sector agreement**

In France, the national agreement of the metalworking sector (2024) recalls the methods to evaluate developments in terms of professional equality of the preceding 2014 agreement, namely carrying out studies, in partnership with an external association, on measuring the pay gap between men and women, producing a presentation on the average pay gap between men and women every two years, and producing an annual report setting out the sector's actions in this area.

In order to obtain more comprehensive data, the new agreement provides for the updating of the two reports 'Report on company agreements and action plans' and 'Report on occupational equality indices', which have to be submitted jointly every year. Furthermore, the social partners voluntarily engage in collecting complementary data from company agreements on equal opportunities in the sector. For the studies carried out since 2008, which are based on data from voluntary questionnaires in companies, the agreement defines a series of indicators. The agreement also stipulates that the studies will be carried out every two years and that the results and the methodology used will be presented during the annual wage negotiations in the metalworking sector.

Source: collective agreement „Accord du 24 avril 2024 relatif à légalité professionnelle et à la suppression des écarts de rémunération entre les femmes et les hommes dans la branche de la métallurgie”, interview with a representative of CFDT, France

## **4. Communicate the results of monitoring and incorporate continuous feedback loops**

Trade unions should **communicate the results** of their evaluation and monitoring activities to **all relevant stakeholders**, be they members, bargaining partners, local authorities, or a particular group of workers, for example. The interviewees pointed out that members are often unaware of the provisions in the collective agreements or the monitoring measures. It is of the utmost importance to involve the people concerned and take their feedback into account on an ongoing basis. An important side effect of negotiations is that dialogue and transparency can promote trust.

The result of the monitoring is the basis for further political decisions and negotiations. Any difficulties related to the implementation of an agreement should be discussed with the aim of resolving them. This should, for example, enable **corrective measures or possible adjustments** - even during the term of the agreement, with the aim of continuous improvement. Trade unions should highlight implementation problems or even violations of the agreement as well as good news about progress or successes.

### **Analyse data and disseminate the findings**

Italian companies (public and private) with more than 50 employees have a legal obligation ([Law No. 162/2021](#)) to publish "biennial reports on the situation of male and female staff" and to submit these to various bodies through the Ministry of Labour's online system. Company trade union representatives also receive a copy of the report. The report must include detailed gender-disaggregated quantitative data, as well as qualitative information on relevant policies, processes, tools and measures related to equality at work (e.g. recruitment, training, promotion, changes in category or classification, redundancies, retirement and remuneration). Trade union FIM-CISL collected the data of more than 700 companies in the metalworking sector, analysed this data and then published a report with their findings.

In the first quarter of 2025, further data was collected from 985 companies for the two-year period 2022-2023, with which a new report will be produced that will make it possible, for the first time in Italy, to compare the data of two consecutive two-year periods in order to verify the tendency of the various clusters analysed and to create a "platform of demands" for gender policy based on objective elements that will serve as a guideline for all FIM-CISL affiliated structures for national and company collective bargaining.

Source: interview with a representative of FIM-CISL, Italy

## IMPACT ASSESSMENTS – HOW ARE DIFFERENT GROUPS OF WORKERS AFFECTED?

### 5. Consider conducting impact assessments

A particularly interesting aspect is to assess how – in this case e.g. the provisions and measures of a particular collective agreement - affect different groups of workers. Do they reduce, maintain or increase inequalities between different groups of workers? In this way, adverse effects on certain groups can be reduced and equal opportunities for all can be improved.

Gender impact assessments, for example, are used to evaluate how laws, policies, programmes or services may affect people of different genders differently. Usually, the assessments are conducted before implementation. Key aspects include a systematic analysis, a before-after comparison, and preventative measures. Gender impact assessments should consider an intersectional approach (how gender interacts with other aspects of identity, such as ethnicity, age, disability or sexual orientation).

#### Gender impact assessments of collective agreements as a means of promoting equal pay

In Finland, tripartite Equal Pay Programmes summarise the measures, prepared in a working group by the Government and central labour market organisations, to promote equal pay and thus reduce the average pay gap between men and women since 2006. Nevertheless, the pay gap has only narrowed slowly. One point of criticism voiced by trade unions, as well as by the rapporteur responsible for the overall assessment of the Equal Pay Programme, is that the parties that negotiate collective agreements today are not actively involved in the Equal Pay Programme.<sup>13</sup>

Among the measures under the [Equal Pay Programme 2020-2023](#), gender impact assessments of collective agreements should be promoted, as well as guidelines for equality plans at workplaces. Gender impact assessments should assess proposals, measures, projects, regulations and practices in terms of their impact on different gender, and they should be assessed actively in the context of negotiations.

In 2021, the central labour market organisations drew up [recommendations](#) on gender impact assessments of collective agreements. In their view, there are hardly any direct discriminatory provisions in collective agreements. The problem is that discrimination is often rather indirect and that even gender-neutral provisions, at second sight, can have different effects on gender.

According to a [research study](#) on the gender impact of collective agreements on equal pay published by the Ministry of Social Affairs and Health in 2023, there is room for improvement even in collective agreements where the parties have clearly endeavoured to implement the principle of equal pay. Pay transparency could be improved by taking all pay and other financial benefits into account when assessing the equal pay principle. It was concluded that provisions on family leave also have a significant impact on equal pay. Furthermore, a development of negotiation culture was recommended to systematically take into account gender equality objectives. It is said that this requires better knowledge of equality and non-discrimination by the social partners when assessing gender impacts.

Source: interview with a representative of Trade Union PRO, Finland

## IN SHORT

### IMPLEMENTATION AND FOLLOW-UP

- 1. Have you negotiated/included provisions on implementation and follow-up measures?**
  - Have you clearly defined responsibilities and targets (KPIs, timelines)?
  - Are you (and workers' representatives) involved in implementation and follow-up?
- 2. Do you have access to quantitative and qualitative data?**
- 3. Do you evaluate this data at regular intervals?**
- 4. Guarantee exchange, information-flow and transparency and provide the data to all who need it**
- 5. Consider impact assessments – how are different groups of workers affected?**
- 6. Have you considered sanctions in case of infringements?**

# WHAT ELSE CAN TRADE UNIONS DO TO PROMOTE A CULTURE OF EQUALITY?

## 1. Adopt a comprehensive approach and clearly commit to equality

As we have already seen in previous chapters, trade unions can play an important role in promoting equality at work. To foster a culture that genuinely encourages bargaining for equality, trade unions should adopt a **comprehensive approach**. They should **clearly commit to equality** at all stages and levels of policies, programmes and projects. Equal opportunities and non-discrimination should be an integral part of their **culture** and of all internal and external trade union activities. To be credible in negotiations, it helps to set a good example yourself. Ideally, this means that the things trade unions demand from employers should also apply or be demanded within the union.

## INCORPORATE EQUALITY INTO YOUR STRUCTURES AND POLICIES

### 2. Incorporate equality into your structures and policies (e.g. review your statutes, processes, objectives)

As a basis, trade unions should incorporate equality into their internal structures and policies. This may be a longer process, but individual steps could be introduced gradually, taking into account groups of trade union members, their interests, concerns or ideas. The body responsible for coordinating all equality-related activities is usually the Equal Opportunities Department.

To start with, this could encompass:

- Striving for diversity at all levels: in the composition of staff, decision-making and executive bodies
- Targeted organising campaigns to increase a diverse membership
- Addressing inequalities in the workplace (e.g. discrimination, harassment, pay inequity)
- The review of processes (e.g. recruitment procedures, code of conduct for meetings)
- The use of gender-neutral language
- Setting up an Equal Opportunities Department (if not existing yet)/an Equality Secretariat
- The development of a related strategic approach/strategies
- Working groups and committees on equal opportunities
- Networks of vulnerable groups
- Conducting equality audits
- The provision of necessary resources (financial and human)

### Increase the number of women in your internal union structures

Turkish trade union Türk Metal aims to ensure a high proportion of female employees in its trade union activities – including leadership roles – throughout its representative offices and among the workers it represents.

To give a concrete example: Türk Metal is the first trade union in the Turkish metal industry to have a female branch president in one of its 37 branches across the country. This also means that this woman has a say in decision-making within the union leadership, on the executive committee. Just as the presence of women is prioritised in the regional branches, almost 30 female experts are employed at the union headquarters.

Through training and seminars for women, which Türk Metal organises both in the regional branches and in the workplaces, the union aims to ensure that women feel supported, not only in their working lives but also in their personal lives. In addition, the union organises a “Women’s Congress”, which has been held continuously for 27 years with only one brief interruption. These Congresses provide a platform for women to discuss the challenges they face and to work together to find solutions.

Source: interview with a representative of Türk Metal, Turkey

13. This is due to the fact that collective bargaining in Finland has changed since the introduction of the Equal Pay Programme. Back then, the central labour market organisations were responsible for comprehensive pay policy regulations (including the possibility of gender-equality bonuses or low-pay bonuses in female-dominated and low-paid sectors), whereas today pay is determined in negotiations with individual trade unions, employers’ associations and companies.

At the level of internal trade union policies and guidelines, that serve as a common reference, trade unions should, for example, critically review their **trade union statutes**, their **principles and values** as well as their **political objectives** communicated internally and externally. Do they include and commit to equal opportunities and non-discrimination, and do they promote equality?

For example, **industriAll European Trade Union** launched a [pledge](#) against racism, xenophobia, antisemitism and islamophobia in 2024 to which their affiliates committed themselves. They also launched a commitment to [rainbow workplaces](#) in 2021, and to trade union action with and for [persons with disabilities](#) in 2022. This not only sets an example, but also serves to raise (public) awareness and draw attention to these topics.

## **FOCUS ON AWARENESS-RAISING, TRAINING AND EDUCATION**

Awareness-raising, training and skills development are closely linked strategies and tools which can all help to promote a culture of equality – among union members, in the workplace, in politics and in society. Targeted activities can pave the way for better and more successful negotiations on equality. And all these activities can of course be carried out alone or together with employers or other partners.

### **AWARENESS-RAISING IS KEY**

#### **3. Focus on awareness-raising and promote understanding (e.g. by drafting policy papers, providing information or toolkits, organising events, campaigning and lobbying)**

Raising awareness is the key strategy for **combatting stereotypes and promoting social or behavioural change**. Trade unions should **inform and educate** people about inequalities and discriminations in the workplace and promote understanding of the situation and perspectives of vulnerable groups to influence their attitudes, behaviours and beliefs towards better and fairer working conditions. Raising awareness also involves informing members about new legislation and promoting their **understanding of rights and laws (including collective agreements)**. Through awareness-raising activities, trade unions can mobilise people (and public opinion) against injustice and inequalities. This includes activities aimed at all interest groups, starting with workers, employers, trade unionists, negotiators, government authorities and society as a whole. People need to be aware of a problem to be able to act.

The methods or channels used to raise awareness of equality issues are those that trade unions normally use. The question is rather whether they use them and whether they prioritise the promotion of equal opportunities and non-discrimination and dedicate their activities (and their resources) to this topic. The methods or strategies include, for example:

- Drafting opinions, policy papers, pledges, resolutions
- Issuing press releases
- Publishing reports and guidelines
- Commissioning research studies/projects
- Carrying out communication campaigns (TV, radio, internet, social media, print media)
- Designing toolkits
- Distributing print materials (brochures, flyers, badges, posters, banners, stickers, T-shirts)
- Organising/participating in internal as well as public events ((women's) congresses, conferences, demonstrations, workshops, seminars, meetings, action days, action weeks, public debates, etc.)

Guidelines and studies can serve as important tools for negotiators to promote equality. They can also be particularly helpful for SMEs, which in most cases do not have collective agreements. Several trade unionists have told us about **jointly elaborated documents** (e.g. guidelines on harassment and violence at work) and **successful awareness-raising projects with employers** (e.g. a joint project on specific risk factors in terms of health and safety for women working in the metal industry).

### **Policy paper on preventing violence and harassment in the workplace**

Turkish United Metal Workers' Union, Birleşik Metal-İş, has taken the initiative to develop a policy paper on violence and harassment at work which could be added as a protocol to the collective agreement and should be signed by the employers. The document should state in writing that the signatory parties agree to certain common definitions, that they will act in accordance with the legal framework set out in the document, including the relevant provisions of their collective agreement, and that they agree on certain behaviour and on sanctions in the event of misconduct. It also includes concrete measures and mechanisms to be undertaken by the parties, such as training, reporting and complaint mechanisms, as well as responsibilities of actors both on the trade union's and employer's side.

Source: interview with two representatives of Birleşik Metal-İş, Turkey

Many trade unions opt for the well-known international days of action such as **8 March** (International Women's Day), **17 May** (The International Day Against Homophobia, Biphobia and Transphobia), **25 November** (International Day for the Elimination of Violence Against Women) or **3 December** (International Day of Persons with Disabilities) for promoting own equality-centred demands and activities. Events in particular offer a good opportunity not only to reach many people but also to **enter dialogue**. Trade unions can discuss with people the inequalities or discrimination they face and work together to find solutions.

**Campaigning and lobbying** are two further related but distinct activities that trade unions could engage in to promote equality (issues). For example, trade unions could campaign for issues that they have not managed to negotiate in collective bargaining so far, or as a first step to raise awareness on a certain topic that then might enter collective bargaining in a next step. A lot can be achieved for more equality and better working conditions, particularly through **joint campaigns or initiatives with employers**. **Lobbying** focuses on policymakers and trade unions' influence in political decision-making and legislation at different levels.

### **Menopause at work campaign**

In the UK, Community trade union has been successful with a campaign focussing on the menopause. This is an example of an issue that was misunderstood and ignored. Based on the results of a survey in 2019, the trade union identified menopause as a workplace and trade union issue that required urgent action. According to the survey, around 75% of the women affected didn't talk to their employers about it, and around 95% didn't talk to their trade union. Many workers were leaving their jobs due to lack of support when going through the menopause – a huge cost to employers and society.

The campaign focused on lobbying the government for better menopause support at work and raised awareness with employers about workers needs in the various phases of menopause, encouraging employers to introduce menopause policies. Another focus of the campaign is normalising the conversation on this topic in the workplace and in society. Community trade union offers menopause awareness training for its members, representatives and employers, and provides information including a "Menopause at work guide" and a "menopause campaign pack" to equip members with the knowledge and the tools they need.

Building alliances with other actors has been identified as a major success factor of the campaign which involves the union, employers, NGOs, the government and other associations. The campaign started with a bottom-up approach but was supported from the top. The results of a benchmark survey after 5 years show that awareness has increased significantly, more women are getting the support they need to thrive at work, and many workplaces now have menopause policies.

Source: interview with a representative of Community Trade Union, England

Ultimately, all these measures and activities should be accompanied by an overarching **communication strategy**. It should also include the **promotion of good bargaining practices**, as these can have a positive influence on further negotiation processes. **Equality or diversity awards** are another good way of recognising and highlighting good practice in the workplace.

## **INCLUSION OF EQUALITY AND DIVERSITY IN TRAINING AND QUALIFICATIONS**

### **4. Promote and offer training on equal opportunities, in particular in the workplace and within your union**

It is a central task of trade unions to actively promote better **access to training in the workplace** and to support workers in continuously updating and improving their skills. Often, they are involved in **negotiating collective agreements on training** or agreements including chapters or provisions on training. When bargaining for equality, trade unions should always try to include provisions on “equality and diversity” training measures. Where trade unions are represented on bipartite or tripartite bodies responsible for developing training programmes, they should advocate for equality training.

Training is another key instrument to promote a culture that encourages bargaining for equal opportunities. On the one hand, training activities can raise awareness and improve people’s understanding about discriminations and inequalities in the workplace. Through training, workers (as well as employers and trade unionists) can improve their knowledge of their rights and obligations and of existing collective agreements and measures in their workplace. On the other hand, capacities are built up and people’s ability to act accordingly can be strengthened.

When agreeing or negotiating workplace training on equality issues, trade unions could consider the following suggestions put forward by our interviewees:

- Organise trainings for the entire workforce, annually, aimed at raising awareness on equality issues like gender-based violence, harassment, diversity and inclusion
- One class/session in every training programme should be on equality
- Include equality topics in other trainings (like “violence and harassment” in OHS trainings)
- Include an obligatory training session on equality issues in every training for young employees/new hires
- Negotiate that equality courses are free of charge
- Ensure access to equality training for ALL workers irrespective of gender, age, blue collar or white collar, etc.
- Also consider training courses open only to specific focus groups of workers, like women, young people, older workers, etc. (giving them a “safe space”)
- Include specific training programmes for trade union officers, negotiators, shop stewards, works council or committee members at company level, etc.
- Call for obligatory equality trainings for managers

Among the trade unionists interviewed, many had very positive experiences of **joint training initiatives** with employers on equality issues. In some cases, ‘equality’ acted as a kind of door opener, as in the case where union and employers jointly developed a training programme for all new recruits for the first time. Employers were generally willing to participate in the introduction of equality training programmes.



## Joint training and prevention initiatives - with a focus on violence and harassment at work

In the Italian metal and plant engineering industry, one focus of the bipartite Equal Opportunities Commission of Federmeccanica, Assital, Fim, Fiom and Uilm, which is provided for in the national collective labour agreement (CCNL Metalmeccanici) is on training. In addition to organising seminars on equal opportunities issues and producing training and information material, they have recently placed particular emphasis on prevention projects and support measures related to violence and harassment (in the workplace). Numerous successful events have been organised in companies as part of these prevention projects. They were launched on the occasion of the International Day against Violence Against Women (25 November), and in some cases continued well beyond this date.

Furthermore, trade unions and employers have jointly produced a [video](#) on violence and harassment in the workplace, which is available on their joint training platform [MetApprendo](#). MetApprendo aims to facilitate training activities for all workers of member companies in the sector that apply the CCNL. Two further videos on language (promoting equality through the adoption of an inclusive language) and on economic and financial literacy are being planned.

Source: interview with a representative of UILM, Italy

A positive side effect of training programmes is that they encourage **exchange and communication**. Training is a good opportunity to find out about the problems and needs of workers/members. Unions could encourage this by establishing a routine of directly questioning participants at each training session they organise. However, participants may also be reluctant to share their experiences (e.g. women, vulnerable groups in relation to violence and harassment) in a mixed group, and trade unions may have to organise training courses that are only accessible to a certain group of people.

The inclusion of equality and diversity in training also involves the **development of new training programmes** and the production of appropriate **training and information materials** on equality topics and workers' rights. If trade unions do not have their own training programmes on equality, they could probably contribute to the design of other trainings (in the frame of joint initiatives). Trade union members could also participate in trainings of other organisations (e.g. ETUI).

## ATENA – a social partner project with a comprehensive approach in the Romanian gas industry

The [ATENA project](#), initiated by the Romanian trade union FS Gaz and financed with both state and EU funds<sup>14</sup>, aimed to give women in the gas industry equal access to employment and careers. In the frame of this social dialogue project, which ran from 2014-2015, more than 800 women participated in training and qualifications and received certification (exceeding the initial targets). At the same time, a broad communication campaign was launched with newsletters, conferences, brochures, posters and a TV advert to raise awareness of equal opportunities and gender equality. In addition, five equality committees were set up (four in the participating company clusters, one within the union), seminars were organised to exchange best practices between these committees, women's networks were established in the sector and several research studies were conducted. Finally, four agreements on equal opportunities and a charter on equal opportunities in gas companies were signed by the social partners.

This is an example of a very successful and comprehensive project that brought about change and had an important impact on better bargaining on equality. For the union, it was a good publicity among workers in the sector. It also changed the employers' perception of the union in a positive way. It created trust in the union. The participating women benefited not only from the technical content of the training programmes, but also on a personal level. It served their empowerment. The courses offered were a mixture of professional development, personal development and coaching, as well as training on equal opportunities and trade union rights.

Source: interview with a representative of FS Gaz, Romania

14. For example, capacity-building of social partner organisations at national level can be supported through the European Social Fund Plus (ESF+).

## JOIN FORCES – LOOK FOR ALLIES

### 5. Build alliances, join forces and think about multistakeholder initiatives

In addition to communication, **cooperation and exchange with other actors** is another overarching strategy for all trade union activities aimed at promoting a culture that encourages bargaining for equality. For example, most awareness-raising and training activities can be carried out with partners, be they other trade unions, a trade union confederation, employers or their associations, other civil society actors or the government. Wherever you have common interests, you should join forces and resources and think about **multistakeholder initiatives**. Trade unions and NGOs often campaign on the same issues. Trade unions could look for **alliances** with women's organisations, to name just one organisation. It's about dialogue, including social dialogue, and networking with other actors and institutions at all levels from the workplace level to the European and global level. This also includes cooperations or joint initiatives with schools, universities, research centres and other associations.

#### IN SHORT

##### WHAT ELSE CAN TRADE UNIONS DO TO PROMOTE A CULTURE OF EQUALITY?

- **Adopt a comprehensive approach (equality mainstreaming)**
- **Incorporate equality into your internal trade union structures and policies**
- **Awareness-raising, training and education is key**
  - **Prioritise the promotion of equal opportunities in all related activities**
  - **Ensure training activities on “equality”**
- **Look for allies**
  - **Consider, where possible, bilateral or multilateral actions and cooperations**



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# INTERVIEWS

12 interviews with 16 trade union representatives and 3 written answers to the interview questionnaire.

**Belgium:** ACV-CSC METEA, 1 interview

**Finland:** Trade Union Pro, 2 interviews

**France:** CFDT, 1 interview; FGMM CFDT, 1 interview

**Italy:** FIM CISL, FILCTEM CGIL, UILM, UILTEC – 2 interviews, 2 written answers

**Poland:** Sekretariat Metalowców NSZZ Solidarność, 1 interview

**Romania:** FS Gaz, 1 interview

**Spain:** USO industria, 1 written answer

**Turkey:** Türk Metal Sendikası, 1 interview; Birleşik Metal İşçileri Sendikası, 1 interview

**United Kingdom:** Community Trade Union, 1 interview

