

# Institute of Political Economy and Governance

## Gender Plan 2024-2027

*Version 1*

*May 2024*

# Contents

<b>1. Introduction .....</b>	<b>3</b>
<b>2. Institute of Political Economy and Governance Gender Plan (GEP) Authors and Approval.....</b>	<b>4</b>
<b>3. Plan Description and Phases .....</b>	<b>5</b>
3.1. Plan Description.....	5
3.2. Phases .....	7
<b>4. Gender Diagnosis .....</b>	<b>9</b>
4.1. Work-life Balance and Organizational Culture.....	9
4.2. Gender Balance in Leadership and Decision-Making.....	10
4.3. Gender Equality in Recruitment and Career Progression.....	11
4.4. Integration of the Gender Dimension into Research .....	11
4.5. Measures against Gender-based Violence Including Sexual Harassment.....	11
<b>5. Action Plan.....</b>	<b>13</b>
5.1. Strategic Objectives and Results .....	13
5.2. Specific Objectives and Actions .....	16
<b>6. Calendar of Actions .....</b>	<b>19</b>
<b>7. Follow-up.....</b>	<b>20</b>
<b>8. Annex 1: IPEG community members and gender .....</b>	<b>22</b>
<b>9. Annex 2: Legal framework.....</b>	<b>23</b>
9.1. International regulations .....	23
9.2. European regulations.....	24
9.3. Spanish regulations.....	26

# 1. Introduction

Institute of Political Economy and Governance, Fundació Privada (IPEG) is a private non-profit foundation created in 2013 as a joint collaboration between Universitat Pompeu Fabra (UPF); Barcelona Graduate School of Economics (BSE) and Fundación La Caixa, with the support of the Government of Catalonia.

IPEG is a research center that focuses on the interaction between politics (political regimes and institutions, political order and conflict, the aggregation of preferences and interests) and economics (development, the economic cycle, redistribution and welfare), although the multidisciplinary perspective of IPEG extends to sociology, history, archeology, etc.

IPEG's researchers spans various disciplines, and includes young researchers from economics, political science, history, etc. Currently the center counts with the collaboration of 14 Researchers, 2 Postdocs and 19 PhD students. This community of researchers and students share IPEG's goal, which is to conduct research to understand and prevent the collapse of states and societies. Inequality, social protests, terrorism, and wars are currently critical problems of our world. No society can sustain high levels of inequality without generating grievances, social violence and, potentially, collapsing their institutional set-up and dissolving their social contract. Our approach relies on an Evidence Based Perspective, using research frontier methodology and new, and very detailed, data (big data sources based on GIS, satellite data, text analysis, data from cell phones connections, etc.). We use frontier research data-driven analysis to provide a new perspective to the toughest problems of our society.

To achieve this, IPEG believes in the importance of creating an environment where diversity and equality are valued, respected, and promoted.

## 2. Institute of Political Economy and Governance Gender Plan (GEP) Authors and Approval

IPEG's Gender Plan is prepared by the Administrative staff, based on an internal analysis, supported by external consultants.

IPEG's Gender Plan has been discussed with IPEG's Director, Prof. Marta Reynal.

## 3. Plan Description and Phases

### 3.1. Plan Description

IPEG's Gender Plan (GEP) stresses the pursuit of a long-term strategy to promote gender equality in research. The European Commission, Directorate-General for Research and Innovation (2014, p. 9) considers the strategy for research institutions as threefold:

- Women's participation in science and research must be encouraged.
- Research must address women's needs as well as men's.
- There should be research on the gender question itself, to enhance understanding of gender issues in science and research.

IPEG's GEP targets the full IPEG community and some external members, however some of the actions have different target audiences:

- IPEG staff: employees with a work relation to IPEG.
- IPEG suppliers: institutions or professionals supplying IPEG.
- IPEG research community: Researchers, Post-Docs and PhD students.
- IPEG community: IPEG staff and IPEG research community.

IPEG commitments shared by the Gender Plan are:

**FIRST.** To consolidate an IPEG institutional culture, shared with researchers and staff, committed to equal treatment and opportunities between women and men.

**SECOND.** To incorporate the gender perspective in the management of people, for all processes, to guarantee equal treatment and opportunities between women and men, and to favor a greater presence of women in research.

**THIRD.** To endorse an equitable gender composition in IPEG's governing bodies and to make women visible within IPEG and the field of economics.

**FOURTH.** To use training as an instrument to consolidate IPEG's commitments to equal opportunities for women and men, to consolidate a committed and shared research culture, and to incorporate gender transversality in continuous training.

**FIFTH.** To guarantee equal pay for women and men by ensuring that the decision-making processes related to remuneration, remuneration policy, and structure are based on objective and neutral criteria concerning gender issues.

**SIXTH.** To consolidate a co-responsibility policy of work conciliation, personal and family life that adapts to the specific needs of the daily life of the researchers and staff.

**SEVENTH.** To promote the gender perspective in occupational risk prevention and health surveillance to guarantee equal conditions.

**EIGHTH.** To consolidate a work environment free of any manifestation of sexual or gender-based harassment through the generation of a culture of zero tolerance for situations of gender violence and of respect for equality and diversity through the implementation of the necessary instruments.

As well as to consolidate IPEG's commitment against sexism and violence in any form, and to maintain strict vigilance against any sign of aggression against women.

**NINTH.** To consolidate IPEG's commitment to communication with a gender perspective and facilitate the existing resources so that everyone shares this commitment.

**TENTH.** To consolidate IPEG's commitment to research on gender issues in Politics and Economics and to encourage the gender and diversity perspectives on research.

All individuals and legal entities that collaborate or work with IPEG must be aware of and share these commitments, which will be carried out jointly.

IPEG will not accept behaviors that go against the commitments assumed in this gender plan.

## 3.2. Phases

The phases followed to elaborate the Gender Plan have been the following ones:

### PHASE 1: INITIATIVE AND DIAGNOSIS

Over the last years, an extensive legal framework has been developed concerning equality that requires public authorities, including work centers, universities, and research centers, to take steps to advance the achievement of gender equality. Research institutions, as part of a complex society, reproduce existing practices and stereotypes against gender equality and diversity. Accordingly, IPEG has prepared a Gender Plan based on the new requirements of the legal framework, at Spanish and European level, to bring awareness of gender inequality and propose a systematic approach to some actions and principles that were already in place before the Plan's approval.

An internal evaluation was made overseeing different matters, which are integrated into the different parts of the report:

- Organizational Culture and Management
- Working Conditions and Professional Classification
- Selection and Hiring Process
- Female Representation
- Remuneration: Salary Audit
- Working Time and Co-responsible Exercise of Personal, Family and Work-Life Rights
- Prevention of and Action against Sexual and Gender-based Harassment
- Occupational Health
- Communication with a Gender Perspective and Use of Inclusive, Non-sexist and Non-androcentric Language
- Gender Violence

The diagnosis of this plan is the result of the conclusions obtained from the evaluation of all the information gathered.

## PHASE 2: OBJECTIVES AND ACTIONS TO BE CARRIED OUT

IPEG's Gender Plan proposes some actions. For each action, the plan identifies its objective, implementation schedule, department responsible, target audience, associated resources (material, human, and economic), and monitoring and evaluation indicators.

## PHASE 3: APPROVAL OF THE PLAN

IPEG's Director, Prof. Marta Reynal approved the proposed Plan on May 17<sup>th</sup>, 2024 and informed the Board of Trustees on May 21<sup>st</sup>, 2024.



## 4. Gender Diagnosis

### 4.1. Work-life Balance and Organizational Culture

#### What do we evaluate?

- How IPEG interprets and applies the concepts of equal opportunities for women and men and gender perspective.
- The working conditions of IPEG staff from a gender perspective.
- The existence (or not) of the principle of equal pay, as well as the existence of other possible discriminations (direct and indirect).
- The importance that IPEG gives to personal, family, and work time and what measures are aimed at conciliation and co-responsibility.
- If occupational risk prevention applies the gender perspective, that is, if it considers how sex and gender influence occupational risks.
- If IPEG communicates, from the internal and external point of view, with a gender perspective. Communication with a gender perspective means a communication free of gender and sexist stereotypes, which recognizes the importance of women and makes them visible.

#### Main observations:

- IPEG is committed to equal opportunities for women and men and gender equality, as made visible through the design of this first Gender Plan.
- The Gender Plan is an opportunity for improvement that will allow IPEG to work to eradicate sexist behaviors as well as to consolidate an institutional culture committed to the equality of women and men.
- On December 31<sup>st</sup>, 2023, 2 of 4 of the workforce is female (50%).
- The gender wage gap in IPEG's staff, calculated by total compensation per hour worked, is 0.10% (in favor of men).
- IPEG applies measures of flexibility in time and location, encouraging maximum self-management of time, taking into account the specific characteristics of each workplace.

- It is important to guarantee the right to disconnect and to create a space for reflection on work-life balance and the world of research.
- Co-responsibility is part of IPEG's culture.
- The occupational health and safety company agreement specifies that necessary measures will be taken to guarantee the health of women in maternity or maternity leave situations. It does not establish that the services to be provided by the agreement will incorporate the gender perspective or equality of women and men as one of the objectives of occupational health and safety.
- IPEG does not have a study on psychosocial risks from a gender perspective.
- IPEG communicates mainly in English; Spanish and Catalan may be used in informal communications. Both the website and official communications are done with a gender perspective, giving equal importance to women and men, and placing value on everything that is carried out by IPEG's researchers with a gender perspective. However, it does not have a document or protocol establishing the criteria for non-sexist communication.

## 4.2. Gender Balance in Leadership and Decision-Making

### What do we evaluate?

- Whether there are gender biases, such as horizontal and vertical segregation.
- The presence of women in leadership at IPEG.

### Main observations:

- There is no parity between women and men in researchers (31%), post-doctoral researchers (0%) and PhD students (33,33%). IPEG's Staff (50%) has total parity.
- There is vertical segregation, as the percentage of females is below 50% in all departments (researchers, post-docs and PhD students). The only exception we find it in the staff, where there is a parity of 50%. In the Scientific Committee, women represent 0% of its composition.
- There is a greater concentration of men in the field of research, post-doc and PhD student, implying that there is a greater representation of men in all groups.

### 4.3. Gender Equality in Recruitment What do we evaluatee?

- The selection and hiring processes from a gender perspective in order to assess whether equal opportunities between women and men are being achieved.

#### **Main observations:**

- IPEG needs to create instruments to ensure that the recruitment process is objective and has a gender perspective.
- Although the presence of women hired in research has improved these last years, IPEG does not apply positive discrimination measures to promote the hiring of women.

### 4.4. Integration of the Gender Dimension into Research

#### **What do we evaluate?**

- The research output of IPEG researchers on gender aspects.
- The role of gender in the research projects hosted at IPEG.

#### **Main observations:**

- IPEG researchers does not publish scientific articles that consider the gender dimension. However, this is because the focus of the research center is on specific aspects of politics and economics, where gender aspects are not the main issue.

### 4.5. Measures against Gender-based Violence Including Sexual Harassment

#### **What do we analyze?**

- IPEG's policy to prevent and act against sexual and gender-based harassment.

- What actions does IPEG take to prevent and address situations of gender-based violence in and outside the workplace.

**Main results obtained:**

- Everyone must accept and sign the all the regulations concerning the prevention and action in situations of sexual and/or gender-based harassment. This acceptance does not imply, in all cases, that they are aware of the content of the protocol.

## 5. Action Plan

Considering the conclusions of the diagnosis, an action plan with strategic objectives (STO), strategic results (R), specific objectives (SPO), actions (A) and target audiences has been designed with a scope of four years.

### 5.1. Strategic Objectives and Results

Area of Intervention	Strategic Objectives (STO)	Strategic Result (R)
Work-life Balance and Organizational Culture	STO1- To consolidate an IPEG culture shared with IPEG's staff, and the community committed to equal treatment and opportunities between women and men.	R1- All IPEG staff knows the Gender Plan, and its content and share its values. R2- Eradicate sexist behaviors within IPEG's community.
	STO2- To guarantee the implementation of the gender perspective in the management of people, ensuring that all processes guarantee equal treatment and opportunities between women and men.	R3- Incorporate the gender perspective in all people management processes to ensure equal opportunities between women and men and avoid the creation of gender gaps.
	STO3- To promote a greater presence of women in IPEG's research community.	R4- To promote the presence of greater gender parity in IPEG's research community.

Area of Intervention	Strategic Objectives (STO)	Strategic Result (R)
	STO4- To guarantee equal pay for women and men by ensuring that decision-making processes related to remuneration, remuneration policy, and structure are based on objective and completely gender-neutral criteria.	R5- Ensure transparency and objectivity in IPEG's remuneration policy.
	STO5- To consolidate a policy of conciliation of work, personal, and family life that adapts to the specific needs of the daily life of the staff and the life cycle and ensures joint responsibility. To demonstrate IPEG's commitment to co-responsibility and to make working compatible with care responsibilities.	R6- The entire IPEG staff is aware of their work-life balance rights and promoting the harmonization of everyone's lifetime as much as possible.
	STO6- To promote the gender perspective in occupational risk prevention and health surveillance to guarantee equal conditions.	R7- Inclusion of the gender perspective on occupational health. R8- All IPEG staff is aware of the measures implemented in occupational health and occupational risk prevention specifically aimed at women.
<b>Gender Balance in Leadership and Decision-Making</b>	STO7- To endorse an equitable gender composition in institutional bodies.	R9- To increase the Board of Trustees parity in gender composition.
	STO8- To make women visible in IPEG's research.	R10- To increase the visibility of women in research.

Area of Intervention	Strategic Objectives (STO)	Strategic Result (R)
Integration of the Gender Dimension into Research	STO9- To increase the visibility of research in gender-related topics in research materials.	R11- To produce cutting-edge research in topics where the gender dimension is considered.
Measures Against Gender-based Violence Including Sexual Harassment	STO10- To consolidate an environment free of any manifestation of sexual or gender-based harassment based on the generation of a culture of zero tolerance for situations of gender-based violence and respect for equality and diversity and the implementation of the necessary instruments.	<p>R12- That the entire IPEG staff and community knows the protocol, and the people of reference and has no doubts about what to do in case of experiencing or observing behavior of harassment.</p> <p>R13- That everyone is clear about the behaviors that are not tolerated within IPEG's community.</p>
	STO11- To consolidate IPEG's commitment against sexism and violence in any form and maintain strict vigilance against any sign of aggression against women.	<p>R14- To create a culture of zero violence shared by everyone.</p> <p>R15- To have a protocol as a guarantee for any woman who is in a situation of gender violence.</p> <p>R16- IPEG staff is aware of the existence of the protocol and the labor rights of women in situations of gender violence.</p>

## 5.2. Specific Objectives and Actions

Area of Intervention	Specific Objectives (SPO)	Actions (A)	Target Audience
Work-life Balance and Organizational Culture	SPO1- To publicize IPEG's commitment to equal opportunities for women and men.	A1- Internal and external dissemination of the Gender Plan: dissemination of the Gender Plan in the research community.	- IPEG community
	SPO2- To generate a culture committed to gender equality shared with IPEG's Community.	A2- Summarize the main commitments assumed by IPEG's Gender Plan and publicize it among the staff, collaborators, and suppliers.	- IPEG community - IPEG suppliers
		A3- Incorporate the figure of the gender agent within IPEG and provide her/him/they with resources.	- IPEG community
		A4- Collect all information related to IPEG's community disaggregated by gender and include the disaggregated information in IPEG reports.	- IPEG community
		A5- Incorporate compliance with gender regulations among the requirements requested of companies that collaborate with IPEG.	- IPEG suppliers
		A6- Create a mailbox for proposals on improvements that could be applied to the different issues regulated in the Gender Plan.	- IPEG community
		A7- Communicate to IPEG's community the main conclusions of the follow-up report on the Gender Plan.	- IPEG community



	SPO3- To ensure greater pay transparency.	A8- Publish and disseminate a summary document of IPEG's remuneration policy.	- IPEG staff
	SPO4- To disseminate the existing measures for the reconciliation of work, personal, and family life and to ensure equal enjoyment of women and men.	A9- Inform all employees of their work-life balance rights	- IPEG staff
<b>Gender Balance in Leadership and Decision-Making</b>	SPO5- To promote within the regulation of the political bodies of IPEG that the bodies must have a gender-parity composition, whenever possible.	A10- Promote gender-parity in the regulation of the government bodies (E.g., the Board of Trustees).	- IPEG Governing bodies
<b>Gender Equality in Recruitment</b>	SPO6 - To guarantee objectivity and gender perspective in the processes of professional classification, hiring, and professional promotion; and to encourage greater recruitment of women in the field of research.	A11- Incorporate a section on the equality of women and men in the IPEG's recruitment and selection guide and provide this guide to all persons participating in the recruitment process of research staff. Incorporate the principle of positive discrimination to favor the hiring of women (a clause that will be applied only as a resolution in case of a tie between candidatures).	- IPEG staff - IPEG community

		A12- Include a clause in the contract with external companies that participate in the hiring process regarding their commitment to comply with the guidelines included in the section on equality of women and men in IPEG's recruitment and selection guide.	- IPEG suppliers
	SPO7- To supervise the evolution of the wage gap.	A13 Annual analysis of the gender pay gap by category, professional group, and job positions of the same value.	- IPEG staff
<b>Integration of the Gender Dimension into Research</b>	SPO8- To bring visibility to research made by women	A14- Publish and disseminate the research work of women in general and of the work done at IPEG by women.	- IPEG community
<b>Measures Against Gender-based Violence Including Sexual Harassment</b>	SPO9- Create a Protocol to generate a culture of respect for equality and zero tolerance towards situations of sexual and/or gender-based harassment.	A15- Approve and disseminate the protocol for the detection and treatment within the company of situations of gender violence produced inside and outside the workplace, which will incorporate the labor rights of women in situations of gender violence.	- IPEG community

## 6. Calendar of Actions

	2025				2026				2027				2028			
	1T	2T	3T	4T	1T	2T	3T	4T	1T	2T	3T	4T	1T	2T	3T	4T
<b>WORK-LIFE BALANCE and ORGANIZATIONAL CULTURE</b>																
A1- Dissemination of the Gender Plan																
A2- Summary main commitments																
A3- Equality agent																
A4- Gender disaggregated data																
A5- Companies supplying compliance																
A6- Mailbox for proposals																
A7- Dissemination follow-up report																
A8- BSE remuneration policy																
A9- Inform conciliation																
<b>GENDER BALANCE IN LEADERSHIP AND DECISION-MAKING</b>																
A10- Parity regulation governing bodies																
<b>GENDER EQUALITY IN RECRUITMENT</b>																
A11- Recruitment and selection guide																
A12- Equality clause for external hiring companies																
A13- Analysis Gender pay gap																
<b>INTEGRATION OF THE GENDER DIMENSION INTO RESEARCH</b>																
A14 – Visibility of Women’s research																
<b>MEASURES AGAINST GENDER-BASED VIOLENCE INCLUDING SEXUAL HARASSMENT</b>																
A15- Create a harassment protocol																

## 7. Follow-up

The follow-up and evaluation phase contemplated in IPEG's Gender Plan will make possible to know the development of the Plan and the results obtained in the different areas of action during and after its implementation.

The follow-up will be done on a regularly scheduled basis and will provide information on possible needs and/or difficulties encountered in the execution of the measures contemplated, which will allow for their coverage and correction, providing the Plan with the flexibility necessary for its success.

The results of the follow-up of the development of the GEP will be an integral part of the evaluation.

The monitoring and evaluation of the GEP will be carried out by IPEG's Director, which will evaluate the fulfillment of the Plan, the objectives set, and the actions programmed.

IPEG's Direction will need to:

- Follow-up on the fulfillment of the measures foreseen in the GEP.
- Participation and advice on how to adopt the gender measures proposed in the GEP.
- Evaluation of the different measures carried out.
- Approval of an annual report that will reflect the progress made concerning gender objectives within the GEP, to verify the efficiency of the measures implemented to achieve the desired goal, proposing, if necessary, corrective measures.
- Knowledge and resolution of the conflicts arising from the application and interpretation of the Gender Plan.

IPEG's Director will inform yearly the Board of Trustees.

Figure 1: GEP Follow-up



The main objectives pursued during the evaluation are:

- To know the degree of fulfillment of the Plan and to know its development.
- Check if the Plan has achieved the proposed objectives.
- Identify areas of improvement or new needs.

**Evaluation of results:**

- Degree of achievement of the objectives set.
- Degree of achievement of expected results.
- Level of correction of identified inequalities.

**Evaluation of the process:**

- Level of development of the actions carried out.
- Degree of difficulty encountered and/or perceived in the development of the actions.
- Type of difficulties identified, and solutions provided.
- Changes in the actions and development of the Plan.
- Degree of incorporation of equal opportunities between women and men in IPEG's research department.

**Impact assessment:**

- Changes in institutional culture: staff attitudes and practices.
- Reduction of imbalances in the presence and participation of women and men.

## 8. Annex 1: IPEG community members and gender

	Researchers	Post-docs	PhD students	Staff	TOTAL
2023					
Total	13	3	21	4	41
Female	4	0	7	2	13
<b>%</b>	<b>31%</b>	<b>0%</b>	<b>33,33%</b>	<b>50%</b>	<b>32%</b>

## 9. Annex 2: Legal framework

Having equal opportunities between women and men is an international legal principle recognized in numerous international conventions and treaties and is also a fundamental principle of the European Union, Spain, and Catalonia.

### 9.1. International regulations

#### Universal Declaration of Human Rights

Article 1 of the Universal Declaration of Human Rights, adopted by the UN General Assembly on December 10, 1948, declared that "*all human beings are born free and equal in dignity and rights*" and in the article 2 declared that "*every person has all the rights and freedoms enshrined in this Declaration, without distinction of any kind, such as race, color, sex, language, religion, birth or any other condition*".

#### Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)

The Convention was approved by the General Assembly of the United Nations on December 18, 1979, and ratified by Spain in 1983. In its article 4.1. points out that: "*The adoption by States Parties of special measures of a temporary nature aimed at accelerating de facto equality between women and men shall not be considered discrimination in the form defined in this Convention, but shall in no way lead to, as a consequence, the maintenance of unequal or separate standards; these measures will cease when the objectives of equal opportunity and treatment have been achieved*".

#### Beijing Declaration and Platform for Action on equal opportunities and treatment for all working women

In 1995, the Fourth World Conference on Women in Beijing marked an important turning point in the global agenda for gender equality. The Beijing Declaration and its Platform for Action, unanimously approved by 189 countries, is an agenda for women's empowerment and is considered the key global policy document on gender equality. It establishes the strategic objectives and actions for the advancement of women and the achievement of gender equality in 12 areas of special concern, which include poverty, education, health, male violence, etc. Thus, the Beijing conference, built on the political agreements reached in the three previous world conferences, consolidated five

decades of legal progress aimed at guaranteeing the equality of women and men, both in legislation and in practice.

Before the Beijing Conference, the United Nations had organized three world conferences on women. These were held in Mexico City in 1975, Copenhagen in 1980, and Nairobi in 1985.

### **Global Pact and the Sustainable Development Goals**

The United Nations Global Pact pursues 2 main objectives: (1) to incorporate the 10 Principles into business activities around the world. (2) Channel actions to achieve the Sustainable Development Goals (SDGs).

The 10 Principles of the Global Compact have been essential values since the birth of the initiative in 2000. They are based on various declarations of the United Nations in the field of human rights, labor, environmental, and anti-corruption standards and enjoy universal consensus. Principle number 6 states that "*companies must support the abolition of discriminatory practices in employment*".

The SDGs provide organizations with a universal and coherent framework to guide their contributions to sustainable development and create shared value. Goal 5 "Achieve gender equality and empower all women and girls" calls for the involvement of organizations to achieve this goal.

## **9.2. European regulations**

### **Convention for the Protection of Human Rights and Fundamental Freedoms (1950)**

Agreement signed by the members of the Council of Europe. It establishes in its article 14 the prohibition of discrimination on the basis of race, sex, color, language, religion, political or other choices, national or social origin, belonging to a national minority, fortune, birth or any other situation.

### **European Social Charter (1961)**

The Council of Europe adopted the European Social Charter in 1961, which complements the Convention for the Protection of Human Rights and Fundamental Freedoms, and which recognizes the right of workers of both sexes to equal remuneration and refers to workers with family responsibilities. The European Social Charter of 1996 (which replaces the previous one) expressly prohibits discrimination,



direct or indirect, on grounds of sex, offers special protection in case of pregnancy and maternity and dedicates an article to the right to dignity at work.

### **Treaty establishing the European Community. Treaty of Amsterdam (1997)**

Article 8 (former article 3, section 2, TCE) says that in all its actions, the Union seeks to eliminate inequalities between women and men and to promote their equality. And in article 10, when it regulates the definition and execution of its policies and actions, it states that the Union seeks to fight against any discrimination based on sex, race or ethnic origin, religion or convictions, disability, age or sexual orientation.

The Art. 141.4 of this treaty establishes that *"In order to guarantee in practice full equality between women and men in working life, the principle of equal treatment will not prevent any Member State from maintaining or adopting measures that offer specific advantages aimed at to make it easier for the less represented sex to exercise professional activities or to avoid or compensate disadvantages in their professional careers"*.

European legislation on gender equality has forced many member states to pass laws against employment discrimination, sexual harassment or gender-based violence.

### **Charter of Fundamental Rights of the European Union (2000)**

The Charter of Fundamental Rights of the EU proclaimed by the Presidents of the Council, the Parliament and the Commission at the beginning of the European Council in Nice on 7-12-2000 (OJ C 364 of 18.12.2000, p.1) establishes the principle of gender equality in all areas and includes several provisions with the aim of promoting equality between women and men.

In chapter III, article 23, enshrines equality between women and men, which must be guaranteed in all areas, including employment, work and remuneration, and enables the adoption of measures that offer specific advantages in favor of the less represented sex.

### **Treaty on the Functioning of the European Union (TFEU) (2010)**

The treaty in its article establishes that the Union will pursue the objective of eliminating inequalities between women and men and promoting their equality (Article 8); will support the action of the Member States to achieve equality between women and men in relation to opportunities in the labor market and treatment at work (article 153.1.i); and prohibits discrimination based on sex in terms of remuneration for the same work

or work of equal value. This principle also applies to the professional classification systems used to determine remuneration (Article 157).

### **European Charter for Women (2010)**

The European Commission approved this charter to promote equality more effectively between women and men in Europe and in the world. Gender inequalities directly affect economic and social cohesion, as well as sustainable growth, competitiveness, and demographic development.

The Commission highlights the need to consider gender equality in all its policies and the Charter proposes five specific areas of action: economic independence, equal pay, the representation of women in decision-making and positions of responsibility, the dignity and integrity of women and the external action of the EU.

## **9.3. Spanish regulations**

The Spanish Constitution of 1978 recognizes equality from a triple dimension:

A) With higher value (article 1.1 SC):

Art.1.1 SC: Spain is constituted as a Social and Democratic State of Law, which advocates freedom, justice, equality, and political pluralism as the highest values of its legal system.

B) As a clause on the objectives of the power or material equality (Article 9.2 SC):

Art.9.2 SC: *It is up to the public authorities to promote the conditions so that the freedom and equality of the individual and of the groups in which they are integrated are real and effective; remove the obstacles that prevent or hinder its fullness and facilitate the participation of all citizens in political, economic, cultural and social life.*

C) As a principle of equality or formal equality (Article 14 SC):

Art.14 SC: *Spaniards are equal before the law, without any discrimination based on birth, race, sex, religion, opinion, or any other personal or social condition or circumstance.*

**The Statute of Autonomy of Catalonia of 2006** provides in article 19.2, in the area of rights and duties of people "*that women have the right to participate under conditions of equal opportunities with men in all public and private areas*".

The **Organic Law 3/2007, of March 22, for the effective equality of women and men** aims to establish the normative, institutional and public policy framework to guarantee the right to equality of women and men, in particular through the elimination of discrimination against women, whatever their circumstance or condition, in any of the areas of life and, singularly, in the political, civil, labor, economic, social and cultural spheres.

Article 45 of this law states that companies are obliged to respect equal treatment and opportunities in the workplace and, to this end, must adopt measures aimed at avoiding any type of employment discrimination between women and men, measures that they must negotiate, and if necessary agree, with the legal representatives of the workers in the manner determined by the labor legislation.

In the case of companies with fifty workers or more, the equality measures referred to in the previous section must be aimed at the preparation and application of an equality plan, which must also be subject to negotiation as determined by labor legislation.

Article 46 of the Organic Equality Law defines the equality plans of companies as an ordered set of measures, adopted after making a diagnosis of the situation, aiming to achieve equality of treatment and equality in the company opportunities between women and men and to eliminate discrimination based on sex.

Equality plans set the specific equality objectives to be achieved, the strategies and practices to be adopted to achieve them, as well as the establishment of effective monitoring and evaluation systems of the set objectives.

This same law, in Article 48, presents the measures that the company must take to prevent sexual harassment and harassment based on sex at work.

Within the **workers' statute (Royal Legislative Decree 2/2015, of October 23)** there are a large number of articles that refer to equal treatment between the sexes in companies, among these articles the following should be highlighted:

Article 4.2.c. In the employment relationship, workers have the right to:

*c) "Not be discriminated against directly or indirectly for work, or once employed, for reasons of sex, marital status, age within the limits set by this Law, racial or ethnic origin, social status, religion or convictions, political ideas, orientation sexual, affiliation or not to a trade union, as well as because of language, within the Spanish State".*

Article 4.2.e. In the employment relationship, workers have the right to:

e) *“With respect to their privacy and the consideration due to their dignity, including protection against harassment due to racial or ethnic origin, religion or convictions, disability, age or sexual orientation, and against sexual harassment and harassment based on sex”.*

Article 17.1. Non-discrimination in labor relations.

*“The regulatory precepts, the clauses of the collective agreements, the individual agreements, and the unilateral decisions of the employer that take place in the work, as well as in matters of remuneration, working hours, and other working conditions, are understood to be null and void , to situations of unfavorable direct or indirect discrimination due to age or disability or to situations of direct or indirect discrimination due to sex, origin, including racial or ethnic origin, marital status, social status, religion or beliefs, political ideas, orientation or sexual status, membership or not of trade unions and their agreements, family ties with people belonging to the company or related to the company and language within the Spanish State”.*

Article 54.2.g. Contractual breaches will be considered:

g) *“Harassment due to racial or ethnic origin, religion or beliefs, disability, age or sexual orientation and sexual harassment or due to gender to the employer or to the people who work in the company”.*

The **Royal Decree 901/2020, of 13 October**, which regulates equality plans and their registration, and which modifies Royal Decree 713/2010, of 28 May, on registration and deposit of agreements and agreements with work groups aims at the regulatory development of equality plans, as well as their diagnosis, including registration, deposit and access obligations.

Its articles 4, 5 and 6 regulate the constitution procedure and the powers of the negotiating commission of the Equality Plan in which the representation of the company and the working people will participate equally, and that, to the extent, if possible, it will have a balanced composition between women and men.

However, articles 7 and 8 determine the minimum content of equality plans and article 9 the validity, monitoring, evaluation and review of the plan.

Finally, Chapter IV of the aforementioned Royal Decree establishes the obligations of mandatory registration and voluntary deposit of the plan's measures.

The **Royal Decree 902/2020, of 13 October**, on equal pay between women and men establishes the essential elements to combat pay inequality, developing the mechanisms to identify and correct discrimination in this area and fight against it, promoting the necessary conditions and removing the existing obstacles, through a transparent remuneration system, complemented by an appropriate information access procedure and a correct definition of the relevant aspects in the conceptualization of work of equal value.

Articles 3 and 4 respectively establish the principles of pay transparency, identifying discrimination and specifically those due to incorrect evaluations of jobs and the obligation of equal pay for work of equal value binding on all companies, regardless of the number of employees, and to all collective agreements and agreements.

In the third chapter, the instruments are established to make the principle of pay transparency effective: the pay register, the pay audit that applies to all companies that have the obligation to have equality plans and transparency in collective negotiation.

In this sense, the pay equality regulation complements the regulation contained in the aforementioned RD 901/2020, of October 13, which regulates equality plans and their registration, while developing articles 22.3 and 12.4.d) of the Workers' Statute, which were modified by Royal Decree-Law 6/2019, of March 1, and which establish, respectively, the obligation that the professional classification be carried out in accordance with criteria free from discrimination, and the guarantee of the absence of discrimination, both direct and indirect, between women and men, also in the case of part-time contracts.