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Country Report Spain

Gender Pay Gap in Spain

Background Information to Develop New Solutions for an Old Problem

Cristina Castellanos Serrano & Elvira González Gago

Country Report prepared for the project:

“Gender Pay Gap: New Solutions for an Old Problem. Developing Transnational Strategies Together with Trade Unions and Gender Equality Units to Tackle the Gender Pay Gap“

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1. Introduction

This country report has been prepared as part of the project “Gender Pay Gap: New Solutions for an Old Problem. Developing Transnational Strategies Together with Trade Unions and Gender Equality Units to Tackle the Gender Pay Gap” which is a project funded by the PROGRESS Programme of the European Union. The main objective of the project is to develop innovative strategies to tackle the gender pay gap in close cooperation with trade unions, gender equality units and other relevant stakeholders. The partnership consists of 10 key experts from seven countries: CESI – Center for Education, Counselling and Research – Croatia, L&R Social Research – Austria, RoSa – Role and Society vzw, Documentation Center, Library and Archives on Equal Opportunities, Feminism and Women's Studies – Belgium, The Tavistock Institute for Human Relations- United Kingdom, Tomillo Center for Economic Studies – Spain, Branderburg Technical University Cottbus – Germany, and Praxis Centre for Policy Studies – Estonia.

According to Eurostat, the gender pay gap in Spain amounted to 19.3% when calculating gross earnings per hour. Spanish GPG used to be lower than the EU-28 average, but, along with the economic crisis, it has increased by 3.1 percentage points since 2010 and in 2013 lays above the EU28 average (16.4%), occupying the seventh highest rank. According to the Spanish National Statistics Institute, the annual average gross wage was 25.675 euro for men, while women’s annual gross wage amounted to 19.515 euro, which is 76% of men’s annual gross wage. Spanish women’s employment rate is low (50.3%, while men’s one is 59.3%), 8.5 percentage points below EU-28 average and there is a relatively low use of part-time arrangements among Spanish women, with one out of four (25.3%) working part-time, compared to other countries with almost one out of two women working part-time. Men’s part-time rate is 7.8% in Spain, similar to other countries and EU-28 average (9.8%).

Human health activities show the second highest GPG of all sectors (25.4%), along with a very high share of women’s employment (74%) while financial activities also depict one of the highest GPG mark (23,1%) and a balanced women’s employment (49%). The income level in both sectors is well above the Spanish average, more in the financial sector, particularly among men.

1.1. Making of the report

After the preliminary desk research, this report has been written based on the literature, expert interviews, publically available statistics and learning event with the stakeholders. For this report we have contacted a number of experts regarding the situation of the wage -setting mechanisms, minimum wages and initiatives to tackle the gender pay gap generally. We have also had contributions from experts in the financial service and insurance sector and the human health activities sector, as well as gender experts.

The experts interviewed mainly come from the two most important Spanish trade unions (Comisiones Obreras -CCOO- y Unión General de Trabajadores –UGT-), the Spanish employers’ associations (Confederación Española de Organizaciones Empresariales - CEOE) and the gender equality unit which is part of the Ministry for Health, Social Services and Equality.

Other experts were contacted, but difficulty has been observed in engaging direct stakeholders from the financial sector and the sector employers’ views, reason why we complemented this perspective with experts with experience working on those roles or for those stakeholders. In these cases, a saturated speech and triangulation have been used to overcome the initial challenge.

We would like to thank the useful collaboration and insights of the following experts:

Name	Organisational background	Function
Ana M ^a Herranz Sainz Ezquerro	Comisiones Obreras, CCOO, (Trade Union)	Confederal Secretary for Women and Equality (Secretaría Confederal de la Mujer e Igualdad). She has also worked in the financial sector previously, including trade union representative roles.
Almudena Fontecha	Unión General de Trabajadores, UGT (Trade Union)	Secretary for Women and Equality
Alfonso de la Lama-Noriega Lorenzo	Confederación Española de Organizaciones Empresariales, CEOE (Spanish Confederation of Business Organisations: Employers’ Association)	Health, Social issues and equality
Nuria Torrijos Lledó	Confederación Española de Organizaciones Empresariales, CEOE	Director of Business Development and Promociona project
Antonio López Serrano	Ministry for Health, Social Services and Equality (the “equality” part of which is currently joint to the Women’ Institute)	Deputy subdirector of the General Subdirection for the Equality in companies and collective bargaining
Yolanda Sánchez de la Riva	CCOO Federation on Services, finance sector group, Santander Bank	Secretary for Women and Equality,
Gregorio Lapaz Gázquez	UGT Trade Union Section, Santander Bank	Secretary for Trade Union Activity

Marta Laiglesia Gracia	Banco Popular (Zaragoza), trade union representative	CCOO representative responsible for equality
Gema de Cabo Serrano	Fundación Tomillo	Director for research projects on GPG for gender units (Women's Institute and regional gender units)
Silvia Espinosa Lopez	Trade Union, CCOO, Federation of Social Health Services	Federation of Social Health Services, trade union representative responsible for Women and Equality,
Pilar Manzanares Lluch	Nextus Formación	Partner Director. She has been also the person responsible for several collective bargaining processes in the human health sector from the employers 'association part. Doctor and gender expert.
Jesús Conde Gómez	Hospital Gregorio Marañon (Madrid)	Secretary for organisation, Trade Union Section, UGT. Nurse and trade union representative.
Luis Francisco Alvarez Agudo	Trade Union, CCOO	Responsible for collective bargaining area, Federation of Social Health Services.
María Victoria Gómez García	Trade Union, CCOO	Executive Commission, Federation of Social Health Services
María Pazos Morán	PPIINA, Spanish Platform for Equal and Non-Transferable Parental Leave (PLENT).	Co-spokesperson. She is also Director of Research on Gender and Public Policies, Institute for Fiscal Studies (Ministry of Finance and Public Administration).

2. General overview (cross-sector)

2.1. Wage-setting mechanisms

In Spain, Collective Bargaining is regulated by the third Title of the Workers' Statute, a law passed on March 10, 1980. From then on, several labour market reforms and several agreements between the social partners have tried to improve how it works, as economic literature often blames this mechanism for exacerbating changes in the employment level when the economy faces macroeconomic shocks. In 2011, an initial flexibilization of the collective bargaining mechanisms was set up. Later, in February 2012, a comprehensive labour market reform was launched with the Law 6/2012, as will be detailed further below; it is worth briefly mentioning the former principles and structure, so as to better understand the nature and scope of these changes.

According to the Workers' Statute, collective bargaining is carried out by workers' representatives and employers' representatives, who are endowed with equal bargaining powers. The content of the agreements relate mostly to wages (92% of agreements and workers in 2013) and working time (around 50%, depending on the specific measure, including re-conciliation clauses (41%) or improved parental leaves (53%)¹). Specific equality and non-discrimination clauses are present in 26% of agreements affecting 32% of workers. Indeed, the Equality Law (2007) recognizes the legitimacy and capacity of trade unions to promote gender equality (art. 11)

The essential principles of collective bargaining in Spain are²:

1. Collective bargaining is **legally binding**, meaning that collective agreements regulate the labour relations and that workers cannot dispose of their rights established in the agreements. It also means that workers' and employers' right to collective bargaining is guaranteed.
2. Collective bargaining has **automatic general effect**, meaning that, with the exception of company-specific ones, agreements reached according to the Workers' Statute must be applied in all firms and to all workers of the corresponding industry and geographic area, even in firms and workers that have not taken part in the bargaining process.
3. The principle of "**ultra-activity**" means that a collective agreement remains valid, even after its expiry, until a new agreement is signed³.
4. The **competition criteria** (*criterios de concurrencia*) establish the hierarchy of agreements: except for company-specific agreements, a superior geographic area (e.g. national, regional) agreement may be affected by an inferior geographic (e.g. regional, local, respectively) agreement for most issues, except for a list of explicit exceptions⁴. So, the law encourages decentralisation in some aspects while others tend to be covered by centralised agreements.

¹ Ministry for Employment and Social Security. Statistics on collective agreements (2015).

² Lahera Forteza, J. (2010)

³ This principle was cancelled by the 2012 reform, but a recent decision of the Spanish Supreme Court in December 2014 has ruled against this elimination, as will be explained later.

⁴ The non-negotiable aspects in inferior agreements are trial periods, hiring forms, professional groups, disciplinary regime, minimum safety and health and geographical mobility.

As a result of the interaction of these principles, the Spanish bargaining structure used to be characterized by an **intermediate level of decentralization**, with a large number of workers covered by product/sector agreements, especially at a provincial level. About 75% of valid agreements are company-specific, but 92% of workers are covered by product/sector ones⁵.

The labour market reform of 2012

As mentioned, a comprehensive labour market reform affecting collective bargaining was passed in 2012 which has marked a turning point in one of the most powerful and influential institutions of the Spanish labour market. Briefly, the most relevant changes affect four main features:

1. Collective agreements can be effectively suppressed (opt-out clauses) on the grounds of economical, technical or organizational reasons that result in current or expected losses during two consecutive quarters. In case workers do not agree, both parts are submitted to arbitration.
2. As a consequence, company specific agreements have been given priority to other levels (provincial, sectoral, national, etc.).
3. Wages are no longer linked to the evolution of prices (to avoid price-wage spirals) but to productivity.
4. Ultra-activity (*ultractividad*) is no longer valid: in case a collective agreement is denounced, it cannot be in force for more than one year. However, the Spanish Supreme Court has ruled in December 2014 against the suppression of ultra-activity, stating thus that the clauses included in a collective agreement should be maintained in spite of its derogation⁶. These clauses may affect salaries, working time dispositions and other issues affecting day-to-day working conditions.

The objective of this reform was to flexibilize wage and other labour conditions setting mechanisms with the purpose of improving the companies' adaption to the changing market conditions and competitiveness.

The amount of workers covered by collective agreements has diminished drastically from 10 million in 2012 (more than 55%) to 5.9 million in 2014 (28%). In July 2013, the collective agreements of almost 2 million workers expired due to the abolition of ultra-activity. Another consequence is, as mentioned, that opting-out clauses have been made more flexible so that in 2013 more than 2.500 agreements were cancelled, affecting 160.000 workers; in 2014, the figures were 2.073 and 66.000 respectively. This triples the amounts of agreements cancelled in 2012 and multiplies by five the amount of workers affected. More than 80% of opting-out clauses refer to wage levels and/or structure⁷.

The most significant consequence of the reform has been the reduction of labour costs and an internal devaluation process. Whereas wage increases used to be higher in specific-company agreements before the reform (1.48% increase, compared to 1.13% in the rest in 2012), in 2013 the increases were 0.11% and 0.56% respectively and in 2014 0.49% and 0.58%. Whereas the wage increase in the sector of *Human health and social services* (Q) in

⁵ Source: Ministry for Employment and Social Security. Statistics on collective agreements.

⁶ A former sentence from the Basque Country High Court (26.11.2013) had also subscribed the same criteria.

⁷ Source: Ministry for Employment and Social Security. Statistics on collective agreements.

2012 was higher (0.44%) than in the *Bank and financial sector* (K, 0,33%), in 2013 the increases were 0.23% and 0.62% and in 2014 0.08% and 1.06% respectively⁸.

Interestingly in terms of gender equality, the share of agreements and workers affected by specific gender clauses has increased from 26% of agreements and 21% of workers in 2012 to 29% and 38% respectively in 2014. However, the share of workers covered by non-specific company agreements (92% of all workers covered) with gender specific clauses has diminished from 42% in 2012 to 33% in 2014⁹.

As reported by interviewed trade union representatives, the labour market reform has dramatically weakened their bargaining power, together with that of workers. The possibility for companies to opt-out and the shift towards company-specific collective agreements let in the hands of companies far more power than before. Moreover, concerning gender specific issues, the severity of the situation relegates gender equality to the category of a luxury, which workers can no longer afford, as perceived by both women and men. Finally, female and male workers may not always understand the impact of some of their demands on equality and how they may influence on GPG (e.g. the current configuration of maternity and paternity leaves in Spain¹⁰), which limits the capacity of the actual bargainers to push forward the gender agenda.

The minimum wage is the lowest amount that a worker can legally receive in Spain. It is nation and sector-wide established by the government and it covers the entire workforce. The Government may consult social agents, but this is neither compulsory nor binding.

The evolution of the minimum wage can be observed in the graph below. The freezing of the minimum wage since 2011, together with inflation, has induced a continuous loss of purchasing power since then, so that the level of real minimum wage in 2014 is already below the level in 2005 (509€ and 514€ respectively). According to the last data available¹¹, 12.25% of workers (in general, part-time employees) receive wages lower than the minimum wage (around 2.1 million workers). This percentage reaches 17.36% among women (around 1.4 million workers) while it is significantly lower among men (7.52% or 0.7 million workers). In 2012, the share of full-time working women perceiving less than the minimum wage was 2.45% (five times the share of 2010), but the share of men was 0.82% (four times the figure of 2010).

Sector/product collective agreements also include clauses that refer to minimum wages in specific sectors and/or professional categories (occupations) in the sectors. Moreover, the existence of the so-called wage guarantee clauses (*cláusulas de garantía salarial*), aimed at preserving the purchasing power of salaries when real inflation exceeds expected one, is also decisive in the wage levels, including the effective minimum ones. Although the labour market reform has restricted this wage price-indexation and substituted it by productivity-indexation, in 2014 13% of

⁸ Ministry for Employment and Social Security. Statistics on collective agreements (2015).

⁹ Ministry for Employment and Social Security. Statistics on collective agreements (2015)..

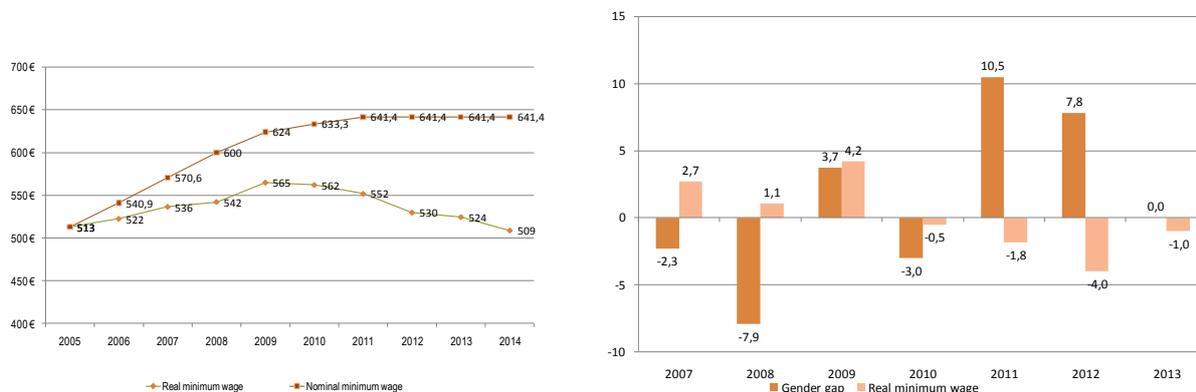
¹⁰ Pazos Morán (2013), Castellanos Serrano (2014)

¹¹ Statistical National Institute (INE, 2015), Survey on earnings structure, 2012

agreements inducing economic changes contained such wage guarantee clauses, affecting 29% of workers (50% of those in the industry sector). The prevalence of these clauses in male dominated sectors is undoubtedly behind the gender pay gap.

The relationship between minimum wage and the GPG can be observed in the graph below. The GPG seems to decrease in the face of increases of the real minimum wage, and to increase when the real minimum wage decreases, although this relationship does not hold in all years.

Evolution of the nominal and real minimum wage (2005-2014) (Left) and Evolution of the real minimum wage and the gender pay gap in the private sector, in percentage (2007-2012) (right)



Source: National Statistics Institute

2.2. Initiatives and/or measures to tackle the gender pay gap in practice

The rights to equal pay for equal work and to no gender wage discrimination are specifically recognised in the Spanish Constitution (art. 35), the Equality Law (2007, art. 5) and the Workers' Statute. The Spanish Government has not been active in this respect until recently, but the Women's Institute has promoted the elaboration of some research/studies¹²: in 2007 a first study on "Gender based pay difference and discrimination"¹³ was elaborated including an econometric model identifying both the pay difference and discrimination; another two studies trying to identify and understand the reasons behind followed: "GPG: facts and challenges (2009)"¹⁴ based in qualitative/quantitative research and "Factors behind the GPG in Spain (2012)"¹⁵. A recent "Research resulting in a synthesis indicator of gender based discrimination (2014)"¹⁶ combines different surveys (Earnings Structure, Labour Force, Living conditions) to offer a wider picture of the situation and the reasons behind. Additionally, some regions have elaborated some reports referring to their respective territories¹⁷. The two main trade unions, CCOO and UGT, have been quite active in the recent years in the elaboration of sound researches and dissemination reports on GPG¹⁸.

The economic literature¹⁹ finds differences based only on sex, controlling for all the usual relevant characteristics (level of qualification, number of working hours, experience, occupations, etc.). However, there are strong resistances to talk about gender pay discrimination, especially for the public sector. However this view has also been shared for some representatives without gender training from trade unions and employers' associations.

Equality policies at the national level lay on the General Direction for Equal Opportunities of the Ministry for Health, Social Services and Equal Opportunities and on the Women's Institute²⁰, which elaborate and coordinate the successive Strategic Plan for Equal Opportunities (PEIO in its Spanish acronym). The second and current PEIO 2014-16 is the main document describing the Spanish strategy on gender equality and is configured as a "plan of plans" with the aim to set the foremost guidelines of the equality policies. Being one of its objectives fighting against gender pay gap, it foresees the elaboration and approval of the first "**Special Plan** for the Equality between Women and Men within the Labour Market and against Wage Discrimination 2014-16" ("*Plan Especial para la Igualdad de Mujeres y Hombres en el Ámbito Laboral y Contra la Discriminación Salarial 2014-16*" in Spanish), although it has not yet been approved.

Within the Spanish administrative architecture, regional governments have the competence on equality policies in their territories. In fact, they have issued their own regional equality laws, which follow the national Equality Law. Additionally, they are responsible for the major

¹² <http://www.igualdadenaempresa.es/recursos/monograficos/home.htm>

¹³ CEET (2007):

¹⁴ Enred (2009):

¹⁵ MSSSI and Consejo Superior de Cámaras de Comercio (2012):

¹⁶ de Cabo, G, Rodríguez M. (2014)

¹⁷ De Cabo et al. (2010)

¹⁸ Examples: CCOO (2013, 2015), UGT (2015).

¹⁹ Escot Mangas et al. (2008), De Cabo et al. (2010).

²⁰ In November 2014, the two entities have been grouped under the now named "Institute for the Woman and for equal opportunities" with a shared general direction. For the sake of shortness, it will be named in the report Women's Institute.

part of the implementation of social and labour market policies and are competent to design and carry out their own plans in these fields of action. As a consequence, regional disparities²¹ in the approach to gender equality and the most appropriate instruments to achieve it, specifically with respect to the GPG, may emerge²².

The Equality Law (2007) makes it compulsory for companies with more than 250 workers to elaborate, together with workers' representatives²³, Equality Plans; moreover, the Women's Institute (WI) promotes and subsidizes Equality Plans in smaller companies. According to research²⁴, 77% of the Equality Plans include a section devoted to remuneration, although only 10% of them contain data and 7% acknowledge that gender discrimination exist in the company. In this context, the WI provides advice and interesting tools for companies, that include some treatment of the GPG (www.igualdadenlaempresa.es). Specifically, in February 2015, a tool for companies to self-measure²⁵ their GPG has been presented by the WI, together with recommendations as to how to treat and address GPG in companies, very much focused on gender neutral job evaluation. Though interesting, innovative and accepted by the main employers' association (CEOE), the two biggest trade unions (CCOO and UGT) reject the self-measuring tool because they have hardly been consulted during the elaboration process of the tool and because they understand that this is a field of collective bargaining, not to be treated solely by the company.

Moreover, since 2010 the WI promotes the celebration of the Equal Pay Day in February the 22nd. It has also promoted a national lottery ticket with the logo of the Equal Pay Day in 2011 and several emissions of the ONCE coupon, a popular lottery organised in favour of people with disabilities.

WI and the Ministry provide an Equality Distinctive annually. However, there is controversy about the usefulness of this. The public sector provides a tool to recognise that some companies are working on improving gender equality (and potentially gender pay gap), without the recognition or negotiation on what is needed to be done with the trade unions with deeper understanding of the functioning of these same companies. Thus, this tool may be more harmful than useful in tackling the gender pay gap.

More interestingly, several projects addressing the GPG are currently being developed by social partners in 2014-2015, with funding from the European Economic Area (EEA grants) and coordinated by the WI under the general reference of the *Programme of Gender Equality and Work-Life Balance* (<http://www.eeagrants.spain.msssi.gob.es/>). One of the objectives of this programme is to close the gender pay gap, for which 9 projects are being funded, three of which to trade unions (CCOO, UGT and UGT-Catalonia), other three to employers' representatives (CEPYME, for SME; ATA, for self-employed; CEHAT in the tourism sector), and the remaining three to three Universities. With various implementation degrees so far, their development is expected to end in 2015.

²¹ Escot et al (2008), de Cabo et al (2010).

²² The Autonomous Communities (the Spanish regions) count on their own Equality Laws and Plans/Strategies to promote gender equality. The fight against the GPG is usually included as an objective. A future specific regional Plan against GPG has been recently announced in Andalusia, which would be the first one in Spain.

²³ As denounced by several trade union interviewees, in some cases the equality plans or their renewals have not been negotiated with the trade unions but approved unilaterally.

²⁴ Grupo Antígona de la UAB, Bodelón Glez et al. (2014): The impact of the companies' equality plans".

²⁵ It is an Excel based tool that gathers information about salaries of women and men in the company, according to professional and personal variables of the individuals.

- **CCOO:** Action Equal Pay. The Trade Union Action against the gender wage gap (http://www.ccoo.es/cscceo/Areas:Mujeres_e_Igualdad:Proyecto_ACCTIOON_EQUAL_PAY), whose aim is to better understand the roots of the GPG and the impact of collective bargaining.
- **UGT:** Tools to close the GPG. (<http://www.fspugt.es/mujer-e-igualdad/1396-taller-herramientas-combatir-brecha-salarial>)
- **UGT-Catalonia:** A future without gap (<http://www.ugtcatunya.cat/FMAC/brecha/?author=1>)
- **CEPYME:** Igual€s (<http://www.proyectoiguales.com>). The aim is to understand the causes of the GPG in SME and to identify good practices to combat it. An on-line survey to 400 SMEs is being at present carried out.
- **ATA:** Self-employment as a tool to close the GPG (www.wagegapoff.es)
- **CEHAT:** Equotel, to understand the reasons for the GPG in the tourism sector and promote equal pay (<http://proyectoequotel.es>) .

This set of projects coordinated by the WI may be reflecting increasing interest and efforts by the WI in reinforcing the treatment of the GPG by the social agents. They constitute with no doubt an excellent opportunity to make progress in its knowledge and understanding, particularly by employers' associations. The interviews carried out have highlighted the following:

- According to the WI, gender pay discrimination does not exist, i.e. it's forbidden by the prevailing laws: should anybody notice a discrimination case, then s/he must bring the case to court. The labour inspection pays some attention to identifying cases of gender pay discrimination.
- The WI does however acknowledge the existence of gender pay differences, based on horizontal and vertical segregation, differences in working journeys, qualifications, etc. These are the issues considered in its policy making, particularly in the self-diagnosis tool. The WI leaves the issue in the hands of the companies.
- Employers' organisations interviewed (CEOE and CEPYME) share the WI's current view on GP discrimination and do not recognise its existence in companies. They focus not so much on global GP differences, but only on *hourly* GPG, alleging that the problem is not 21.8% big (when considering total earnings), but only 19% big (considering hourly earnings). The most interesting outcome of the interviews is that, in spite of this apparently built opinion, the CEOE has only started to work on the issue of Equality²⁶, so that, as the interviewee acknowledged, they do not have a sound opinion on it. Within the EEA funding, they shall be working on it in the coming months, which may be an opportunity.
- The two biggest Trade Unions (CCOO and UGT) already have a long way behind in the treatment of the GPG in the collective bargaining, in part thanks to their involvement in the companies' Equality Plans. The current EEA funding is helping them to further promote the issue internally, through sound research, workshops, campaigns, etc. According to the persons interviewed, the main obstacles to GP equality are:
 - In spite of the fact that collective agreements do not involve gender differences in pay, the GPG does exist because of the items (complements)

²⁶ In February 2015, the CEOE has constituted a Commission for Health, Social Issues and Equality with a subcommission devoted to equality, in which the GPG will be treated, among others. In April, a first meeting was celebrated during which the self-diagnosis tool of GPG of the WI was presented.

not included in the agreements. Employers do not want these complement to be part of the agreements.

- The solution of GP discrimination is difficult, since it necessarily involves higher salary costs. It is not about reducing men's wage, but to increase women's ones.
- Internally, collective bargaining on the GPG is very similar to bargaining on other equality issues, which is also difficult because workers do not always see that some rights (specifically the maternity leave, as currently configured in Spain) play against the "gender equality" (when, for instance, workers claim an extension of the maternity leave in its current form, instead of claiming for paternity leave equal to current maternity leave²⁷).
- The current government is not interested in trade unions to be decisive actor in the fight against the GPG.

Both employers' association and trade union representatives, when they have certain level of gender equality training or awareness, agree that the classification of wage levels and professional groups in the collective bargaining are usually based on previous collective agreements. Thus, the wage levels when comparing sectors or different groups within a sector are not necessarily standardised in terms of qualification, experience and/or responsibility. Gender stereotypes or biases are already included in some agreements, so more details are needed to make visible the root of the gender pay gap between female-dominated and male-dominated occupations or professional groups. That common view fits with the general idea of the WI and the employers' association on lack of legal discrimination. The gender pay gap seems to be embedded in the collective agreements, as it is embedded in the sex-discrimination in the parental leave system.

²⁷ Pazos Morán (2013), Castellanos Serrano (2014)

3. Sector-specific Analysis: Financial Service and Insurance

3.1. Background information about Financial Service and Insurance in Spain

Most people working in the “financial and insurance activities” sector (K sector in NACE classification) in Spain were wage-earners (90.4% of men and 94.2% of women working in the sector). Of the 452,700 people working in the financial sector²⁸ in 2014 (2.6% of the working people in Spain), 51.9% were men and 48.1% were women. Thus, this sector shows a gender-balanced composition. This was 2.8% of employed women and 2.5% of employed men in the whole economy.

The “financial and insurance activities” sector is made up by three sub-sectors:

- **Financial service activities sector, except insurance and pension funding** (K64), which includes the banking sector, and it is the main sub-sector with 61.9% of employees of the whole sector. In this sub-sector, 56% of employees were men and 44% were women in 2014. This distribution by sex has been stable since 2008, although the destruction of employment since 2008 has impacted on women slightly more (20.8% of female job reduction vs. 18.4% of male job reduction).
- **Insurance, reinsurance and pension funding, except compulsory social security** (K65) accounts for 30% of the financial sector employment. In this sub-sector, 45% of employees were men and 55% were women in 2014. This distribution by sex has been similar since 2008. The job creation has been slightly higher for men (16.9%) than for women (13.6%) over the reference period (2008-2014).
- **Activities auxiliary to financial services and insurance activities** (K66) employs 8.1% of the people working in the financial sector. This sub-sector, which was similar regarding sex-composition to insurance sector in 2008, has become a feminised sub-sector in 2014, with 68.7% of women and 31.3% of men as employees. While male jobs have been destroyed by 34.2%, the female jobs in this auxiliary sector have increased by 18.9% over the same reference period.

Thus, horizontal segregation has not been a big concern in the financial sector for many years. In 2008, proportions were 53.8% of men and 46.2% of women employed in the whole financial sector as wage earners. However, **vertical segregation** is considered a main issue. Despite the gender-balanced representation at sector level, the glass ceiling is a rooted phenomenon as women are not equally represented in the high part of the staff hierarchy.

Part-time is much less frequent in the financial sector (5.4%) than in the economy as a whole (15.9%). However, this is still gendered and this is pointed out as the other key element to explain the glass ceiling. In 2014, 9% of employed women worked part-time, while this was the case for 2.1% of employed men in the financial sector. These figures for the whole Spanish economy were 25.6% of women and 7.8% of men, and 9.9% of men and 18.7% of women, in the health sector.

In general, the financial sector is mainly made up by **big organisations**, especially in the banking sector. Thus, they have the legal commitment to have in place an Equality Plan

²⁸ This term will be given to the “financial and insurance activities” sector (K sector in NACE classification) in the whole part for reading purposes, except otherwise specified..

since 2007²⁹ and, usually, their public image has strong importance, so that gender equality is sometimes introduced in their corporative social responsibility strategy.

However, as described above, the legal conditions and/or those agreed at company level are not necessarily applicable and they are not gender-neutral. The financial sector does not recognize co-responsibility yet as the main principle regarding working time and care responsibilities and reconciliation of work and family life is seen and/or implemented more as a women-matter than as a general need for workers, economy and society.

Specific initiatives may be found at particular companies, but they are not established at sector level. In general terms, when these measures happen they are more related to government-driven national measures³⁰, either when they are mandatory³¹ or when they are voluntary, such as the equality distinctive or voluntary agreement to increase the number of women in the directive positions. However, these measures are not generalized either and they are more frequent for big corporations of the financial sector. When these kind of measures are asked by trade unions, the reaction is not comparable with the measures asked for by the government or led by the public administration in general. Moreover, the demands by the public sector have lost impetus in the recent years. As an example, the annual renewal of the Equality Distinctive for the companies that once got it, requires merely the signature of the workers' representatives³².

In any case, in the second quarter of 2014, about 1000 people (200 men and 800 women) in the whole financial sector pointed out to have worked fewer hours a week than the regular working hours because of personal or family reasons (EPA 2015).

Social partners have a significant role in the banking sector, where big corporations cover most of the sector. In 2009, there were 14 companies of more than 5000 workers and 36 with 1000 to 4999 in the financial service activities sector. These sizes were almost nonexistent in the other two subsectors (DIRCE, 2015). In the financial service activities sector and insurance sector (57% of companies have two or less workers and up to 88% have fewer than 50 workers), companies with large staff and trade unions are very rooted. **SMEs** are especially prevalent in the **auxiliary activities sector** where 99.8% of companies have less than 50 workers and 93.1% have two or less workers). Thus, trade unions are much less powerful in this subsector, as organisations with less than 10 workers are 98.9% of the total. This auxiliary activities sector is precisely the most feminized and, potentially, less protected, given the lack of trade union representatives in companies with less than 10 workers in Spain.

In general, the banking sector has established a shorter working time in the collective agreement (37.5 hours a week) than the general law (40 hours a week, according to the Workers Statute). Thus, the banking sector has better conditions to **balance work and family life** than other sectors, as the week working time is 37.5 hours, flexible working time patterns are not usually required and most organisations are not SMEs, which usually may have bigger concerns to implement measures to conciliate work and family life.

However, this shorter working time is a minimum requirement, and most stakeholders point out that the need for longer working hours to be promoted is one of the causes of the gendered vertical segregation. Longer hours are not formally required but implicitly or informally assumed to promote or to stay in positions with higher retribution.

²⁹ As required by the Law 3/2007, for the Effective Equality between women and men.

³⁰ <http://www.igualdadenlaempresa.es/redEmpresas/distintivo/home.htm>

³¹ As Equality Plans are for organisations with more than 250 workers.

³² Even some interviewees pointed out that despite some trade unions not signing it, the distinctive was allocated. So, this could be a subject to be treated for further potential collaboration among stakeholders.

The weekly average hours effectively worked were 41.4 for men and 38.2 for women (EPA 2015), about one hour longer than in 2008 in both cases. However, according to official figures from EPA 2015, most men and women did not work overtime in the financial sector in 2014. This is the case for 90% of male and female workers.

They reflect that less than 5% of men and women wage-earners in the sector work overtime for 1 to 6 hours, 3.3% of men and 3.8% of women work extra hours between 7 and 12 hours a week (EPA 2015). Thus, differences between the collective agreement conditions and the real practice are usual, and reflected in the statistics.

However, working longer hours than mandatory by collective agreements is one of the main causes described by the social partners as causing the gender pay gap. Thus, either the gender pay gap is produced by 10% of the workforce, overtime is not registered as such, or other causes may explain this rooted phenomenon too.

Over the period from 2008 to 2014, seniority in the financial sector has changed broadly and the intensity in this change has been different for men and women. At the beginning of the period, male workers who had been working in the same job for longer than 6 years reached 67.6% of the whole male workforce in the sector, while this was the case for 48.3% of female workers. After the crisis period and several restructuring and adjustments in the financial sector, the seniority characteristics have evolved and 73.4% of men and 73.5% of women have longer than 6 years working in the same job.

While job destruction for those with less than one year in their positions were similar for men and women for the reference period (58%), it was more relevant for women having worked between 1 and 6 years than for men, with differences of about 30pp.

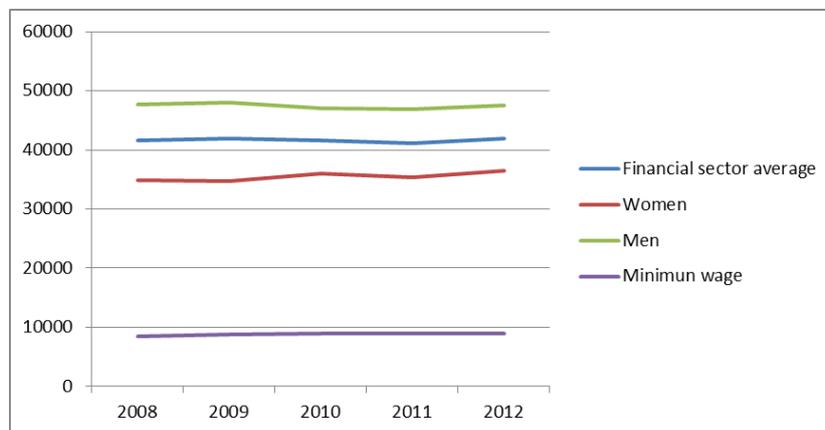
As increasing seniority is a key factor to receiving some complements to the base wages, this reduction of women working for longer periods in the same job may affect the GPG trend.

3.2. Gender pay gap and income situation in the Financial and Insurance sector

In the financial service and insurance sector, men earned 47,465€ a year as average annual income in 2012, while women earned 36,421€ a year. That was an annual gender pay gap of 23.3%. This gender pay gap has decreased since 2008 when it was 26.8%. While men's average annual income has slightly decreased by 0.5% in the sector since 2008, the women's average annual income has increased by 4.2% in this same period³³.

Men's average annual income increased by 6.1% in the whole economy over this period, while women's income increased by 3.3%. In the whole economy, men earned 25,682€ a year as average annual income, while women earned 19,537€ a year in 2012. Thus, the financial sector has followed a divergent trend from the whole economy, probably caused by the restructuring of the sector.

Evolution of the nominal annual income in the Financial Service and Insurance sector, by sex (2008-2012)



Source: Annual Survey on earning structure (2008-2012), National Statistics Institute (Euros/year)

It may be considered that both men's and women's average annual income are higher than the top categories of the occupations in the sector, according to the base salaries regulated in the key collective agreements of the sector. The highest base salary rank is about 33,000-36,000€ a year, depending on the collective agreements³⁴, which lies below the average. Thus, the main differences are depending on complements to the base salary. Some of them are regulated in the collective agreements, but those which seem to create the main differences between men and women are not, according to the figures and experts' experience and knowledge.

As mentioned, the average income for both men and women are higher than the wages regulated by collective agreements. However, there are noticeable differences. Female average income in the sector is very close to the maximum base salary stipulated by collective agreements. Male average income is much higher, showing the importance of

³³ Annual Survey on earning structure, 2008-2012 (2015)

³⁴ Several collective agreements of the financial sector can be seen here: <http://www.ccoo-servicios.es/convenios/conveniobanca/>

complements in the gender pay gap. These complements have been reduced over the crisis period, affecting mainly male average income.

These complements depend also on the general economic performance and the profits of the company, which explains the reduction of complements during the years of the crisis. In this context, the individual negotiation which ends in voluntary personal complements does not necessarily consolidate in the level classification³⁵. To promote to certain positions and/or to consolidate the category classification “voluntarily” longer hours are required, according to the interviewed experts.

This is where conciliation of work and personal life enters in the gender pay gap explanation in the financial sector. Despite the fact that the sector has in theory and by law better conciliation conditions, the promotion of these measures is not effective, as category classifications are not defined by tasks and roles. Moreover, conciliation measures do not lead to more equality, since co-responsibility is not promoted in the sector,

Working longer hours is considered a requirement to be promoted to some positions or to receive higher salaries, while this is not explicitly assumed in the collective agreements. Men and women without children are usually those who “voluntarily” agree on working longer hours.

Overtime is not directly paid (often not even formally recognized), but it is related to bonuses, professional development and complements. Moreover, some complements are related to objectives which are seen as not achievable in the regular working time foreseen in the collective agreement.

Comparative measures of gender pay gap: annual vs. unadjusted gender pay gap

	Annual GPG (%)	Unadjusted GPG
2008	26,8	22,1
2009	27,6	23,3
2010	23,7	22,5
2011	24,4	23,4
2012	23,3	23,1
2013	-	23,1

Source: Annual Survey on earning structure (2008-2012), National Statistics Institute and Eurostat, LFS

The common practice in the financial sector is to cover responsibility roles depending on the individual negotiation, where voluntary personal complements are not necessarily consolidated in particular levels of the classifications. Moreover, professional development (that is, access to **higher responsibility positions** with higher wages) is related to longer working hours, beyond those agreed in the collective agreements.

In this regard, conciliation understood as a “woman’s issue” is seen as something that stops women being and consolidating at the top of the classification.

However, the differences in wages are not only shown in the top of the classification, but especially **at the bottom of the wage scale**. For example in the collective agreement of the

³⁵ In the sector, there are different category levels, established in the collective agreements, each of which with an established minimum wage. However, the complements individually agreed upon can be –and are– eliminated if the specific position or the personal situation of the worker changes.

credit cooperatives³⁶, there are only two jobs in the classification related to particular functions or roles: drivers and cleaning workers. Below drivers in the classification, there are three categories until non-qualified staff, who are those included in the minimum annual salary of the collective agreement classification (14,316€ a year). However, the function of cleaning workers (who may be considered non-qualified staff) is defined and their salary is stipulated by hour (4.69€). Given that the maximum number of working hours a year is 1826³⁷, a cleaning worker would earn 8564€ a year, according to 2012 collective agreement conditions, if working all the possible hours. This means 40% less than the lowest wage in the general classification for non-qualified staff, if these workers were hired for the maximum annual working time. However, cleaning workers are not usually hired as full-time workers. This position of cleaning workers is mainly covered by women.

Despite the fact that this sector has better conditions than the whole economy, this feminized position within the sector receives worse conditions not only within the sector, but also when comparing with the whole economy. Cleaning workers have a base wage lower than the minimum allowed to households when they hire workers to cover the same cleaning functions. The government declared 5.02 € as the minimum wage per hour worked in a household in 2012³⁸. As a reference point, the inter-professional minimum wage was 8979.6€ a year in 2012. This is higher than the one regulated in the collective agreement for credit cooperatives, taken as example.

In the banking sector agreement, the situation is still worse: the lowest level in the classification is also stipulated by hour³⁹ and it may mainly affect cleaning workers. In this case, the hour salary was fixed at 3.26€ in 2012 and 3.35€ in 2014.

As this collective agreement does not describe functions or roles linked to any wage level, this link is not explicit even in this agreement, but it mainly affects women working as cleaners in practice.

³⁶ Resolución de 17 de julio de 2012, de la Dirección General de Empleo, por la que se registra y publica el XX Convenio colectivo para las sociedades cooperativas de crédito.

³⁷ <http://www.boe.es/boe/dias/2012/08/02/pdfs/BOE-A-2012-10414.pdf>

³⁸ http://www.sanidad.ccoo.es/comunes/recursos/15617/doc68376_Tiempo_de_trabajo_y_descansos.pdf

³⁹ <http://www.boe.es/boe/dias/2011/12/31/pdfs/BOE-A-2011-20645.pdf> Working 1826 hours a year paid at the minimum level allowed when hired by a household would generate an annual income of 9,1667 €. That is a wage 7% higher than the one calculated according to the base salary.

³⁹ Despite that the very collective agreement points out in the article 13.2 that salaries classification refers to annual wages. <http://www.boe.es/boe/dias/2012/05/05/pdfs/BOE-A-2012-6061.pdf>

3.3. Specific wage-setting process in the in the Financial and Insurance sector

Trade unions and employers' associations are the main stakeholders involved in wage-setting processes. However, individual negotiation is also common, even considered in some collective agreements, as a wage-setting process for the directive or manager positions in some sub-sectors of the financial sector.

In the banking sector, the Spanish Banking Association (*Asociación Española de Banca*) is the employers' associations and the State federation of service of UGT and the Federation of financial and administrative services of CCOO are the trade unions signing the collective agreement which have ruled the sector from 2011 to 2014, both inclusive⁴⁰. Currently, the new collective agreement for the banking sector is under negotiation, as well as others in the sector. Other collective agreements regulate labour conditions of saving or rural financial companies⁴¹ or other different organisations related to the financial sector⁴². Thus, there are labour conditions and wage category frameworks for workers potentially having similar functions and playing similar roles in the financial sector, but with substantive different wages. Collective bargaining cannot have an impact on these potential differences while wage levels, functions and requirements are not described, as they are not even considered or seen.

Regarding the gender pay gap, collective agreements usually include the framework in which the base salary of each professional category is stipulated.

Depending on the gender inequality awareness and gender training in general, the gender pay gap is recognized and explained in different terms. While some interviewees explained the differences due to conditions for conciliation of work and personal life affecting women more to achieve or stay in positions better remunerated, others recognized limitations of the collective agreement process in dealing with the structural causes rooted in the financial sector.

Most Equality Plans approved in 2007⁴³ have not been properly renovated in the main organizations of the banking systems since the beginning of the crisis. Thus, diagnosis in general, and especially that related to gender pay gap, has not been actualized or properly disseminated. It is not possible to confirm that the crisis has caused this lack of actualization, as such equality plans were not common practice in the financial sector before the law introduced them in 2007 for the whole economy.

Trade union representatives sustain that the lack of transparency in the wage-setting process is the key factor of the gender pay gap. In the main financial collective agreements, at sector and company level, there are no parameters of classification. Levels of retribution are related to specific levels in the category classification, but there are not specific categories or levels related to detailed qualifications, requirements or functions and/or roles. There are not catalogues of roles or functions which have allocated salaries and complements. Thus, the same positions, especially those with higher responsibility, may be fulfilled with staff from

⁴⁰ Collective agreement of the banking sector: <http://www.boe.es/boe/dias/2012/05/05/pdfs/BOE-A-2012-6061.pdf>

⁴¹ Several collective agreements of the financial sector can be seen here: <http://www.ccoo-servicios.es/convenios/conveniobanca/>

⁴² http://www.boe.es/diario_boe/txt.php?id=BOE-A-2013-10521

⁴³ Year when the Equality Law made Equality Plans mandatory for organisations with workforces larger than 250 workers.

different wage levels. These potential differences are confirmed as happened often by the interviewees.

3.4. Specific initiatives in the in the Financial and Insurance sector to tackle the gender pay gap

In the **collective bargaining process**, the main initiatives to tackle the gender pay gap are the following two:

- To include as systematic as possible trade union representatives with gender training and expertise in every bargaining process.
- To include in the collective bargaining the demand of creating a catalogue of positions (with tasks), so that equal work (described by positions and tasks to do) can be objectively or legally related to particular level of wages.

Despite efforts to include similar number of male and female trade union representatives, these lists are not enough to mainstream the gender equality perspective in the collective bargaining. The collective bargaining process is very rooted in gendered preconceptions and assumptions, and based on previous status quo. For example, it may be pointed out that in 1980, two years after passing the Workers´ Statute, the banking sector collective agreement was already the 11th agreement, with bases on the 1950´s agreements⁴⁴. The wage level structures have not change structurally since then.

Thus, improvements and structural changes, as the creation of a catalogue of positions, are very difficult to obtain. It´s the training and awareness, not the sex of the person involved in the process bargaining, which determines the possibility to affect to the gender pay gap through the collective bargaining, working on the roots of the problem, which are not necessarily obvious for many trade union representatives.

Regarding the **Equality Plans**, the financial sector was pioneered in passing companies´ equality plans. Although they are mandatory from the 2007 Equality Law for companies with workforces larger than 250 workers, this requirement and proactivity was not similar in other sectors. These equality plans are recognized as very useful at that time (2007), especially for the GPG diagnosis, but further improvements have not been generally recognized, especially in reference to gender pay gap.

The maintenance of opacity in the pay and wages is pointed out as a main concern for the trade union representatives to tackle the GPG.

Regarding Equality Plans, it has been observed that the more precise the analysis, the better the possibilities to act to reduce the gender pay gap. When the key indicators related to the gender pay gap have been identified and particular targets and objectives are explicit in the Equality Plans, the organization measures to deal with the gender pay gap and gender inequality in general are more likely to happen or to be somehow implemented.

The need for explicit paths and training and function requirements for promotions and allocation to particular functions, and the relation of those to determined wage and complement levels may be considered more relevant to reduce the gender pay gap if gender differences are visible. However, according to the documentation exposed and interviews, this information is not easily available and there is a high level of opacity in the wage distribution within the organizations.

⁴⁴ Private Banking Collective Agreement (BOE March 8th, 1980)
http://portal.fitc.org/sites/default/files/convenios_banca/1980.pdf

Evaluation and assessments for the financial sector are not found. Although Equality Plans have to include diagnosis and indicators, and about eight years have happened since the Equality Plans were approved, the gender pay gap in the sector remains at 23% and representatives of the main trade unions in the sector point out no improvements but the opposite, as more deregulation in the working time conditions is exacerbating the relationship between working longer hours and possibility to promote and obtain higher salaries.

Thus, co-responsibility is not a principle in the Equality Plans or collective bargaining process in the sector yet, although there are intentions from the trade union representatives to include it in the ongoing bargaining process. However, co-responsibility seems broader than the potential measures achievable at sector level, so, the focus of collective bargaining as regards GPG is set on the definition of classification positions, with detailed and clear tasks and wage levels, that substitute the current definition, not defined by specific merits or requirements.

3.5. Future possibilities in the in the Financial and Insurance sector to tackle the gender pay gap

General campaigns to tackle the gender pay gap in trade unions, employers' associations, governments and other organisations as universities may increase indirectly these possibilities, as more people and negotiators from social agents could introduce the gender perspective in the collective bargaining process and in the Equality Plan development, implementation and evaluation and redesign. .

According to the persons interviewed, the employers have not yet a determined opinion on how to deal with the GPG. Although they show a reluctant attitude towards the issue, it seems that this is rather prejudice, not a consolidated view. There might be some scope for influence and potential room to work out the position of employers.

The ongoing collective bargaining process in the financial sector could be an open window to introduce agreed actions between the trade union and employers' association representatives to tackle the GPG.

4. Sector-specific Analysis: Human Health Activities

4.1. Background information about the human health activities in Spain

There were 955,200 people working in the **human health activities sector**⁴⁵ in 2014 in Spain (sector Q86, EPA 2015⁴⁶). More than 706,000 (75% of the total) were women. This level of feminisation has increased by 1 pp over the last seven years (EPA 2015). This is one of the economic activities with larger proportion of public employment, which reaches 50.8% in 2014 (48% among women and 59% among men).

Workers in health sector amount for 5.5% of total workers in Spain (8.9% among women and 2.6% among men), more than one percentage points more than in 2008, when it was 4.3% (7.5% for women and 2% for men). This increase is partly due to a growth in the absolute number of employment in the health sector from 2008 to 2014 (by 7.2%) and partly because of a total reduction of employment in the economy, from 20.5 million jobs to 17.3 million (-15.0%, -20% for men and -8.8% for women). Male jobs have increased by 3.6% and female jobs by 8.5% in the sector from 2008 to 2014, thus further feminisation has occurred in the sector.

The health sector is dominated by the public sector direct provision in Spain. In some regions (the Mediterranean coast) state subsidies and private health are also quite relevant. The regional public sector is the main employer in the health sector, as competencies on health are decentralised at regional level. Thus, there are 17 Autonomous Community public bodies in charge of the public regional health provision and the state level body which has the competency on the National Health System⁴⁷.

The human health sector is particularly impacted by working time issues, as shift working time is common, especially in hospitals, as well as non-standard working time schedules. These two conditions could create particular complications for reconciliation of work and family life in this sector, as educational and caring arrangement for children and elderly people are usually compatible, if any, with standard working hours. Regarding working part-time, 18.7% of women worked part-time in 2014, increasing from 13% in 2008⁴⁸. The increase in the male part-timers was from 5.9% to 9.9% for the same period. Thus, significant differences may be observed in this factor when comparing to the whole economy, where the part-time rates were 25.6% for women and 7.8% for men in 2014, i.e. women work less part-time, while men work more part-time.

⁴⁵ The health and social service sector is made up by three sub-sectors: human health activities (86), which will be mainly referred as health sector; and residential care activities sector (Q87) and social work activities without accommodation (Q88). These two (Q87 and Q88) combined make up the long-term care sector, also called dependency or social service sector.

⁴⁶ All figures are calculated based in data from EPA, which is the Spanish version of the LFS, provided by the Statistic National Institute (INE). They refer to the second quarter of each year (data accessed in April 2015). Only exceptions are GPG figures, based in LFS, for comparison reasons.

⁴⁷ Further information on the public health system administration: <http://www.mapasanitario.org/>

⁴⁸ Data refer to the Q Sector, including human health and social services. The evolution described is thus affected by the evolution in the social services sector, in particular, the increasing presence of men in social services, which is much linked to part-time.

Between 2008 and 2014, the number of women having worked in the sector for less than two years has decreased by 41% and between two and three years by 30%. This reduction in female workers is similar to the whole economy. In contrast, men working in the sector for less than two years has decreased by 16% (while it was a drop of 44% of male workers in the whole economy). The proportion of men working in the sector between two and three years has decreased by 30% (while it dropped by 49% in the whole economy). On the contrary, the amount of women and men with a seniority of over three years has increased substantially during the period, more among women than among men (38.2% and 29.8% among senior women and men with over six years in the sector). This is coherent with the impact of the crisis in the sector, that has not lost jobs in net terms, but has allegedly not increased as it should have, which is reflected in the reduction of newcomers.

This situation has a significant impact in the reduction of the margin of flexibility provided by new comers/interim or temporary workers. Over the last years, the fiscal cuts in the health sector have affected mainly interim or temporary workers. This group was said to create a margin of flexibility which used to allow civil servants and workers with open-ended contracts to have better chances to reconcile work and family. Although there has been an increase in the number of people working, there are estimations suggesting that there are 20,000 workers less to cover these positions which allowed “flexibility to reconciliation”. In particular, the reduction of temporary workers in the health sector from 2008 to 2014 was 51,100 people (23%); the temporality rate was 73% in 2008 but 51% in 2014. In 2014, there were 329,300 temporary workers (79.3% were women, less than their weight in the sector). The number of female temporary workers has decreased by 18% in this period, while the male one has increased by 11%.

As mentioned above, the health sector is one of the sectors with larger presence of public employment, since human health is universal, free and public in Spain. This is an important feature that affects labour conditions, since labour conditions of public employees are not bargained as usual but they are included in the so called Statute of the Public Worker (*Estatuto del Empleado Público*).

While it’s complex connecting how the collective bargaining has affected the gender pay gap evolution, it seems clear to the agents interviewed that the worsening of the economic and social conditions has affected more greatly women’s income than men’s in the health sector, as well as in the whole economy.

4.2. Gender pay gap and income situation in the Human Health Sector

The gender pay gap in the health sector⁴⁹ has increased from 23.6% in 2008 to 25.4% in 2013, if measured in unadjusted form. This is 6.1 percentage points more than average in 2013, although the evolution since 2008 has been less intense than average (+1.8 pp, compared to 3.2 pp on average). This higher level and evolution have to do with the following facts: the GPG is usually higher in feminized occupations; among higher qualified workers; among permanent and/or part-time workers; and among workers covered by sector or regional collective agreement. On the contrary, the GPG tends to be lower in fixed-term and/or full-time workers, in public owned companies/activities and among workers covered by state-wide collective agreements^{50 51}. There is no GPG data detailed for the three subsectors, though it is possible that important differences, related to the wage setting mechanisms, the qualifications required and the feminisation, exist.

Regarding the annual income by worker, average female income in the sector has decreased from 23,089€ a year in 2008 to 22,844€ a year in 2012⁵². In contrast, average male income has increased from 30,503€ a year in 2008 to 32,787€ a year in 2012⁵³. The annual income levels in this sector are higher than in the whole economy: 14.5% for women (3,306€ a year in absolute terms) and 21.7% for men (7,105€ a year).

This means that the gender pay gap in annual terms has increased from 24.3% in 2008 to 30.3% in 2012. The increase in 6pp is especially significant if it is compared with the situation of the whole economy, where the gender pay gap in annual terms has increased 2.1 pp, from 21.9% in 2008 to 23.9% in 2012.

⁴⁹ Due to lack of disaggregated data readily available, the data refer to the whole sector Human health and social service activities.

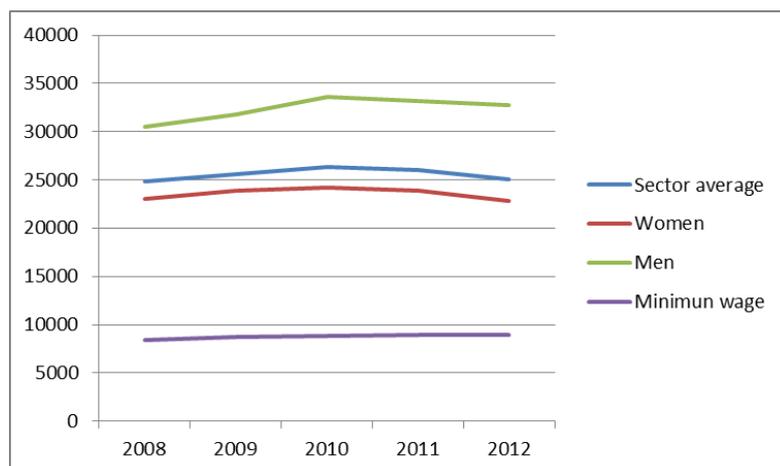
⁵⁰ Enred y CEET (2009) "La brecha salarial en España: realidades y desafíos"

⁵¹ CEET: Brecha salarial en la Comunidad de Madrid 2013 and in the región of Cantabria. In the región of Madrid, activities in the public sector are the ones that reduced more the GPG between 2006-2010, by 10 pp.

⁵² Annual Survey on earning structure (2008-2012), National Statistics Institute (*Encuesta anual de estructura salarial, INE*), Extracted April 2015

⁵³ Annual Survey on earning structure (2008-2012), National Statistics Institute (*Encuesta anual de estructura salarial, INE*), Extracted April 2015

Evolution of the nominal annual income in the health and social activities sector, by sex (2008-2012)



Source: Annual Survey on earning structure (2008-2012), National Statistics Institute (Euros/year)

Women's annual income in absolute terms in the health sector has decreased, (while men's has increased) and the gender pay gap, both considered the annual and the unadjusted, has also increased. Thus, not only absolute pay conditions for women have worsened, but also in comparative terms with men, whose pay conditions have improved since the beginning of the economic crises.

Comparative measures of gender pay gap: annual vs. unadjusted gender pay gap

	Annual GPG	Unadjusted GPG
2008	24.3	23.6
2009	24.9	24.7
2010	28.0	24.2
2011	28.0	23.3
2012	30.3	23.4
2013	-	25.4

Source: Annual Survey on earning structure (2008-2012), National Statistics Institute and Eurostat, LFS

Part of this trend may be partly explained by the importance of the public sector as employer, especially in the health sector. The wage reduction for public workers was unilaterally decided by the employer (public sector authorities), including this measure as part of the fiscal cuts done over the crisis period. Wage reductions may have differently affected female or male dominated positions.

Moreover, unilateral wage reduction is forbidden by the Workers' Statute, so wage reductions have not been so common in the private sector, and thus, the long-term care sector may have a different pattern.

4.3. Specific wage-setting process in the Human Health Sector

The public sector is regulated according to the legal requirements of article 33 on collective bargaining of the Basic Statute of Public Employees⁵⁴. Moreover, part of the public employees working on the national health system is hired under the labour conditions established in the Framework Statute for the Health Staff⁵⁵.

A recent law passed in February 2015, the so-called “second opportunity law for individuals”⁵⁶, has included the recognition of a state collective bargaining roundtable made up of representatives from the Ministry of Health, Social Affairs and Equality and the main trade unions at state level. This will be the main collective bargaining forum for the health sector at state level. However, there are collective bargaining roundtables at regional and centre/company level which also affects the specific wage-setting process in the sector⁵⁷.

There are three main sub-sectors recognised in the collective bargaining process:

- Public health,
- State-subsidised private health,
- Private health,

The public health collective bargaining is considered the reference point for the other two health related agreements (publicly subsidized and private). Labour conditions in general, and wages in particular, are considered the best ones in the public health subsector. Regarding the state-subsidised private health, the collective agreements vary among regions quite significantly, depending on the tradition and strength of this way of providing health services. Catalonia, Basque Country and Navarra are recognised by trade union representatives as having the best regional collective agreements for the state-subsidised private health sector.

Both public and state-subsidised private health sectors have been covered by regional agreements so far. Since February 2015, the above mentioned state collective bargaining forum will likely achieve an umbrella state collective agreement for the public sector. On the contrary, the private health sector does not have a state collective agreement and the collective bargaining is very fragmented.

This situation in which different concepts are discussed at different levels is the general rule in the collective bargaining in Spain. This may create a difficult understanding on the consequences of different measures, especially those indirectly related to the gender pay gap. For example, some interviewees have resistances to support measures to increase the sex less represented, although there is broad international consensus on the fact that horizontal segregation is a relevant factor to explain the GPG⁵⁸.

According to the stakeholders and the collective agreements, there is no difference by sex in the general categories and their corresponding salaries. However, the working organisation conditions are usually out of the collective bargaining, as these are conditions considered as

⁵⁴ Estatuto Básico del Empleado Público. Ley 7/2007, de 12 de abril, del Estatuto Básico del Empleado Público <http://www.boe.es/buscar/act.php?id=BOE-A-2007-7788&p=20150228&tn=0>

⁵⁵ Estatuto Marco del personal sanitario. Ley 55/2003, de 16 de diciembre, del Estatuto Marco del personal estatutario de los servicios de salud. http://noticias.juridicas.com/base_datos/Admin/l55-2003.html

⁵⁶ http://www.boe.es/diario_boe/txt.php?id=BOE-A-2015-2109

⁵⁷ All collective agreements of this (and other) sectors can be found in the public web page:

<http://explotacion.mtin.gob.es/regcon/>

⁵⁸ Escot Mangas et al. (2008), Cabo Serrano et al. (2010), New JNCHEs Equality Working Group (2011), Institute for the Equality of Women and Men (2014).

freely established by the employers. In the health sector, these arrangements are usually very related to flexible and not standard working time arrangements, and very related to complements to the salary.

As pointed out by some of the interviewees, some collective agreements include gender-biased classification of some positions or categories. For example, some categories which require lower qualifications but are male-dominated (such as for example technical operators) have higher wages than other categories which require higher qualifications but are female dominated (such as for example clerical staff)⁵⁹.

In the last years, especially as reaction of the economic crises, the collective bargaining process between the trade unions and the public sector has been stopped. Unilateral changes in the labour conditions of the public sector employees have been adopted, with reductions in wage and increase in the number of hours.

There is not readily-available information on GPG for the private provision of health sector, neither for employees nor for self-employed workers. Further research on the GPG among the self-employed is currently being carried out within one of the projects financed by the EEA⁶⁰ and mentioned earlier in the general part.

⁵⁹ This observation has been checked in some collective agreements and it is observed there. For example, waiters/waitress in the regular cafeteria of hospitals have higher consideration (and wage) than those attending the patients in plants. See categories for example in Private Health collective Agreement:.

http://www.salud.ccoo.es/comunes/recursos/15713/doc156139_2008-2011_Salud_Privada_-_Convenio_Colectivo_2012.2013.pdf

⁶⁰ <http://www.wagegapoff.es/>

4.4. Specific initiatives in the human health sector to tackle the gender pay gap

Currently, there are not specific direct initiatives in the health sector to tackle the gender pay gap available or known by the sector experts. The initiatives are embedded in the institutional framework of the trade unions, employers' associations and public sector, described in the general part.

However, the different actions to promote and develop the Equality Plans in each institution could somehow derive in initiatives which deal with the gender pay gap in companies of the sector, although not directly at sector level.

4.5. Future possibilities in the human health sector to tackle the gender pay gap

The state collective bargaining roundtable which includes the representatives from the Ministry of Health, Social Affairs and Equality and the main trade unions at the state level has started to work. This framework could create an environment where some initiatives are taken, and there is room to work on the gender pay gap in the sector.

However, given the very initial phase at which they are, there is not available information yet on this aspect.

There is room for synergies, since, as mentioned above, many agents have ongoing projects related to the GPG. There could thus be opportunities to further raise awareness, mutual learning events and dissemination activities. Given the better economic context and the political year where local, regional and national elections have been or are about to be held in Spain, debates and new opportunities may arise.

5. Conclusions

The crisis has exacerbated the GPG in Spain, reflecting the different impact of internal devaluation on women's payment and probably the value given to their work.

The lack of the co-responsibility principle in structural and organisational policies, such as longer maternity leave than paternity leave, is recognised as underpinning the GPG in Spain, through the formal and informal maintenance of women mainly responsible for care activities. The care taker roles impact women's wages while men are generally out of the problem analysis and the proposals for solutions, such as measures aimed at their greater involvement in care. Moreover, horizontal and vertical segregation, lack of transparency for bonuses and complements as well as lack of explicit definition and classification of positions, tasks and roles with their corresponding salary ranges may contribute to explain the GPG.

Although 92% of workers are covered by sector/product collective agreements, the current implementation of the collective bargaining has not avoided the deterioration of the GPG problem. The minimum wage and limited female part-time may explain a lower level of GPG than in other countries.

Despite this worsening of the GPG, importance given to reduction of the GPG has gained some tempo in Spain lately, with several initiatives. The Law for the Effective Equality between women and men (2007) made equality reports compulsory in companies with more than 250 workers. With great difficulties (particularly the lack of data), they often address GPG. These instruments have been positively valued, but the renewal of equality plans and full implementation of measures is seen as particularly relevant but difficult.

The tool (www.igualdadenaempresa.es) for companies to self-measure their GPG, recently presented by the Women's Institute, may help to overcome this lack of data. However, it is voluntarily and anonymously used by companies, and the trade unions have not been actively engaged in its development. Thus, while this opportunity is currently open, the common use and engagement for all the stakeholders with this tool may be challenging somehow and further developments and collective use would need closer collaboration.

There has been a celebration of the Equal Pay Day in February the 22nd since 2010 and lottery tickets have tried to raise awareness of the importance of equal pay. However, there seems not to be a general public awareness of the problem and there is not a common understanding on how to solve it or even common tools on how to measure it.

In any case, most stakeholders are paying attention to GPG problem with ongoing projects and opening chances to improve the existing situation. Trade Unions and Employers' representatives currently focus on the GPG, albeit with different approaches. The Ministry is working with the enterprises on a voluntary basis. Except for a project on the tourism sector, the approach and understanding of the GPG problem is mainly cross-sectoral and structural.

Gender equality training for all stakeholders in all parts of the process is recognised as a useful tool to unpick the subtle or direct measures which underpin the GPG problem and positively impact their actions. While general public campaigns are needed, focused actions on stakeholders who may multiply impacts may seem more effective in the current context.

In Spain, it seems that stakeholders are aware of the problem and working on it, with different levels of widespread engagement and awareness within their organisations. Thus,

there is room to create synergies and complementarities with their current activities and plans. Given the fact that main stakeholders know each other and have formal relationships, but with somehow different approaches and views, actions aiming to facilitate stronger collaboration within the organisations and among stakeholders and to increase gender awareness and training within organisations seem the most potentially fruitful. However, the feasibility of common actions is still to be promoted and assessed through the process of the project action plan. The GPG problem is viewed through strong political perspectives from most stakeholders, so actions to promote debate and steps towards consensus or common approaches may be highly interesting.

The level of implementation of the equal work for equal value principle is still hard to directly assess. Moreover, co-responsibility is not recognized as a principle of reconciliation of work and family life. There is a gendered bias, without men being directly and broadly targeted by policies to overcome traditional gender roles. Training to disseminate these general views may impact the main stakeholders' actions and their current plans to deal with the GPG.

In sum, in the Spanish context it is important to integrate the action plan with the existing gender pay gap approaches, which may differ for most stakeholders, in order to encourage their engagement and complement their current initiatives. It will likely include cross-sectoral initiatives and aim at supporting the current directions that organisations have expressed and want to promote.

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