



## **Educators and Scientists Free Trade Union of Georgia (ESFTUG)**

### **Opinions on pay equity issue**

#### **Introduction**

Pay equity, also called comparable worth or fair pay, is a remedy for one type of wage discrimination against women. It tackles the type of discrimination that occurs when jobs fulfilled predominantly by women that are paid less than other jobs fulfilled primarily by men that require similar levels of skill, effort, responsibility and working conditions. Georgia has no problem of discrimination in pay based on gender on the legislative level. Georgian legislation guarantees the basic provisions for maintaining of equal pay. Georgian legislation bans any kind of gender discrimination.

#### **1. Legislative provisions relating to anti-discrimination in pay based on gender**

Legislative provisions relating to non-discrimination are contained in the following laws:

##### **1.1. Constitution of Georgia**

*According to the Constitution of Georgia (article 14) „Everyone is free by birth and is equal before law regardless of race, colour, language, sex, religion, political and other opinions, national, ethnic and social belonging, origin, property and title, place of residence.”*

Article 14 of the constitution comprises all basic rights. The principle of equality guaranteed by the Georgian Constitution excludes any kind of discrimination on the ground of sex. The above-mentioned anti-discrimination norm also comprises banning of discrimination in pay based on gender. Georgian constitution is banning establishment of different legal status of men and women. This right is absolute.

According to the Georgian Constitution (article 30, section 4), „*The protection of labour rights, fair remuneration of labour and safe, healthy working conditions and the working conditions of minors and women shall be determined by law*”.

If we analyse the norm (article 30, section 4) we shall find out that Georgian constitution establishes the legal obligation of fair remuneration of labour to be guaranteed by law. Fair remuneration of labour also comprises in itself non- discrimination in pay based on gender.

## **1.2. Labour Code of Georgia**

According to the labour Code, (article 2) *any kind of discrimination is banned in labour relations on the ground of race, colour, language, ethnic and social belonging, nationality, origin, property and title, place of residence, age, sex, sexual orientation, limited abilities, religious and union belonging, marital status, political and other beliefs.*

Labour Code (article, 2) envisages that labour relations begin with the agreement of the labour contract parties on the basis of equality and expressing of free will.

## **1.3. Gender Equality Law of Georgia**

The Parliament of Georgia passed a Gender Equality Law on 27 March, 2010. The legislation provides for the establishment of a national women’s machinery, the enhancement of women’s security, equality in the labour market and the strengthening of women’s political participation. The law also introduces gender-responsive planning and budgeting on the part of the government.

The new Gender Equality Law builds on the State Concept for Gender Equality, adopted in 2006, and has been in development since 2008.

## **2. The role of Educators and Scientists Free Trade Union of Georgia (ESFTUG) in women movement**

According to the Statute of ESFTUG (article, 2, section 1), „one of the main aims of ESFTUG is safeguarding and representing its members labour, legal and social-economic rights and interests.”

The *mission* of ESFTUG should be establishing gender equality in the society, safeguarding women’s personal, political and social-economic rights.

The *platform* of ESFTUG should be based on the international acts and conventions, particularly on the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1979; Georgia ratified CEDAW in October, 26, 1994), and on other international Acts that Georgia signed and became party of.

**ESFTUG has opinions about strengthening women's rights:**

- **Perfection of legislation;**
- **Representation of ESFTUG members' rights and interests in the European Court of Human Rights;**
- **ESFTUG should have a lobbyist in Parliament of Georgia;**
- **ESFTUG should conduct monitoring on women rights;**
- **ESFTUG should have close relationship with Public Defender of Georgia;**
- **ESFTUG should have close relationship with non-governmental and international organizations;**
- **Close relationship with Education International;**
- **Relationship with media, conducting media campaign;**
- **Network working;**
- **Working with donors;**

## **Conclusion**

**The main role of ESFTUG in establishing and strengthening gender equality is to launch different campaigns to raise civic awareness and to struggle against any discrimination in pay based on gender.**

**ESFTUG HQs**

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