

## Get active! – Trade unions and pay equity

This paper is the third of ten features for EI's campaign "Pay Equity Now". It explores the role of trade unions in the struggle for pay equity by analysing the status of women within unions and proposing a range of advocacy and campaigning activities. The subsequent features will focus on further aspects of this issue, such as pay inequity in the teaching profession, legislation and regional disparities.

Please feel free to contribute to EI's campaign "Pay Equity Now" by sending your opinions, research, links and campaign material to [equality@ei-ie.org](mailto:equality@ei-ie.org)!

### **Abstract**

*This paper deals with the important role of trade unions in the global advocacy for pay equity. A brief overview of the current state of female union membership leads to the conclusion that women's participation in union activities is a precondition for successfully campaigning for pay equity. In a next step we examine the actions that can be taken by trade unions to raise awareness and actively combat gender discrimination through collective bargaining, campaigns or legislation.*

### **1. Introduction**

The results for the global gender pay gap vary depending on the data analysed. According to a 2009 report by the International Trade Union Confederation (ITUC), women earn only 77.6 percent of the salaries of their male colleagues (ITUC 2009). Estimates of the pay gap worldwide, including both formal and informal work, show that women only receive between 50 and 88 percent of men's earnings (Pillinger 2002). Gender discrimination in terms of pay inequity remains a socially relevant topic, with negative effects not only for women but for their male co-workers, the economy and communities as a whole. In the struggle to close the worldwide gender pay gap the role of trade unions is of crucial importance. Despite numerous international agreements, the implementation and enforcement of pay equity laws and the work of relevant

institutions remain a national matter, in some cases in the face of constant pressure and admonition. Trade unions need to be aware of the great importance of their engagement in the struggle towards more gender equality, improving the lives of their women members as well as leading to benefits for the workforce in general.

## **2. Women in trade unions**

### **2.1. Labour market developments**

Globalisation, privatisation and deregulation in the labour markets have resulted in precarious work relationships, impeding the worldwide struggle for fair pay and working conditions. In the teaching profession, fixed-term contracts have become more common in recent decades, accompanied by a number of insecurities for teachers as well as discouraging qualified teaching staff (EI 2009). Fixed-term contract teachers tend to receive lower salaries and less social protection than their colleagues. In Africa especially such contracts are often informal, “making teachers more susceptible to arbitrary transfer or dismissal.” (EI 2009:17) Although attempts have been made to regulate the employment situation of para (voluntary) teachers, particularly in some African and Asian countries, the global trend is towards greater precariousness. (EI 2009). These new developments pose new challenges to the trade unions. “By tradition or law, unions often excluded the informal, contract or part-time worker from membership” stressed the ITUC in 2008, adding: “But unions are adapting.” (2008:14) They need to adapt their policies to take into account the growing informal sector and the huge range of precarious occupations, which are largely female dominated (ITUC 2008). Trade unions face the challenge of developing new strategies to improve their ability to attract both female and younger workers.

### **2.2. Women in union membership**

Over the last 20 years the female labour force participation rate has increased from 50.2 to 51.7 percent while the male rate decreased from 82 to 77 percent. In 2009 the share of employed women of working age (which is 15 years and over in most countries studied) was 48 percent. Women account for 40 percent of all people employed in the world, a number which has not changed over the last ten years (Lawrence and Ishikawa 2010). As women are disproportionately over-represented in so-called precarious occupations such as part-time jobs or employment in the informal economy, they often do not have union protection (ITUC 2008). In most regions of the

world women tend to be less covered by collective agreements than men in certain sectors, although there are big regional differences: In Latvia, Ireland, Sweden, Norway, but also in Singapore or Senegal for instance, the level of women's trade union membership is even higher than men's (Lawrence and Ishikawa 2010). As teaching is a profession dominated by women, women outnumber men in teacher unions' membership in most regions. Data gathered from Education International's member organizations shows a stable percentage of about 60% female members across the past 15 years.

### **...and leadership**

But trade unions were not always open to women members and their specific needs and life situations. "Trade unions are no longer a brotherhood of men, but most of them did start out that way" (ITUC 2008:22). In 1949, for example, women's share in trade union membership was only 7 percent. Male networks, hierarchical structures and a biased focus on occupations dominated by men made, and still make, it difficult for women to secure their fair share of participation in trade unions. The representation of women in trade union management is far from being proportional. Within Education International's member organizations, the proportion of women declines from an average of 60% in the membership to about 40% in the national executive boards and only 25% of women presidents (EI 2010). A worldwide survey by the International Labour Organisation (ILO) and the International Confederation of Free Trade Unions (ICFTU) shows that in 1999 women held less than a third of senior decision-making posts in over 60 percent of the trade unions (ILO 2000). The European Trade Union Confederation (ETUC 2003) identifies various reasons for this inequity of power and influence. The persistence of prejudices, accompanied by hostile reactions from the established leaders, the rigidity of some rules of procedure, women's lack of confidence in their own abilities or the unequal division of family responsibilities keep women from power positions. Trade union culture is predominantly "male" (ETUC 2003), including for instance the scheduling of meetings, style of meetings, trade union jargon, male networks etc.. "The established way of doing things which a male dominated organisation has built up leads to a sense of exclusion for women." (ITUC 2008:22)

### **2.3. Getting more women into trade unions**

One of the most important preconditions for the successful struggle towards more gender equality is to open up the union's hierarchical structure in order to increase women's membership and their participation in decision-making. Special women-only structures like committees and working groups are important for creating a secure atmosphere for women to address the inhibitions and problems of male-dominated trade union structures. Special education and training on gender issues are crucial tools to increase awareness and ensure solidarity between men and women members. Pay equity can be used by trade unions to focus on and mobilise women workers as activists. Through the distribution of leaflets or special meetings women can be informed about differences in pay and the important role trade unions play in raising their wages. Small surveys of women workers or local case studies not only help increase contact with women employees but also highlight the evidence of pay inequalities in everyday life.

### **3. What can trade unions do to support pay equity?**

The consistency of campaigning activities is very important because organisations tend to adapt to structural change very slowly and need a long time to establish new routines. Therefore it is important to keep moving: by writing a series of articles for the union's journal or homepage on pay equity, appointing a pay equity advocate who is trained in arguments and tools and producing a regular newsletter concerning the gender pay gap. The following section sets out a toolbox of instruments that can be used.

#### **3.1. Collecting data**

As the establishment of adequate legislation and enforcement institutions is primarily a national matter, the role of trade unions is of great importance. As a crucial starting point a reliable set of data is required, which does not always exist in every country. Generating statistical information can provide trade unions with a solid foundation for addressing pay inequity.

#### **3.2. Including pay equity in collective bargaining**

Collective bargaining is one of the core instruments for trade unions in the struggle for fair pay and working conditions. Defined as “the process of workers’ organisations and employers’ organisations (or individual employers) to negotiate on all areas relating to wages and terms of employment” (Lawrence and Ishikawa 2005:5), its implementation differs regionally as well as

by work sector. Public services in particular show high coverage rates as well as manufacturing and construction. The regional variation is very difficult to identify due to a huge lack of data (Lawrence and Ishikawa 2005).

Although theoretically an ideal instrument to ensure equal pay, collective bargaining systems face multiple problems. On the one hand, women tend to be less involved and represented, therefore their needs and specific pay issues are “routinely ignored” (Pillinger 2002:12). The ILO report “Women’s participation in social dialogue institutions at the national level” from 2008 shows that in the three parties – governments, workers and employers – women only amount to 14.68 percent of total members, their share being even lower in the worker’s group (14 percent). Additionally in many countries collective bargaining simply does not exist or lacks efficiency and implementation, leaving issues of equal pay behind.

Mainstreaming pay equity into collective bargaining should be high on the priority list when campaigning for equal pay. An equal representation of women in collective bargaining teams and decision-making processes is important: “The improved representation of women in decision-making is essential for modern trade union organisations and for the development of equality in trade union internal structures and in collective bargaining.” (Pillinger 2002:14)

Furthermore collective agreements need to be systematically checked for their gender impact within the framework of gender mainstreaming. Gender mainstreaming aims to reveal the influence of seemingly gender-neutral measures on the actual living situations of men and women. Linking pay equity to minimum wages has also proved to be an effective measure in the struggle against gender inequalities. The Latvian trade unions for example have integrated a gender perspective in all negotiations regarding wages. (Pillinger 2002).

### **3.3. Legislative Change**

To develop new legislation or expand existing regulations to promote pay equity, a precise knowledge of the national legislative framework is necessary. First of all the type of legislation and its proper implementation must be specified. Pay equity can be regulated by a separate pay equity law, or it can be included into existing labour law, as well as into human rights or anti-discrimination legislation. The pros and cons of each alternative can only be evaluated in reference to the local circumstances. Generally it is important to acknowledge that legislation must be accompanied by ongoing action like data collection, information distribution or training

for pay equity advocates: “It must always be remembered, while working for legislative change, that legislation, no matter how progressive, comprehensive and well thought out, will not by itself achieve pay equity.” (Pillinger 2002:34) Hence trade unions should also be actively involved in securing the proper follow-up of existing laws by keeping workers informed or engaging in lawsuits. Referring to international instruments and agreements such as ILO Convention No. 100 on Equal Remuneration for Men and Women Workers for Work of Equal Value or the UN Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW, 1979) can help to pressure national governments into adapting a pay equity strategy of their own. Action that can be taken to promote legislative measures to increase pay equity includes:

- Support minimum wages that provide decent working conditions.
- Lobby for parental leave systems that equally distribute childcare responsibilities between the parents, and for adequate public provision of childcare facilities.
- Prepare legislation or develop more effective procedures for existing regulations.
- Press for the ratification and implementation of international instruments on anti-discrimination and pay equity.
- Advocate for qualified professional teachers, both male and female, and fair salaries as a core principle of quality public services.

### **3.4. Using the Obvious and Building Alliances**

There are many examples of campaigns by organisations like the Canadian Union of Public Employees (CUPE) with “Up With Women's Wages” in Canada, UNISON with “Get Equal” in the UK or the New Zealand Council of Trade Unions’ (NZCTU) “Pay Equity Challenge”. All of these can be used as an inspiration to create your own action plan. There is no need to reinvent the wheel; it’s mainly about picking good practices which fit your organisational environment best. For effective lobbying, building alliances with other trade unions, lawyers, pay equity advocates, NGOs and women’s, human rights’ and civil rights’ organisations is essential. This does not only raise awareness of pay equity concerns but also offers the possibility to share resources and expertise. If your trade union has already launched a campaign or is currently in the process of planning one, please send your ideas or best practice cases to Education International

(equality@ei-ie.org). We will put them on our webpage to enlarge the pool of experience for the benefit of fellow unions.

### **3.5. Campaign Guidelines**

Depending on the form of support and the amount of financial resources the trade union has there is a wide range of campaigning activities for pay equity. The socioeconomic and regulatory framework of each country leads to different priorities with regard to contents and implementation action. For unions with less financial resources the internet can be a particularly useful tool to increase awareness of pay equity. A wide variety of pay equity campaigns have been initiated by trade unions throughout the world. In the USA, the Equal Pay Day, for example, was launched in 1996 and has since mobilised unions and NGOs in the struggle for pay equity; not only in the USA but also in other parts of the globe. The date differs between countries, and symbolises how far into the following year women must work in order to earn what men earned in one full year. In New Zealand the trade union NZEI (New Zealand Educational Institute) achieved good results for the closure of the pay gap by maintaining collective bargaining and campaigning publicly to raise awareness among the population (Pillinger 2002). In Senegal, the Union Démocratique des Enseignants du Sénégal (UDEN) has campaigned to have women recognised as “head of the family” in order to get one step closer to gender equality. Here are some examples of what you can do:

- Use the internet: Collect information and data as well as useful sources of help for workers affected by pay inequity and put them on your webpage
- Improve the quality and quantity of data on salaries and make it publicly accessible.
- Update the information on pay equity and distribute it among relevant target groups.
- Go public: Raise awareness for pay equity by street action, collecting signatures for protest letters, the distribution of newsletters, reports in the union’s magazines etc.
- Implement training to sensitise trade union workers, teachers as well as government representatives concerning pay equity and proactive measures against discrimination.
- Improve the position of women in decision-making in trade unions so that pay equity is a major component in collective bargaining demands.

## **4. Conclusion**

A lot of work has already been done in order to get one step closer to pay equity worldwide. As mentioned above, many different campaigns have been created by trade unions all over the globe. There is currently a huge pool of experience, which new fellow campaigners can take as a starting point for their own engagement. By integrating pay equity into collective bargaining, supporting and launching campaigns to raise political awareness or using courts or tribunals to win cases, unions can support the struggle against gender discrimination. Sometimes more low-profile measures can be very effective too: the collection of data and case studies, for instance, is an important contribution that provides a basis for the fight for more gender equality in working life.



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