

COMISSION FOR EQUALITY IN LABOUR AND EMPLOYMENT

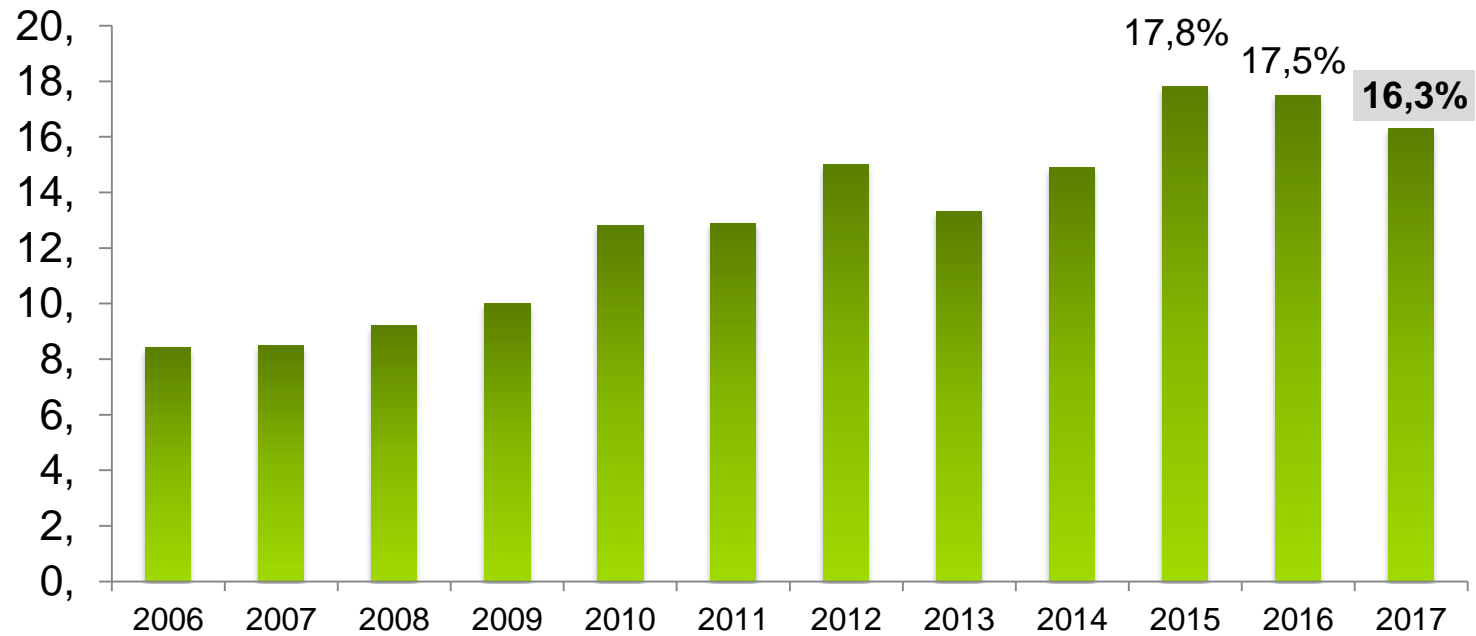
State of the Gender Pay Gap in Portugal

EQUALITY PLATFORM AND STANDARD

WORKSHOP | 29 October & MEETING | 30 October 2019

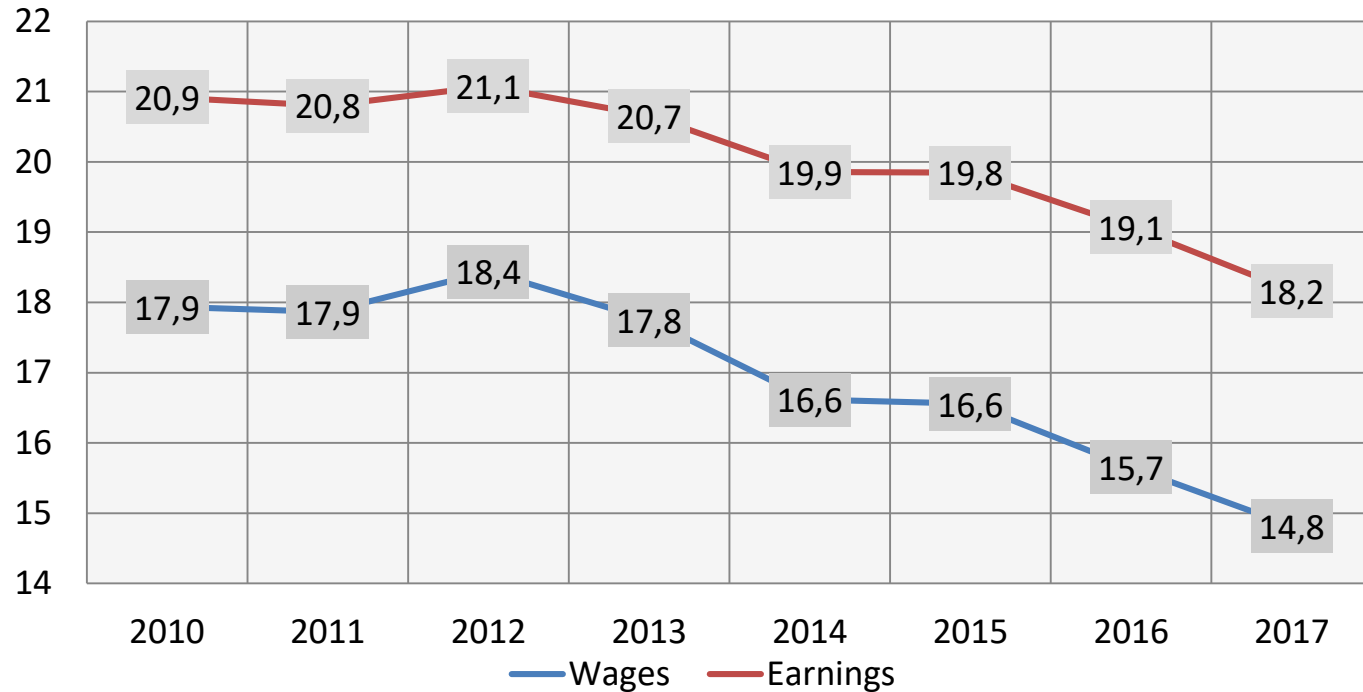
Iceland | Reykjavik

Gender Pay Gap | Portugal



Eurostat

Gender Pay Gap | Portugal



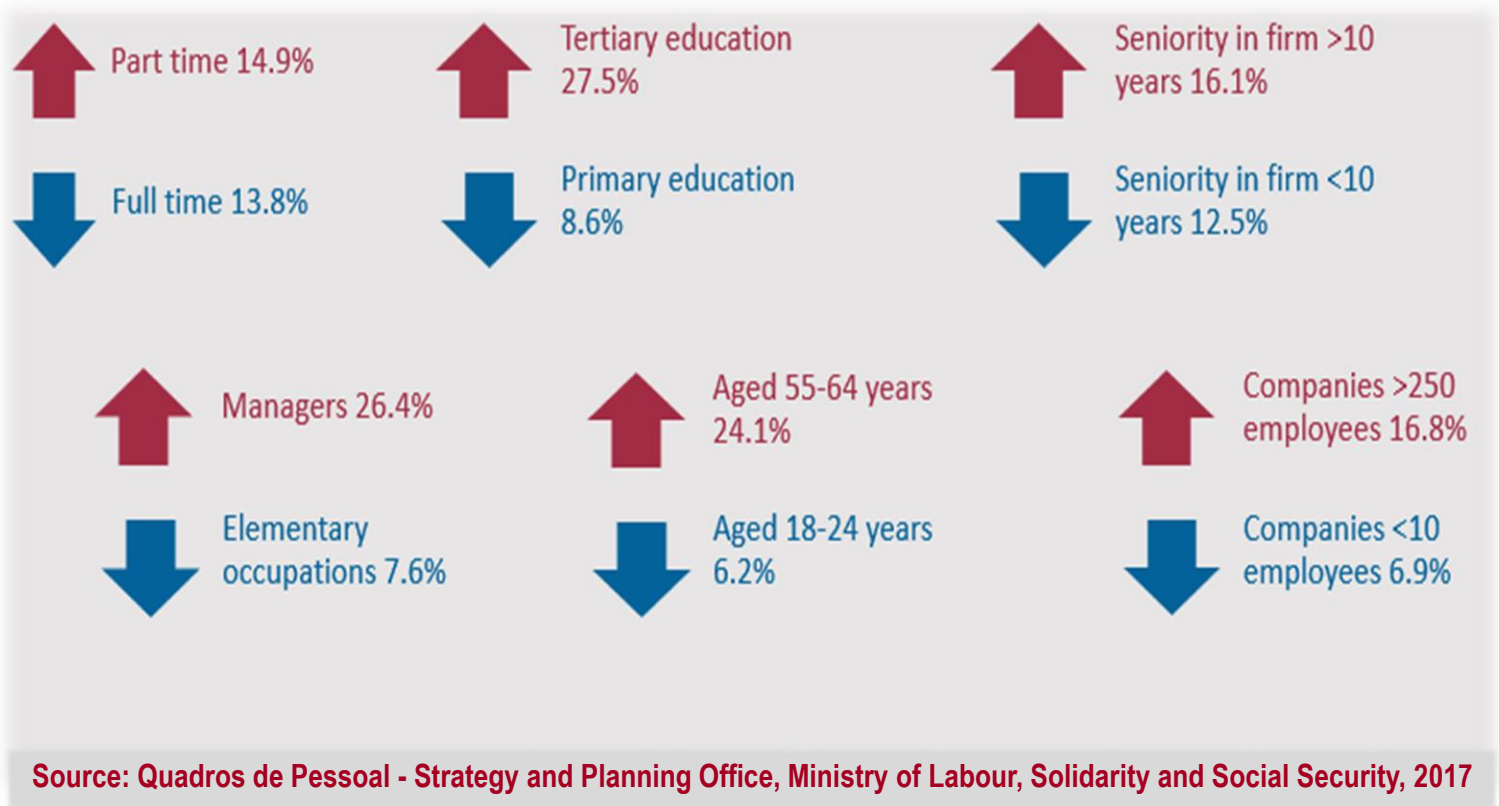
GEP-MTSSS, Quadros de Pessoal

Explaining the evolution in gender pay gap:

Until 2014: decrease in men's wages + slight increase in women's wages

From 2016: overall wage increases, more pronounced among women
the increase of the national minimum wage, covering mostly women (frozen until 2014) - 2018: 26,8% of female employees and 17,2% of male employees received the national minimum wage (GEP, Inquérito aos Ganhos e Duração do Trabalho)

Gender Pay Gap | Portugal



The Constitution of Portuguese Republic

Article 13 (Principle of equality)

1. All citizens possess the same social dignity and are equal before the law.
2. No one may be privileged, favoured, prejudiced, deprived of any right or exempted from any duty for reasons of ancestry, sex, race, language, territory of origin, religion, political or ideological beliefs, education, economic situation, social circumstances or sexual orientation.

Article 59 (Workers' rights)

1. Regardless of age, sex, race, citizenship, place of origin, religion and political and ideological convictions, every worker has the right:
 - a) To the remuneration of his work in accordance with its volume, nature and quality, with respect for the principle of equal pay for equal work and in such a way as to guarantee a proper living;
 - b) That work be organised under conditions of social dignity and in such a way as to provide personal fulfilment and to make it possible to reconcile work and family life;

(...)

Legal and Policy context

The Labour Code

Article 23 on Concepts regarding equality and non-discrimination

Clarifies the core concepts regarding equality and non-discrimination such as:

- Direct discrimination
- Indirect discrimination
- Equal work
- Work of equal value



Work of equal value, in which the functions performed at the service of the same employer are equivalent, considering, in particular, the qualification or experience required, the responsibilities attributed, the physical and psychological effort and the conditions under which the work is performed.

The Labour Code

Article 31 (Equal working conditions)

1 - The employees have the right to a level playing field, in particular regarding remuneration, and the elements that determine it must not contain any discrimination based on sex.

(...)

3 - Differences in remuneration shall not represent discrimination based on objective criteria, common to men and women, in particular, based on merit, productivity, attendance or seniority.

(...)

5 - Job description and job evaluation systems should be based on objective criteria common to men and women in order to exclude any discrimination based on sex.

(...)

Legal and Policy context

The Labour Code

Article 270 (Criteria for determination of remuneration)

In determining the value of the remuneration, the quantity, nature and quality of work must be considered, observing the principle that, for equal work or of equal value, equal pay.

Legal and Policy context

Law 60/2018 on measures to promote equal pay for women and men workers for equal work or work of equal value

This law contains **four types of mechanisms that enforce the principle of equal pay for equal work and of equal value.**

- **First, the annual availability of statistical information** about pay differences, by company (balance sheet) and by sector of activity (barometer);
- **Second, companies have an obligation to ensure a transparent remuneration policy** based on objective and non-discriminatory criteria;
- **Third, once the differences have been identified, companies must submit to the Authority for Working Conditions (ACT) a plan for assessing these differences to be implemented for one year;**
- **Finally, any worker may request the Commission for Equality in Labour and Employment (CITE) to issue an opinion on the existence of pay discrimination based on sex.**

CITE is responsible for monitoring the Law.

Legal and Policy context

National Action Plans for Gender Equality and Non-discrimination

The V PNI – 2014-2017

Measure no. 46

To evaluate the evolution of wage differentials between women and men in Portugal, by sector of activity

ENIND – National Strategy for Equality and non-Discrimination

The PAIMH – 2018-2021

Specific Objective 2.2. - Eliminate income disparities between women and men

Measure no. 2.2.3.

Development of white papers, studies, projects promoting the elimination of pay gap between women and men

Measure no. 2.2.4.

Dissemination of job evaluation methods free from gender bias

Legal and Policy context

Resolution of the Council of Ministers n. 13/2013, March 8

Provides a set of measures to ensure and promote equal opportunities and outcomes between women and men in the labour market, in particular the **elimination of the pay gap**, including the drawing up of a report on wage differences by economic activity (paragraph 1 (a)).

The **first report** was produced in 2014, giving a "picture" of the country with regard to existing pay differences between men and women in the different economic activities. Eighty-four economic activities were analysed. In 2014, this report was presented and discussed in the Standing Committee for Social Dialogue.

Following this first study it was produced a qualitative study on wage differences by economic activity (Casaca e Perista, 2014) that included recommendations to public authorities and social partners.

Institutional context

Commission for Citizenship and Gender Equality (CIG)

Official mechanism responsible for implementing public policies designed to promote gender equality, non-discrimination and citizenship in general.



Commission for Equality in Labour and Employment (CITE)

Tripartite official mechanism focused on the promotion of equality and non-discrimination between women and men in work, employment and vocational training.



Strategic and Planning Office of the Ministry of Labour, Solidarity and Social Security (GEP/MTSSS)

Its mission includes the production and dissemination of studies, statistics and strategic planning in the domains of the Ministry (Work, Employment, Wages, Vocational Training, Social Security and Social Support) as well as the coordination of international affairs (including bilateral cooperation with Portuguese Speaking African Countries and East Timor)



Authority for Working Conditions (Labour Inspectorate)(ACT)

Tripartite official mechanism that aims to promote the improvement of working conditions throughout the continental territory by monitoring compliance with labour standards within the framework of private labour relations and by promoting occupational safety and health in all public and private sectors of activity.



It has work place inspection competences and can impose fines.

EU



Gender Pay Gap Calculator

Main Features

TOOL'S AIM

Conduct a self-assessment exercise on equal pay between men and women

- Measuring of gender pay gap within companies
- Identification of specific situations of pay gap between women and men

Know whether or not differences are explained by objective factors or by gender-related discrimination

The Variables

Personal Characteristics

- Age
- Years of education
- Sex
- Years of employment
- No. Dependents

Job Characteristics

- Responsibilities at management level
- Skills level required
- Professional category
- Performance evaluation

Working Hours

- No. regular hours paid
- No. supplementary hours paid

Remuneration

- Basic wage
- Remuneration of overtime
- Christmas and vacation bonus
- Irregular awards and grants
- Regular awards and grants

Reports - Three levels:

① General Characterisation

general descriptive statistics

② Gap Reasons

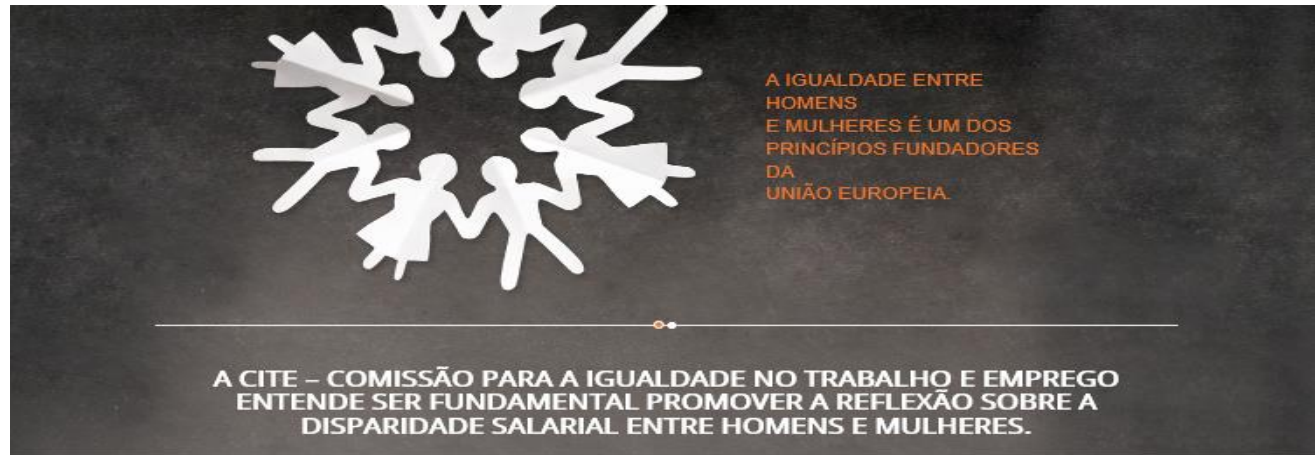
estimate of the disparity

③ Complete Descriptive Results

complete descriptive statistics

The Web Platform

Online tool | www.cite.gov.pt



A CITE desenvolveu dois instrumentos de reflexão e análise das disparidades salariais, que convida as empresas e outras entidades empregadoras a experimentar.

Esta metodologia permite identificar causas que estão na origem de disparidades salariais entre homens e mulheres, possibilitando a definição de estratégias ao nível da gestão de pessoas, no sentido de corrigir as situações de desigualdade identificadas.



Exercício de auto-reflexão de disparidades salariais de género em empresas



Calculadora DGS

CITE

COMISSÃO PARA A IGUALDADE NO TRABALHO E NO EMPREGO

© 2016 CITE - Comissão para a Igualdade no trabalho e no emprego | Grupo CH

POA FSE

ER

GOVERNO DA REPÚBLICA PORTUGUESA

UNIAO EUROPEIA

Barometer on Pay Disparities

Law no. 60/2018, august 21st | Measures to promote equal pay between women and men for equal work or work of equal value

✓ **Improving statistics**

- The law requires the production of regular data on pay disparities at sector and company level (including disaggregated data by occupation and qualification level).
- The information is prepared by the Strategy and Planning Office of the Ministry of Labour, Solidarity and Social Security, on the basis of information (already) provided by companies on an annual basis.

Barometer on Pay Disparities

Improving statistics on pay disparities

Going beyond the gender pay gap

The **Barometer** is meant to:

- improve statistics
- raise awareness
- promote a wide-ranging debate on equal pay in the Portuguese society
- provide employers with updated, reliable and detailed data that enables them to better understand how their respective economic activity sector is positioned in terms of pay disparities

The Barometer is an important instrument for employers understanding the individual evaluation of pay disparities



Barometer on Pay Disparities: a quick overview



BAROMETER

PAY DISPARITIES BETWEEN WOMEN AND MEN

NACIONAL | 2017

The Barometer intends to be a tool that allows the reflection, evaluation and promotion of pay equality between women and men for equal work or with an equal value, created within the scope of Law nº 60/2018, of 21st August.

MAIN CHARACTERISTICS

SECTORAL AND REGIONAL PERSPECTIVE

Average monthly remuneration (Basic and earning) and GPG for different variables according to the economic sector (sector) and the geographical location (district)

GENERAL

SECTORIAL

REGIONAL

ADJUSTED GENDER PAY GAP

Calculation of Gender Pay Gap (GPG) for the total of employees in full-time with a complete remuneration and the GPG adjusted in accordance with the different indicators (Occupation, Qualification, Education, etc.)

NOTES AND CONCEPTS

Barometer on Pay Disparities: a quick overview

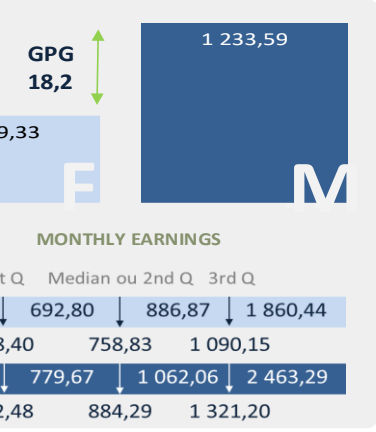
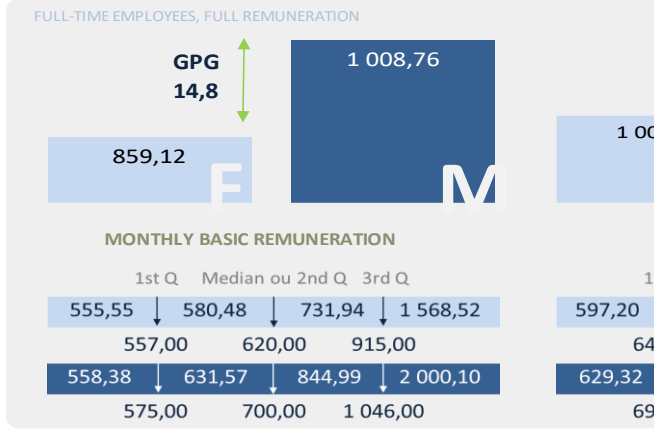
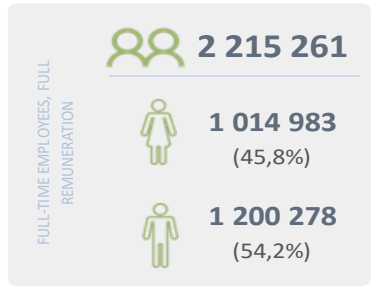
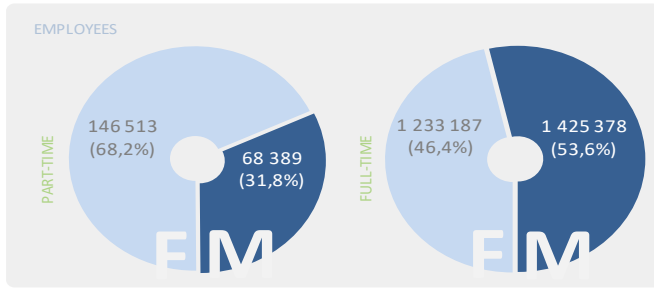
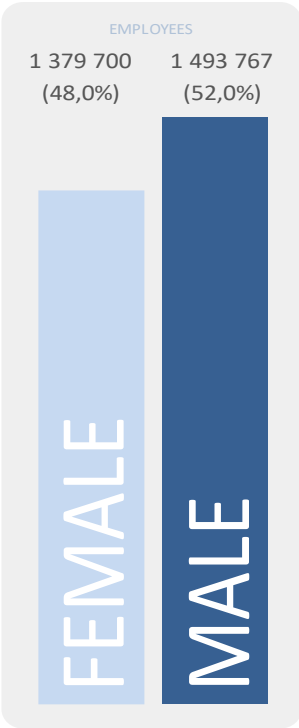
MAIN CHARACTERISTICS

[BACK](#)

Choose one option, according to the enterprise dimension to obtain the general characterisation:

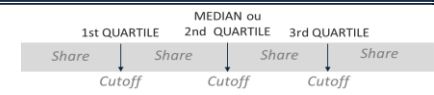
- ALL**
- UNDER 50 PEOPLE
- 50 or MORE PEOPLE
- 250 or MORE PEOPLE

ALL
 290 323 ENTERPRISES
 2 873 467 EMPLOYEES
 9,9 AVERAGE NO. OF EMPLOYEES BY ENTERPRISE

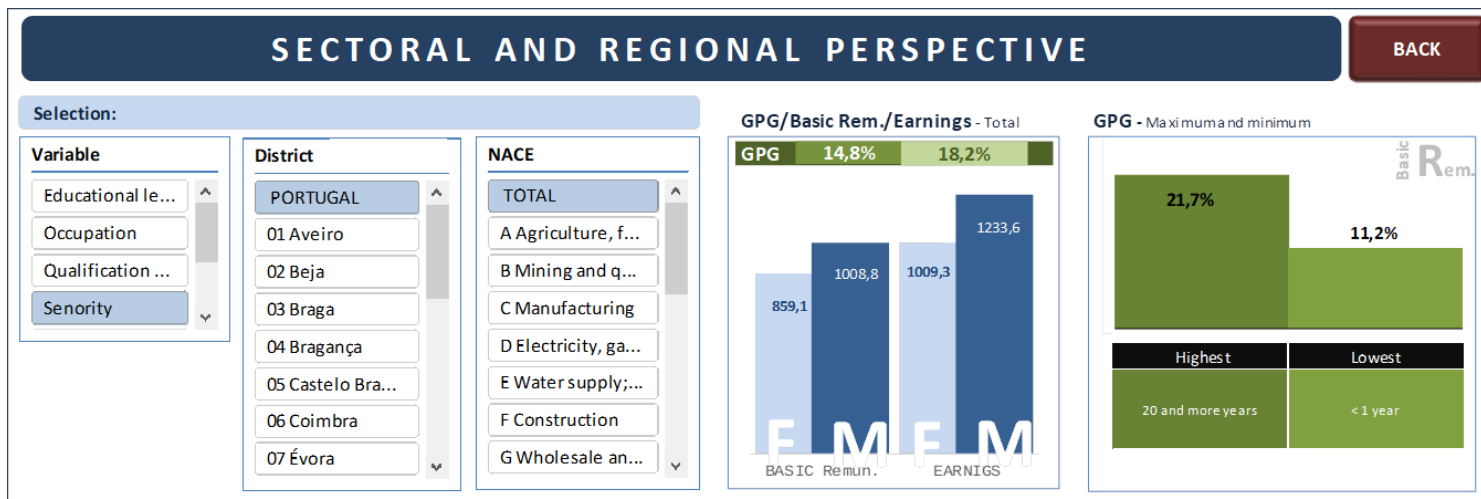


LEGEND:

1st Quartile (1st Q) - Below the 1st Quartile CutOff are 25% of the data.
Median ou 2nd Quartile (2nd Q) - Separate the data into two equal parts: below the 2nd Quartile CutOff are 50% of the data and above it the remaining 50%.
3rd Quartile (3rd Q) - Below the 3rd Quartile CutOff are 75% of the data.
 Share is the average calculated based on the observations in each of the quartiles considered.



Barometer on Pay Disparities: a quick overview



Note: Calculations made for Full Time Employees with Full Remuneration.
 Negative values in GPG mean that women's average pay is higher than men's.

Variable	Monthly basic remuneration (€)			Monthly earnings (€)			Full-Time Employees (1)			GPG (1- Female /Male) (%)	
	Total	Female	Male	Total	Female	Male	Total	Female	Male	Base	Ganho
Total	940,2	859,1	1008,8	1130,8	1009,3	1233,6	2215261	1014983	1200278	14,8%	18,2%
<1 year	768,9	717,8	808,8	905,5	829,9	964,6	452485	198425	254060	11,2%	14,0%
1 to 4 years	848,7	782,8	901,7	998,6	903,2	1075,4	644718	287493	357225	13,2%	16,0%
5 to 9 years	946,8	874,6	1013,1	1130,2	1020,9	1230,5	360724	172613	188111	13,7%	17,0%
10 to 14 years	1013,6	930,9	1093,2	1223,1	1097,7	1343,9	259104	127124	131980	14,9%	18,3%
15 to 19 years	1084,1	972,4	1191,0	1327,1	1163,3	1483,7	217350	106244	111106	18,4%	21,6%
20 and more years	1238,8	1071,7	1369,2	1561,4	1306,3	1760,5	280696	123039	157657	21,7%	25,8%

Equal Pay - #Eumerecoigual

The [national campaign for Equal Pay](#), to raise awareness, clarify and motivate the whole society for this paradigm.



Job evaluation methods free from gender bias

Value of Work and Gender Equality – Guide to applying a methodology for assessing the value of work free from gender bias (November 2008)

EQUAL Project Revaluing Work to Promote Equality (2005-2008)

Partners: **CGTP-IN** - General Confederation of Portuguese Workers (coord); **FESAHT** – Portuguese Trade Union Federation for the Agriculture, Food, Beverages, Hotels and Tourism Industries; **ARESP** – Portuguese Association of Restaurants and Similar Establishments; **ACT** – Authority for Working Conditions; **CITE** – Commission for Equality in Work and Employment; **CESIS** – Centre for Studies for Social Intervention; and **ILO** - International Labour Organization (advisor)

Job evaluation methods free from gender bias

AIM:

The construction and application of a job evaluation method free from gender bias in the Restaurant and Beverages sector

METHOD:

Analytical or points and factors rating method
(adapted from ILO)

Job evaluation methods free from gender bias

MAIN STEPS:

- To break jobs down the work involved into components, that is, into a certain number of **factors** (skills, responsibilities, effort, and working conditions) that will then allow the jobs to be compared.
- Each factor is divided into **sub-factors** so that further (increasingly detailed) information about the jobs may be collected. For example, the “working conditions” factor could consist of sub-factors such as exposure to noise, weekend work, etc.
- Each sub-factor is then sub-divided into **levels** or grades, depending on the quantitative or qualitative nature of the dimension to be assessed.
- Determine the **value** of the jobs (using a measurement scale by **points** allocated to factors and sub-factors).
- Assign points and identify **jobs of equal value**.

Job evaluation methods free from gender bias

Follow-up:

2011-2012 - the same methodology was adopted in the textiles, woollen and footwear sectors by the trade union federation FESETE / CGTP-IN, in partnership with the employers' sectoral associations, and in cooperation with CITE.

Outcomes:

The footwear collective agreement published in 2017 enshrines a restructuring of the wage grid that eliminates the occupational and pay discrimination of women in the sector.