

PROMOTING GENDER EQUALITY THROUGH EQUAL LIFE STANDARD IN EU COUNTRIES

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Abstract

After the World War II, especially in the early fifties there is an expansion of gender rights. Women are massively employed all over the world in all sectors of social life, contributing to an increase in both their own standard of living and the standard in their own countries. As the importance and role of women grows, this is achieved with increasing respect for its rights. Gender means elimination of inequality and promote equality between women and men in all areas of social life. If we want to achieve gender equality as a whole, it is inevitable to achieve an economic consolidation of the two sexes. Economic strengthening is possible through equal pay. Experience shows that payments are not equal when it comes to wages for men and women. Therefore, the EU is constantly working to regulate this area, with special regulations, which are mandatory for the member states, but should also be respected by countries that would like to join the union. This led to the promotion of gender equality through an equal life.

Keywords: equality, gender, sex, equal pay, discrimination.

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INTRODUCTION

The achievement of equal opportunities for women and men ensures their equal participation in all areas of the public and private sector, equal status and treatment in the exercise of their rights, as well as equal benefits from the achieved results. Although there are still outstanding issues on the basis of gender equality, it can be argued that the equal rights of women and men successfully conducted. There are still some differences

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that need to be addressed, but take measures to prompt seams or flattening in all spheres of women and men.

Since the Beijing United Nations convention adopted in 1995, the Member States, relating intensive work in the implementation of specific objectives and actions in their programs and policies, in particular the removal of all obstacles to the participation of women in all spheres of life.

As the importance and role of women grows, this is achieved with increasing respect for its rights. In the last ten years, the percentage of the sexes in the participation of the government is approaching and this is determined by law, primarily in the public sector. A strategy is being developed to increase this percentage in private companies, with the fulfillment of certain conditions, where more parameters will be taken into account, such as the ability to manage, the level of education, the necessary experience and more.

More often in the legal solutions and in practice the term equal participation of the "opposite sex" is used. This happens because the two sexes are equal in rights, regardless of which rights they are dealing with. Economic strengthening is one of the most important factors and goals in achieving gender equality, which contains several elements aimed at: eliminating various forms of discrimination, promoting more and better jobs, in terms of staffing and quality of employment, but equal pay for both sexes. Recommendations and Directives of the European Commission, already implemented in most of the Member States, can be a good guide on how to achieve an equal standard of living between men and women as a contribution to the promotion of gender rights.

1. ECONOMIC STRENGTH AS A BASIS FOR GENDER EQUALITY

Sometimes this notion of gender as a set of cultural practices has been reduced to role or identity, so that gender is treated as a preexisting characteristic or property of the individual. Gender is a social relationship, based upon the promotion of hierarchy, and one that is reiterated through interactions in everyday life (Hicks 2015).

There is post-structural view, which sees gender as a socially constructed system of dynamic differences, coexists with a still very powerful structural view that sees gender as an innate source of fixed and universal male/female difference (Hanson 2010).

While men were tasked to avoid emotional contagion so that they act like rational, selfinterested thinking subjects, women were taught to be sensitive to the emotions of others so that they might moderate the excessive evils of masculine self-interest. This enables the conclusion that women ought to function better in human resources because they have a biological advantage in managing emotions more effectively than men (Hong 2016).

Economic strengthening is one of the most important factors and goals in achieving gender equality, which contains several elements aimed at: elimination of various forms to discrimination; promoting more and better jobs for women, in terms of staffing and quality of employment, and finally reducing the feminization of poverty (Ministry of labor and social policy 2017).

The principle of equal pay for men and women was initially introduced in 1957 under the Treaty of Rome. The additional provisions of the agreement consolidated and extended the basis for European accession. (See EU Treaties | Directives | Legal Regulations).

It is understood that the base is gradually upgraded with other international documentation, one of them is the Treaty of Amsterdam. That document made a significant step forward with the proclamation of the promotion of equality between women and men as a fundamental task of the EU. The agreement also obliges Member States to eliminate inequality and promote equality between women and men in all areas of activity. Also introduced a new article that strengthens EU action against all forms of discrimination based on gender or other attributes.

Certainly the most important international document is the Treaty of Lisbon. The agreement provides for reform of the EU institutions and improvement of its working methods - measures that have become necessary in relation to the EU enlargement. The inclusion of the Charter of Fundamental Rights means that it is legally binding as primary European law.

In paragraphs values and goals that preceded the Treaty highlights and explicit reference to equality between women and men and for such promotion by the EU.

2. THE PRINCIPLE OF EQUAL PAYMENTS ACCORDING TO THE EU LEGISLATION

Care as a set of relations that need to be enabled and accommodated, or “balanced” and “reconciled” with paid work, seem to have taken a back seat. Instead the accent is on the need to increase female employment, with little consideration of what this is going to mean for non-market care work (Razavi 2017).

The experimental studies on prosocial behaviors have shown that men and women readily help others in need, beliefs about gender roles lead to the expectation that differences in helping behavior would obtain across genders: Women will approach help in ways that are primarily communal, whereas men will have primarily an agentic focus. (Eisenchlas 2013).

Women are more likely than men to be employed informally and to earn less. Even in emerging new economic sectors such as information technology services, women tend to be concentrated in low-end occupations as labour markets remain heavily segregated along lines of gender, caste and class (Tacoli and Satterthwaite 2013).

The EU Charter of Fundamental Rights, signed in 2000, strengthens the ban on discrimination and the obligation to ensure equality between women and men in all areas. Institutions, bodies and agencies of the EU are obliged to respect the rights set out in the Charter. The same obligation applies to Member States in their implementation of European legal provisions. The incorporation of the Charter does not change the competence of the EU, but gives citizens more rights and freedoms.

In March 2010, the European Commission has promoted the “Women's Charter” in the form of a declaration policy. The charter reinforces the Commission's commitment to gender mainstream policies, in fact, the consideration and targeted support for equality between women and men in all policy areas. In particular, the strategy “Europe 2020” aims to fully consider aspects of equality. It gives priority to five key areas for action over the next five years: Promotion of equal economic independence through greater equality in the labor market, Equal pay for equal work and work of equal value, Promoting equality in decision-making, Comprehensive policy for the protection of human dignity and the eradication of violence against women and Promoting gender equality outside the EU to other countries and international organizations.

In the Charter, the principles of equal pay are most precisely regulated. According to that, each Member State should ensure that the principle of equal pay for male and female workers for equal work or work of equal value applies. The same article defines the term "salary" which means an ordinary basic or minimum wage and any other payment, whether in cash or in kind, which the worker directly or indirectly receives from his employer in relation to his employment. Equal pay without discrimination on grounds of sex means: (a) those who pay for the same work per piece of rates shall be calculated on the basis of the same unit of measurement; (b) those who pay for work after time the rates will be the same for the same work. In this context, the European Parliament and the Council, acting in accordance with the ordinary legislative procedure, and after consulting the Economic and Social Committee, shall take measures to ensure the application of the principle of equal opportunities and equal treatment of men and women in employment and occupation, including the principle of equal pay for equal work or work of equal value. In order to ensure full equality in practice between men and women in lifetime work, the principle of equal treatment shall not prevent any Member State from maintaining or adopting measures which provide specific advantages in order to facilitate easier access to the underrepresented sex professional activity or to prevent or compensate for shortcomings in the professional career.

Given that this area is upgrading constantly, continuously European Union adopted guidelines for gender equality and anti-discrimination. Starting with the 1970 on the basis of fundamental rights based on conventions, 13 Directives were adopted relating to gender equality. They refer to legislation in the following areas: work equality and employment issues, employment in pregnancy and parenthood, self employment and spouses as well as access to goods and services.

The Directive lays down that for the same work or work of which is attributed equal value, direct and indirect discrimination on grounds of gender with regard to all aspects and conditions of remuneration shall be removed. Especially when the system for job classification is used for determining pay, it should be based on the same criteria for both men and women, so it is prepared to exclude any discrimination on grounds of gender (European Commission/Directive 2006/54/EC, Article 4, 2013).

Salary includes not only basic salary, but also a number of other elements of compensation in general, including professional pension schemes. According to the directives, a broad definition of wages may be treated for any ordinary basic or minimum wage or salary and any other consideration, whether in cash or in kind, which the worker receives directly or indirectly in relation to his employment from his / her employer (European Commission 2013). All these rules also apply to self-employed persons. Any change that does not comply with the directives and applies to them will be considered as discrimination.

In others, the legal definition of salaries is not identical to that in the directive, but the ultimate effect is entirely the same, or national courts interpret the term "salary" in the event of a dispute and then again take the same criteria.

It is less obvious that organizations equally value men's and women's contributions, or that organizations are equally attractive for them. Men and women starting with the same education but develop different career paths (Ellemers 2014).

3. PREVENTION OF DISCRIMINATION FOR ECONOMIC EQUALITY

There should be no direct or indirect discrimination on grounds of sex in professional social security schemes, in particular with regard to: the scope of such schemes and the conditions for access to them, the obligation to contribute and the calculation of contributions, the calculation of benefits, including additional benefits owed to the spouse or expatriates, and the conditions governing the duration and retention of the right to benefits (EU Commission/Directive 2006/54, Article 5, 2013).

Discrimination can damage health by limiting an occupation to persons who are physically unsuited to it (Hippel, Rutherford, and Keyes 2017).

The personal area covers the members of the working population, including self-employed persons, persons whose activity is interrupted by illness, motherhood, accident or involuntary unemployment, and persons seeking employment of retired persons as well as persons with disabilities in accordance with national legislation and / or practice (EU Commission/Directive 2006/54, Article 6, 2013).

According to the Article seven of Directive 2006/54/EC, the material area refers to: schemes for occupational social security schemes which provide protection against risks, sickness disability old age, including early retirement, industrial accidents and occupational diseases, unemployment, occupational social security schemes which provide other social benefits, in cash or in kind, and in particular benefits family and family allowances, if such benefits constitute a consideration paid by the employer to the employee for employment of the last worker.

As examples of attempts at discrimination, provisions contrary to the principle of equal treatment include those on the basis of gender, directly or indirectly, in relation to: determining the persons who can participate in a professional social security scheme, determining the compulsory or optional nature of participation in a professional social security scheme, setting different rules regarding the age of entry into the scheme or the minimum period of employment or membership of the scheme required in order to obtain the benefits therefrom, setting different rules for compensation of contributions when the employee leaves the scheme without fulfill the conditions guaranteeing a deferred right to a long term benefits.

Furthermore, the determination of different conditions for granting benefits or limiting such benefits to workers of one or the other sex, determining different retirement ages, suspending retention or acquiring rights during maternity leave or leaving for family reasons awarded with law or contract and are paid by the employer, setting different levels of benefit, unless it is necessary to take account of actuarial accounting factors that differ according to gender in the case of defined contribution schemes, in the case of funded defined-benefit schemes, certain elements may be unequal when inequality arises from the effects of the use of actuarial factors that differ by sex at the time when the funding of the scheme is implemented.

Setting different levels for employee contributions, setting different levels for employers' contributions, except: in the case of defined contribution schemes, if the goal is to equalize the amount of final benefits or make them roughly equal to both sexes, in the case of funded defined benefits programs, where employers' contributions are intended to ensure the adequacy of the necessary resources to cover the costs of the defined benefits, setting different standards or standards to apply only to workers of a certain gender, with regard to the guarantee or the retention of the right to deferred

benefits when the employee leaves the scheme. When the granting of benefits is at the discretion of the management bodies of the scheme, it should abide by the principle of equal treatment. (See Directive 2006/54/EC, Article 9)

Individuals can directly rely on the exercise of their rights under this regulation and before national courts not only against the (organs) of the state, but also against individuals, such as private employers.

However, victims of discrimination face certain barriers to access to justice, including: lengthy and costly litigation, time limits, lack of effective sanctions and sufficient compensation, as well as limited access to information needed to apply for an equal pay (European Commission 2013).

What is certain is that much has been done in equalizing and promoting the rights to gender equality, both female and male, but it is still necessary to work on the issue of equal pay, which will bring equilibrium.

It is need to mention the salience of gender egalitarianism as a marker of group membership which is a fundamental component of the symbolic boundary that separates natives and foreigners in Europe. Gender ideologies are a crucial part of boundary-making processes in Europe and are often mapped onto racial and ethnic distinctions (Ponce 2017).

Normative role behavior is collectivistic that delimits individual freedom and tie them to predetermined rights and duties as well as expectations. The socially constructed and culturally defined realities are closely associated with the development of stereotypes that are predetermined notions or images, which define various spheres of activities including gender (Hussain et al. 2015).

CONCLUSION

The gender gap between men and women is increasingly decreasing. This is the result of measures taken by state authorities, by institutions with law intervention, but also by increasing emancipation of both sexes. To satisfy family and professional life, everyone has the right to protection from dismissal for reasons related to motherhood and the right to paid maternity leave and parental leave after the birth or adoption of the child. Equal treatment between husband and wife must be ensured.

Economic strengthening is one of the most important factors and goal in achieving gender equality, which contains several elements aimed at: elimination of various forms of discrimination; promoting more and better jobs for women in terms of staffing and quality of employment and ultimately reducing of poverty.

In order to achieve economic empowerment, the principles of equal pay should be most precisely regulated. Each Member State should ensure that the principle of equal pay for male and female workers applies for equal work or work of equal value. The same article defines the term "salary" which means an ordinary basic or minimum wage and any other payment, whether in cash or in kind, which the worker directly or indirectly receives from his employer in respect of his employment. Equal pay without discrimination on the basis of gender means that those who pay for the same work per piece of rates are calculated on the basis of the same unit of measurement, and those who pay for work after time the rates will be the same for the same work.

In addition, the salary includes not only the basic salary, but also a number of other elements of compensation in general, including occupational pension schemes. According to the directives, a broad definition of wages may be treated for any ordinary basic or minimum wage or salary and any other consideration, whether in cash or in kind, which the worker receives directly or indirectly in relation to his employment from his / her employer. This also applies to all other benefits arising from employment, such as health, pension and social security.

Furthermore, all vacations and absences, raises and rewards that have to be determined under the same criteria. In this regard, measures for gender equality and protection against discrimination should be undertaken continuously. In this regard, measures are always taken for gender equality and protection against discrimination. In the EU directives related to this basis of discrimination, it is envisaged that for the same work or for work to which equal value is attributed, direct and indirect discrimination on grounds of sex in respect of all aspects and remuneration terms will be removed. The job classification system should be used to determine wages and be based on the same criteria for men and women, to be drafted in such a way as to exclude any discrimination on grounds of sex.

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