European Social Partners: Advancing and Opposing European Union’s Gender Equality Policies

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Introduction

The role that social partners play in shaping European Union’s gender equality discourses and policies has received little scholarly attention considering their historical and current impact at this transnational policy-making level. At the theoretical level, trade unions were excluded from Alison Woodward’s notion of the ‘velvet triangle’ that describes informal ties between femocrats, women’s movements and academics/consultants in gender equality policy making, as explained by Sophie Jacquot in this book. Focus on social partners has also been missing in empirical analyses on EU’s gender policies (Abels and Mushaben 2012; Jacquot 2017; Kantola 2010; Kantola and Lombardo 2017a), in gendering theories of integration (Abels and MacRae 2016), or gendering key political decision-making and policy-making institutions and processes at the EU level (Abels et al. 2021). Yet, as Jacquot’s chapter shows, especially trade union activists and feminists within them have historically played a crucial role in advancing EU gender policy agendas. A very different albeit important role is played by employers’ organisations which seek often to undermine progressive gender equality initiatives at EU level (see also Elomäki and Kantola 2020).

In this chapter, we analyse how European social partners’ constructions of what is relevant and desirable – and what not – in EU gender equality policies. We ask: how do European social partners construct their message about gender equality in their public statements and documents? What are the political struggles about gender equality that this implies? What differences are there between social partners’ constructions of gender equality problems and the proposed solutions? These questions imply addressing both trade unions and employers’ organisations. We focus on four cross-sectoral EU-level peak organisations: the European Trade Union Confederation (ETUC), BusinessEurope, SMEunited (formerly known as UEAPME), and SGI Europe (formerly
CEEP). Our research material consists of all official statements of these organisations in relation to gender equality from 2010 to 2021 and background interviews. Our focus on the 2010s and beginning of 2020s is important in our view as this was a period when traditional gender equality actors were sidelined in EU policy-making, gender equality institutions were dismantled and access reduced to women’s organisations. We argue that European social partners’ constructions matter. The European Social Dialogue empowers social partners in a number of gender equality policy fields and they can either advance progressive gender equality frames and solutions to inequalities, or hinder progress.

In the first part of the chapter, we discuss previous research findings on what the social partners at EU-level are and what they do. We also contextualise this work in the shifting EU gender equality policies. In the second part, we outline our methodological approach and research material. The rest of the chapter presents our analysis focusing on (i) social partners’ activities in the field of gender equality; (ii) prioritised issues and constructions of gender equality, (iii) favoured actors and policy measures for equality.

**European Social Partners Influencing EU Gender Equality Policy**

The four cross-sectoral EU social partners discussed in this chapter represent specific interests. ETUC speaks on behalf of all European workers and its members consist of 90 national trade union confederations from 38 European countries and 10 European trade union federations. BusinessEurope is the representative of business interests, whose members consist of 35 national business federations. SMEunited is the European umbrella organisation for small and medium sized enterprises, and its 65 member organisations consist of national SME federations from over 30 countries and European level sectoral organisations. SGI Europe represents the interests of
enterprises and associations providing services of general interest, such as healthcare, education, water, waste management, energy and aims to make the importance of public services visible. In addition to representing their members’ interests at EU-level, the European social partners facilitate exchanges between national organisations and disseminate expertise and ideas from EU-level to the national level.

The Treaty of Maastricht (1992) established a new playing field for trade unions and employer organisations through the practice of European social dialogue (Falkner 1998; Gold et al. 2007). Under social dialogue, the European Commission must consult the social partners before submitting proposals in the field of social policy through a two-stage consultation procedure, and social partners are given the opportunity to negotiate framework agreements that can be turned into EU law. Social partners also participate in regular talks with EU institutions. Finally, they take autonomous actions in the framework of their own bi-partite work programmes. Social dialogue gives the EU social partners an institutionalised role in EU policy-making and a unique position to shape policy, including in the field of gender equality. Social partners also influence EU policies by lobbying the different EU institutions, and they are among the most powerful interest groups in Brussels (Diogini 2017; Treib and Falkner 2009). Lobbying has become more important as the social dialogue has weakened in the aftermath of the 2007-2008 financial and economic crisis (Pochet 2019; Prosser 2016).

Despite the weakening of the social dialogue (see Jacquot in this volume), social partners’ possibilities to influence EU policy remain significantly higher than those of women’s organisations and other feminist actors. This is particularly true in what comes to economic policy – an important field from a gender perspective where gender equality actors have had difficulties to be heard (Cavaghan 2017). For example, there are mechanisms to involve European social
partners in the EU’s economic governance and its key governance tool the European Semester (Sabato et al. 2017, pp. 8–18). The power wielded by employees’ and employers’ representatives has not been balanced, and shifts in the political context, such as the economic crisis, have influenced their relative power balance further. There has been an observable bias towards business interests in EU decision-making (e.g. Hix 2005, p. 215), and employers have been able to constrain the European social dialogue through turning it from a process for adopting new European norms into a forum for exchanging good practices (Pochet and Degryse 2016).

The fact that EU gender policy focused on issues related to the labour market for a long time has given a (natural) role to the labour market organisations. Since 1970s’ gender equality directives, dominant issues in relation to gender equality in the EU have included equal pay; outlawing gender based discrimination in working life, including on basis of pregnancy; part time work; maternity and parental leaves; and work-life balance. There has been a gradual expansion in EU gender equality politics to other issues, for example to LGBTQI rights and gender-based violence. The period under study in this chapter (2010–2021) was characterised, first, by the economic and Eurozone crisis and gendered austerity policies as well as the sidelining of gender equality from the EU’s agenda and the intensified dismantling of the EU’s gender policies (Jacquot 2015; 2017). The only major gender equality initiative in the first part of the 2010s was the Commission’s draft directive on gender balance in corporate boards in 2012 that was halted in the Council. The weight of gender equality issues on the EU’s agenda began to increase on the second half of the decade, first through the gender equality principles and the work life balance directive included in the European Pillar of Social Rights during Jean-Claude Juncker’s Commission (Plomien 2018) and then through Ursula von der Leyen’s Commission’s renewed commitment to gender equality (Abels and Mushaben 2020). The last years have been characterised by the Covid-
19 crisis with its well-documented gendered impacts as well as the EU’s historical 750-billion-euro recovery plan (see Elomäki and Kantola forthcoming). The multitude of these issues gives ample space for social partners to influence gender issues with either direct or indirect constructions of what is relevant and desirable – and what not.

European social partners influence EU gender equality policy in different ways. Firstly, they are in a position to advance, block or water-down specific policies through the legislative power they exert through European social dialogue. For example, social partners’ Framework Agreement on Parental Leave adopted in 1995 and revised in 2009 was implemented as a Council Directive. In the 1990s, social dialogue emerged as a way to move gender equality issues forward when they were blocked in the Council (see Jacquot in this volume). In the 2010s, social partners’ powers to negotiate EU legislation have turned into a hindrance to gender equality, due to employers’ opposition to any new legislation, as shown by the employers’ refusal to enter negotiations about new forms of leave to improve work-life balance (Elomäki and Kantola 2020). However, the work-life balance directive – eventually proposed by the Commission in 2017 without social partners’ participation – and the 2021 proposal for a pay transparency directive illustrates the Commission’s willingness to act also when employers oppose new legislation. Secondly, social partners play a role in the (non)integration of gender perspectives in the EU’s economic and social policies, for instance in key social policy initiatives like the European Pillar of Social Rights or in the EU’s economic governance. As noted above, they have better access than traditional gender equality actors to policy-making processes in these fields and are therefore in a position to shape these policies in a more gender equal direction. Thirdly, European social partners’ shape the meaning of gender equality in EU-level debates through constructing gender
equality and inequality in specific ways and paying attention to specific topics that fit their interests.

Promoting gender equality has been part of European social partners’ bi-partite activities too. In 2005, BusinessEurope, ETUC and the former UEAPME and CEEP adopted the Framework for Actions on Gender Equality to be mainly implemented by national social partners. Some of its priorities (addressing gender roles, promoting women in decision-making, supporting work-life balance and tackling the gender pay gap) were later integrated in social partners’ multiannual work programmes, which set joint action at national and EU-levels. The 2012–2014 work programme renewed the commitment to the priorities of the Framework for Actions and resulted in a toolkit on social partners’ practices for advancing gender equality at work. (Eurofound 2014; Weiler 2013.) The 2015–2017 work programme promised to address work-life balance with a fact-finding seminar, exchange of good practices, and joint conclusions (BusinessEurope et al. 2015, June 14, p. 6).

European social partners’ joint work on gender equality has been weak and focused on awareness-raising and dissemination of good practices, in other words, measures that do not aim at societal transformation or imply costs or responsibilities for companies. In this way, social dialogue has offered the employers a chance to dilute gender equality initiatives (Elomäki and Kantola 2020). Moreover, social partners’ joint gender equality work is suffering from a backlash. The organisations have not renewed their commitment to the Framework of Actions due to lack of agreement, and gender equality was omitted from the latest work programme (2019–2021). The programme only made a passing reference to childcare, which, as we argue below, is one of the rare consensual themes between the organisations.
Research Material and Methodology

In this chapter, we analyse the official statements of the social partners on gender equality. Our approach is both discursive and constructivist and draws on the well-established tradition of focusing on the discursive politics of gender equality (Kantola and Lombardo 2017b; Lombardo et al. 2009). In relation to social partners, this implies asking how the social partners construct gender equality, with what effects, whose gender equality is advanced and whose is excluded, which actors are called to act to advance gender equality (Elomäki et al. 2019; Saari 2016). In discursive approaches, such statements about gender equality are not taken to reflect an objective reality of gender equalities and inequalities, their causes (diagnosis) and solutions to them (prognosis) (Bacchi 2009; Verloo 2007). Rather such statements reproduce realities of gender equality and construct them, which makes it important to analyse and understand the work that they do. Ultimately, such discourses about gender equality are about power and power struggles too: who gets to define the political agenda of gender equality and in which way.

The statements about gender equality by the social partners can be seen as gender equality performances, conscious attempts to portray the organisations as actors in the field of gender equality (Elomäki et al. 2019). Performative iteration of gender upholds the unity of gender as a category and the norms about gender, including heterosexuality (Butler 1990). Similarly gender equality performances construct the social partners as certain kinds of gender equality actors. At the same time the gender equality performances reproduce understandings of gender equality and ways to advance it. The statements direct attention to certain themes and away from others - narrowing the gender equality conversation to themes that do not threaten social partners’ interests. This way, certain aspects of gender equality and ways to advance it can be kept off the political agenda. (Koskinen Sandberg 2018.)
Our research data (see Table 8.1) comprises written positions of the ETUC, BusinessEurope, SMEUnited and SGI Europe on gender equality from years 2010–2021 (until 15 April 2021). The research data of 143 documents covers position papers, resolutions, press releases, public letters, statements, consultation replies and other documents that reflect the voice of the organisation, as well as studies published by the organisations. We have also included social dialogue work programmes and joint statements. The material was collected from organisations’ websites in April 2021 with the help of keyword searches (e.g. gender, gender equality, women, work-life balance, childcare). As Table 8.1 shows, the ETUC was the most active of the four organisations in gender equality matters. Employer organisations address gender equality relatively rarely, each in only 15–20 documents in the past 11 years. The documentary material is complemented with five interviews with persons working on gender equality within the organisations, conducted between September 2018 and January 2019. We use the interviews as sources of background information.

INSERT TABLE 8.1 ABOUT HERE. Caption: Research Material

We analysed the material in terms of the activities taken by organisations, the gender equality issues discussed, constructions of gender equality, preferred actors and proposed policy solutions. Within each category, we identified – both deductively based on earlier literature and inductively based on the data – several subcategories (see Table 8.2). We coded the material with the help of the analysis programme Atlas.ti. The analysis relies on discursive close reading of the research material.

INSERT TABLE 8.2 ABOUT HERE: Caption: Categories of Analysis
Our analysis is divided into three parts. We first look at EU social partners’ activities in the field of gender equality, both in terms of internal gender equality practices and their advocacy work. We then discuss in more detail the issues the social partners engage with and their constructions of gender equality and inequality. Finally we examine who EU social partners believe should be responsible for addressing inequalities and what kind of measures should be taken (see Table 8.2). In each case, we pay attention to convergences and conflicts between the trade unions and the employers as well as between the three employer organisations.

**European Social Partners’ Internal and Policy-oriented Activities For Gender Equality**

An analysis of the activities of the ETUC on gender equality since 2010 illustrates an active commitment to gender equality. At the moment, this is formally shown in its constitution, the preamble of which states that the ETUC ‘works for the elimination of all forms of discrimination, based on sex, age, colour, race, sexual orientation, nationality, religious or philosophical beliefs or political opinions; and: the promotion of equal opportunities and equal treatment between men and women’ (ETUC 2019, May 24, p. 6). The constitution makes other significant provisions for gender equality, too. First, it formally includes the Women’s Committee, which makes the position of the committee official and institutionalised (see also Jacquot in this volume). The Women’s Committee has three representatives on the Executive Committee (as does the Youth Committee). Second, the constitution has a rule for gender balance for the representatives to Congress sent by ETUC member organisations with the provision that they must ‘reflect the composition of the membership they represent’ (ETUC 2019, May 24, p. 11). There is also a sanctioning mechanism of reducing proportionally the delegation’s votes if it is not gender balanced. In addition to the formalised Women’s Committee, the ETUC has an LGBTQI* Rights Trade Union Network.
Other ETUC’s activities on gender equality include a commitment to improving the gender balance in trade unions’ decision-making bodies, and collecting sex-disaggregated data on affiliates’ membership and decision-making positions (annual gender equality survey) (Eurofound 2014, p. 11). The ETUC had two action plans on gender equality during the period studied in this chapter, 2010–2015 and 2016–2019. These action plans set specific areas for action including: (i) implementing gender mainstreaming into all policies; (ii) promoting equal economic independence for men and women, eliminating gender pay and pensions gaps; (iii) work-life balance; (iv) overcoming gender representation gap in trade unions’ and companies’ decision making bodies; and (v) combating sexual harassment and violence at work (ETUC 2012, March 7; 2016, June 8; see also Eurofound 2014, p. 11). The five areas have stayed the same between the programmes and over the past ten years with the addition that in the Action Programme on Gender Equality (2016–2019), the ETUC made combating sexual harassment and violence at work one of its top priorities (ETUC 2016, June 8). These action areas translate to policy commitments to gender equality (including LGBTQI rights) in numerous resolutions, statements and press releases, where the ETUC pushes the EU institutions to do more for gender equality. The ETUC proactively raises new issues on the EU’s agenda and its statements often go beyond EU gender equality policymaking.

Employer organisations’ internal practices and bodies for gender equality are weaker and they engage more rarely with gender equality in their policy work. Measured in the amount and length of output, BusinessEurope is the most active employer organisation in the field of gender equality. In what comes to internal structures, it has an Equal Opportunities Network composed of experts nominated by member federations, which prepares positions on gender equality and non-discrimination. Unlike the ETUC Women’s Committee, the Network cannot decide on positions,
which are adopted by the Social Affairs Committee. (Interview 1.) In its policy work on gender equality, BusinessEurope reacts to Commission’s proposals but also tries to proactively influence the EU’s gender equality agenda with position papers (e.g. BusinessEurope 2011, May 11; BusinessEurope 2015, June 23) and public activities, like events. According to our analysis, BusinessEurope’s activities mainly stem mainly from seeing gender equality either as a threat to business interests, or as instrumental to its economic goals, such as increasing labour market participation. It opposes specific proposals, but it also strategically works to transform the concepts, framings and knowledge of EU gender equality policy (see next section). Facts and knowledge have an important role in its positions.

SMEunited is the least invested employer organisation in gender equality. It has no specific structures for gender equality, which both reveals the insignificance of gender equality to the organisation and maintains its silence on these issues. BusinessEurope’s gender equality positions mainly consist of reactions to Commission’s proposals, which it categorically opposes. SMEunited shows very little concern for gender equality and portrays itself as an actor who defends small businesses against burdensome and costly policies and knows – unlike the Commission – the reality and the practicalities of the workplace. Until recently SMEunited had no own-initiative policies on gender equality, not even in the field of entrepreneurship that is close to its interests. The first such document, a publication with national best practices to promote women’s entrepreneurship, was published in 2021 (SMEunited 2021, February 15).

The public statements of public service providers express more commitment to gender equality than those of private employers. The interviewees too portrayed SGI Europe as ‘very committed’ to gender equality (Interview 2). SGI Europe does not have quotas to advance gender equality in internal decision-making, but it claims to practice gender mainstreaming (interview 2;
see also CEEP 2016, May 25). It has an informal expert group on gender equality, which prepares organisations’ gender equality positions. These positions are then approved by the Social Affairs Board or the General Assembly. (Interview 2.) The self-declared commitment to gender equality does not show in a large number of policy-related activities – which can be partly attributed to the organisations’ small size – but SGI Europe has a proactive approach visible in own-initiative position papers (CEEP 2016, May 25). Although SGI Europe too often opposes Commission’s proposals, it also raises gender issues in a positive manner, for instance through calling for gender budgeting in EU policy-making (CEEP 2019, April 26).

Although the overall picture that emerges is that the employer organisations are less committed than the ETUC to gender equality in both internal practices and policy work and often oppose the Commission’s proposals, there are differences between the employers too. Whereas BusinessEurope discusses gender equality proactively with the aim to transform the EU’s gender equality agenda into a less threatening direction and the SMEunited is a categorical blocker without a proactive agenda, the SGI Europe is more supportive of gender equality.

**Gender Equality Issues and Constructions of Gender Equality**

There are significant differences between the trade unions and the employers as well as between the employer organisations also as regards the gender equality issues they prioritise and the way they construct gender equality. The scope of gender equality issues the ETUC focuses on is extensive. These relate to gender inequalities in the labour market including the gender pay gap, part-time work, precarious work contracts, and occupational segregation, but extend to sexual harassment and violence against women at work. In some statements, gender equality is also understood intersectionally, for instance in relation to age and the situation of young women or in
calls for LGBTQ protection to be stepped up. In the 2010s, the ETUC expressed solidarity with LGBTQ workers to mark the International Day against Homophobia and Transphobia, issued joint statements with ILGA-Europe, and in the 2020s condemned Poland’s LGBT free zones.

The first part of the period studied in this chapter was dominated by the ETUC speaking about the gendered impact of the economic crisis and critiquing how gender equality had dropped off the EU political agenda. Economic concerns as opposed to social issues and rights or gender equality dominated the EU crisis response and policy making at the time (Cavaghan 2017; Elomäki and Kantola 2020; Kantola and Lombardo 2017).

In this context, the ETUC constructed ‘Social Europe’ and the strengthening of social rights and gender equality as a solution to the problems caused by the economic crisis. A central EU level issue which the ETUC lobbied for was the European Pillar of Social Rights. This included pushing for better maternity, paternity and parental leave and work-life balance provisions (Elomäki and Kantola 2020). The ETUC also called for public investment in care services – both for children and the elderly – and flexible working time based on workers’ needs. It emphasised the importance of division of care responsibilities between women and men (Elomäki and Kantola 2020). In relation to EU’s economic governance mechanisms, the ETUC pushed for the inclusion of indicators for social rights within for example the European Semester, which is highly dominated by economic performance indicators. However, as we have suggested elsewhere, during the economic crisis, the struggle was so harsh, that siding with the social did not always leave space for gender equality which at times disappeared from ETUC’s agenda too (Elomäki and Kantola 2020). Even after the immediate crisis years, the EU’s economic governance is constructed as having a negative impact advancing women’s rights in the labour market (wages, working hours, training etc) through collective bargaining.
The gender pay gap has consistently been an important issue for the ETUC during the period analysed. According to the ETUC, the gender pay gap is the result of ‘systematic undervaluation of women’s work’, inequalities and discrimination. Over the recent years, pay transparency has become an important lobbying point for the ETUC: ‘Pay transparency means that gender biases and discrimination, even if unconscious, are stripped away as everyone can see their effects laid out numerically in the cold light of day’ (ETUC 2019, October 23, p.1). The Convid-19 pandemic highlighted the necessity for more equal pay for all front-line workers including nurses according to the ETUC.

The centrality and visibility of gender-based violence in the workplace as an important issue has increased over the years for the ETUC. As mentioned above, tackling sexual harassment occupies a central place in the ETUC Action Programme for Gender Equity since 2016. The defence of the Council of Europe’s Istanbul Convention in the face of anti-gender and anti-gender equality attacks is surprisingly strong in the ETUC statements and it calls for the Commission to ensure member state ratification and EU accession to the Istanbul Convention. The ETUC, for example, condemned Turkey’s withdrawal from Istanbul Convention 2021. In the context of bodily rights, which are being challenged with the spread of radical right populism in Europe, the ETUC Women’s Committee in particular issued statements defending women’s fights for their reproductive rights across Europe. The ETUC also took a stance to defend the LGBTQI Strategy of the Commission. The trade unions are even constructed as pioneers in tackling violence: ‘Trade unions should be pioneers in introducing new initiatives (and reinforcing existing ones) to combat gender-based violence at work, including domestic violence at work, by drawing up policies, procedures and measures of support that workers trust’ (ETUC 2017, December 12, p. 33).
In addition to these issues which dominate the agenda, the ETUC stresses the importance of such gender equality policy making tools as gender mainstreaming in the processes of its member organisations, including in collective bargaining both to test the gendered impacts of collective bargaining and to ensure gender balance in negotiation processes. Finally, the ETUC makes openings towards new issues such as being concerned that Artificial Intelligence will reinforce gender inequality and stereotypes by building existing biases and prejudices into the algorithms and programmes of artificial intelligence.

Employers still understand gender equality narrowly as a labour market issue, as was the case when the EU began to develop measures in this field in the 1950s (Jacquot 2015). BusinessEurope, SMEunited and SGI Europe portray women’s low labour market participation, gender segregation and gender stereotypes as the main gender equality problems. These issues can be seen as non-threatening to employers’ interests or even supportive of them. Whilst all employer organisations discuss issues that go beyond the labour market, such as work-life balance, they mainly frame these issues as means to bring more women into the labour market. Only SGI Europe draws consistent attention to inequalities at home, speaking about ‘interconnections between working conditions and living conditions’ (CEEP 2016, May 25, p. 5). Employers are completely silent about harassment and gender-based violence, thereby implicitly constructing this issue is irrelevant for EU gender equality policy.

The gender pay gap is a particularly difficult issue for EU-level employer organisations, and they use different strategies to steer the debate away from the problem or to reframe it in a manner that shifts responsibility away from employers (see Elomäki et al. 2019; Koskinen Sandberg 2018 on similar tactics in national contexts). Firstly, employer organisations disconnect gender pay gap from discrimination. As BusinessEurope argues in a letter to the Commission: ‘the
gender pay gap does not mean discrimination, or an absence of equal pay for equal value work’ (BusinessEurope 2015, November 30). Similarly, SMEunited emphasises that ‘it is important to avoid equating the gender pay gap with pay discrimination’ (SMEunited 2020, January 30). BusinessEurope also attacks Commission’s indicators to measure the pay gap. It calls for ‘busting myths related to the unadjusted gender pay gap’ and stresses that even the unexplained gender pay gap should not be interpreted as discrimination (BusinessEurope 2019, December 16).

The second strategy is to move the focus from the pay gap to segregation and stereotypes, described as ‘the real causes’ (BusinessEurope 2015, June 23) or the ‘root causes’ (CEEP 2020, June 26) of wage differences. The focus on segregation and stereotypes highlights individuals’ behaviour and choices as the heart of the problem, shifts responsibility to individuals, for instance, through encouraging women to work in more well-paid sectors, and makes legislation appear as an unsuitable solution. BusinessEurope explicitly speaks about individuals’ choices and behaviour to further individualise the problem. The interviews confirm the strategic goal to shift the focus and concepts of the debate (Interview 1). This strategy has turned out to be partly successful. Although the von der Leyen Commission proposed new legislation on equal pay, it also made challenging gender stereotypes a priority of EU gender equality policy (European Commission 2020, p. 5–6).

In contrast to the ETUC, employers rarely criticise economic policies from a gender perspective. Only SGI Europe, which represents the interests of public service providers and is therefore critical of cuts in public services, acknowledges that economic crises and austerity had gendered impacts. Rather, economic policies and priorities, which employers tend to prioritise above social goals (Elomäki and Kantola 2020), shape employers’ gender equality positions. BusinessEurope in particular argues that economic priorities come before gender equality, and it
criticises the Commission’s gender equality proposals for contradicting with economic goals: ‘The Commission needs to demonstrate how its proposed agenda on reconciliation matches its priorities in the context of the European Semester, where it encourages Member States to engage more forcefully in structural reforms leading to more growth and jobs, and to achieve fiscal consolidation.’ (BusinessEurope 2015, December 15). Moreover, building on the business case for gender equality typical for employers (Dickens 2000; Elomäki et al. 2020) and the economic case used by EU institutions (Elomäki 2015), employers frame gender equality as a tool for business productivity and macroeconomic goals, such as economic growth and increasing the employment rates. SGI Europe even represents the development and sharing of the business case for gender equality as one of its gender equality priorities (CEEP 2016, May 25, p. 4). Employer organisations can therefore be seen as key actors in the increased economic framing of the EU’s gender equality policies and discourses, a development, which has been criticised for depoliticising gender equality and the economy, as well as for legitimising the EU’s gendered economic policies (Elomäki 2015).

The lack of intersectional approach further illustrates the narrowness of employers’ constructions of gender equality. Instead of acknowledging the different labour market positions and multiple discrimination faced by different groups, the employers used the concept of diversity to emphasised the positive outcomes that employees and leadership representing people from different backgrounds can bring for companies (e.g. BusinessEurope 2011, May 11; CEEP 2016, May 25). This approach typical for employers in other contexts too has been criticised for sidelining structural inequalities (e.g. Kirton et al. 2007). The diversity framing has succeeded in influencing EU-level debates, in particular with regard to gender balance in corporate boards (Elomäki 2018).
To summarise, whereas the ETUC extends the narrow understandings of gender equality implied in the EU gender equality policy, employers push for an even narrower understanding with the aim of limiting the scope of this policy. There is one issue on which the social partners find common ground, namely childcare (Elomäki and Kantola 2020). It is in SGI Europe’s interests to stress the role of public services, and childcare is a non-threatening issue for private employers, as it places responsibility and costs on national governments rather than employers and increases labour supply. The social partners’ common position on childcare adopted in 2020 (ETUC et al. 2020, December 12) illustrates this convergence.

**Actors and Policy Measures for Gender Equality**

In ETUC’s statements, gender equality is a concern for all. EU-level and national political actors are often called to take action, and the ETUC calls for a strong regulatory framework for gender equality to outlaw gender-based discrimination and to positively advance gender equality. Regulation and legal frameworks by the EU are constructed as particularly important (ETUC 2015, June 17). The ETUC places a lot of responsibility on the Commission to act and to take an active and expansive role in relation to gender equality. It also stresses the executive role of the member state governments in implementing for example the work-life balance directive. For example, in relation to the gender pay gap, the ETUC argues the EU and the Commission should play a crucial role in increasing pay transparency (ETUC 2019, October 23). The ETUC issued many statements holding the Von der Leyen Commission accountable to its delayed action on the pay transparency directive. The directive was supposed to be in the Commission’s first 100 day programme, but the proposal came after 460 days in office, the ETUC points out. The Commission was argued to be dragging its feet on the topic. Another example comes from the way in which the ETUC (2020,
September 23) continues to demand binding legislative measures at European level for gender balance in company boards and a coherent comprehensive approach.

Employers, in contrast, argue that the main responsibility for advancing gender equality belongs to national governments, workplaces and individuals. They often evoke the principle of subsidiarity to oppose EU-level action, in particular when it comes to regulation. For example, SGI Europe (2020, June 26) noted on von der Leyen Commission’s pay transparency measures that ‘the proposed actions [...] fall in the remit of the Member States and the national social partners’ competences and are not issues to be addressed at EU level’. In employers’ view, the Commission’s role is to raise awareness, produce (right kind of) knowledge and share good practices. Private employers in particular saw the workplace as the preferred level of action. Company-level solutions were framed as practical, effective and realistic and attuned to companies’ and employees’ needs. At the same time, the employers stressed that any workplace-level actions should remain voluntary. In some matters, like reducing the gender pay gap, responsibility for gender equality was dispersed even further and placed on individuals.

In terms of measures, employers strongly oppose new EU legislation. They rejected all three gender equality directives (gender balance in corporate boards, work-life balance, and pay transparency) proposed in the analysis period on the basis of costs for companies and public finances, negative macroeconomic consequences, administrative burdens, and subsidiarity. The frame of business and economic benefits is therefore complemented with another economic framing, that of gender equality as a costly burden. Instead, employers favour awareness-raising and the sharing of good practices – non-costly measures that do not set new requirements for companies. Childcare investments are an exception to the employers’ no-cost approach, and private employers increasingly joined SGI Europe in calling for public investments in care
infrastructure. In line with the social investment paradigm that represents some types of social spending as ‘productive’ and others as consumption (Nolan 2013), employers are in favour of public spending seen to increase labour supply and human capital, but oppose other types of social spending important for gender equality, such as improvements in parental leave.

What unites the ETUC and the employers is the important role given to social partners, social dialogue and collective bargaining in advancing gender equality. This, we suggest, reflects their shared interest in maintaining their power as well as that of their members’. Involving workers and trade unions is a frame which shapes the ETUC discussion of all gender equality issues (ETUC 2020, March 3). The ETUC places a lot of responsibility on its member organisations and national trade unions and commits to providing an exchange of good practice. In contrast, ETUC constructs reluctant ‘employers’ as a key hindrance to gender equality, who need to be persuaded to work for gender equality. The ETUC also gives a central role to collective bargaining and social dialogue and makes pledges to keep gender equality issues on the agenda of the EU social dialogue. For instance in tackling gender based violence it is stated that ‘[t]he ETUC is convinced that social partners play a crucial role in preventing and tackling the consequences of violence and harassment in the workplace’ (ETUC 2017, December 12). More recently, in relation to the pay transparency directive, an ETUC policy paper emphasises lobbying the Commission and the Parliament, as well as member states, and only mentions ‘putting’ pay transparency on the agenda of social dialogue (ETUC 2019, October 23, p. 3).

For the employers, emphasising EU social dialogue and social partners’ work programmes has across the 2010s been a strategy to oppose EU action on gender equality. In the case of the work-life balance directive, BusinessEurope and SMEunited opposed the Commission’s plans on the basis that they ‘interfered’ with European social partners’ plan to address the issue in their
work programme through weak measures. Employers also argued that the work-life balance directive, which replaced social partners’ framework agreement on parental leave, undermined European social dialogue and the autonomy of social partners (BusinessEurope 2015, December 15; UEAPME 2016, September 1). The autonomy of national social partners and collective bargaining systems, in turn, has been used as an argument to oppose measures to tackle the gender pay gap, including the 2021 pay transparency proposal. Although the autonomy of European social partners and EU social dialogue is important for the ETUC too, it prioritises good gender equality outcomes over social dialogue. In the case of the work-life balance directive, the ETUC was frustrated with the employers’ unwillingness to negotiate about binding measures and encouraged the Commission to by-pass EU social dialogue and propose a directive (Elomäki and Kantola 2020).

Conclusion

Our chapter has contributed to efforts to put social partners to the research agenda of gender and EU studies (see also Jacquot in this volume; Elomäki and Kantola 2020). Whilst their policy-impact on EU gender equality policies has been studied more extensively elsewhere (see e.g. Elomäki and Kantola 2020), we have analysed the ways in which the social partners shape the EU’s gender equality policy through constructing gender equality in a certain way and representing certain issues and actions as relevant and desirable, as well as how they construct their own and EU role in advancing gender equality. Such constructions matter for various reasons. First, as social dialogue has somewhat diminished, the social partners have put more effort into lobbying the Commission, the Parliament and member state governments. Through lobbying they can push for their understandings of gender equality problems and of how expansive or limited EU gender equality policy should be. Second, the social partners are privileged actors in terms of resources
when compared to for example women’s or feminist organisations and many other civil society organisations. They have a self-evident right to be heard on a variety of issues related to the economy and the labour market, all of which are of central importance to gender equality.

The findings of the chapter illustrate the very different profiles the social partners have in relation to gender equality (see Table 8.3). The ETUC is a proactive advocate of gender equality whose gender equality agenda has expanded over the years. The ETUC defends a number of issues such as social rights, which are highly compatible with gender concerns. The cross-sectoral employers’ organisations, in contrast, oppose any extensions to the EU gender equality agenda and aim to reframe the contents of gender equality in the narrowest possible ways to limit EU action in the field. However, there are differences between the three employer organisations with SMEunited being the least and SGI Europe the most invested in gender equality. BusinessEurope, in turn, puts the most energy in strategically reframing the EU’s gender equality issues in a direction less-threatening to business interests. These efforts have been partly successful. Diversity approaches and the business case for gender equality have a visible role in EU policy, and employers’ priority issues, such as segregation and stereotypes, have become more visible too.

**INSERT TABLE 8.3 ABOUT HERE. Caption: Gender Equality Profiles of EU Social Partners**

Our chapter also reveals the key conflicts and convergences between the ETUC and the employer organisations that have consequences for EU gender equality policy and EU social dialogue. Whereas gender pay gap is a particularly conflict-ridden issue and EU-legislation is the most disputed policy solution, social partners increasingly find common ground on the need for more public investment in childcare. Although both the ETUC and the employers give social
partners and social dialogue an important role in the promotion of gender equality, the difficult position of gender equality in the EU social dialogue has led the ETUC in some cases to prefer lobbying over autonomous social dialogue.

We conclude that paying closer attention to the role and impact of social partners would bring interesting political dynamics and power plays into the fore when studying the EU's gender policy. A future research topic involves the relationships between European social partners and national labour market organisations and the significance of transnational relationships for gender equality at both EU and national levels. Collaboration between EU-level and national organisations and among national organisations may be important for the ability of social partners to stall or advance EU gender equality policy. Moreover, sharing of good practices has been a key aspect of EU social partners’ gender equality work, and issues (e.g. gender-based violence), constructions (e.g. the economic case) and strategies (e.g. diverting attention away from the gender pay gap) are likely to travel from national to EU-level and back. Tracing these processes would provide new understandings of the complex and changing relationships between social partners and gender equality in Europe.

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**Interviews**

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