

Brussels,
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Dear Ms Lynch,

Thank you for your email of 17 December 2019 and your questions about the Commission's intentions regarding a new Gender Equality Strategy and proposed measures on pay transparency.

We are currently working on the specific details of the Gender Equality Strategy, which will be presented in the first week of March. In the Strategy, we will set out the steps to prepare a legislative initiative on binding pay transparency measures, including the launch of a thorough public consultation.

In relation to your specific question regarding the legal basis for such proposal, I can clarify that the legal basis for the future initiative on pay transparency is article 157 TFEU. This article, as you know, concerns the principle of equal pay for male and female workers for equal work or work of equal value. This initiative will therefore not fall under the remit of Article 154 TFEU, which requires the Commission to consult the social partners in two steps on the possible direction of Union action and on the content of the envisaged proposal.

The reference to a different legal basis, however, does in no way mean that the social partners will not be adequately consulted. Beyond legal requirements and better regulation rules, in order to find the right balance for introducing binding pay transparency measures it is of utmost importance to consult social partners and national administrations. This is why the consultation strategy related to this initiative will also include targeted consultations of social partners and Member States during the spring/summer 2020.

I look forward to meeting you on the 18th of March to exchange in more detail the GES, Pay Transparency and other equality and labour market issues.

Yours sincerely,

Helena Dalli

Esther Lynch
Deputy General Secretary
European Trade Union Confederation