



# European Union advances gender equal pay, transparency

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A proposed European Union (EU) directive that aims to strengthen equal pay for equal work or work of equal value between men and women, including pay transparency measures, will advance following agreement by the Council of Ministers on 6 Dec 2021. In June 2019, the Council asked the European Commission to take measures to improve pay transparency, and the commission published the proposed directive on 4 Mar 2021. The European Parliament and the Council of Ministers have started negotiations to finalize the directive. The current EU gender pay gap is around 14%.

## Highlights of the Council of Ministers' agreement

- Employees and their representatives would be entitled to request and receive information, by gender, on individual and average pay levels for employees doing the same work or work of equal value.
- Employers would have to indicate initial pay level or salary range to job candidates.
- Organizations with 250 or more employees would have to provide annual information on the gender pay gap, and would have to share this information with their employees, representatives and the designated national authority. They may also make this information publicly available.
- Organizations that have a gender pay of 5% or more for any employee category that is not due to gender-neutral factors or cannot be objectively justified, would have to conduct a joint pay assessment with employee representatives. Member states would have to ensure judicial procedures to enforce equal pay rights.
- Compensation or reparation payable for equal pay breaches would be uncapped, and would have to include full back pay, related bonuses or payments in kind, compensation, and interest on the arrears.

## Related resources

### Non-Mercer resource

- [Common position](#) (Council of Ministers, 6 Dec 2021)

### Mercer Law & Policy resource

- [EU employers face pay transparency disclosure mandates](#) (9 Mar 2021)

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