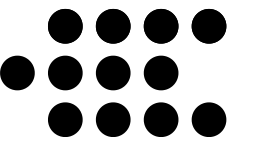
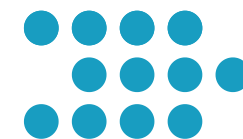


# Reflections on the need to build an Equality Observatory



*Spain's experience in regulatory application*

**FOCUS GROUP EQUAL OPPORTUNITIES**



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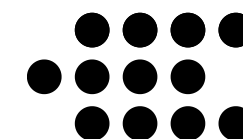
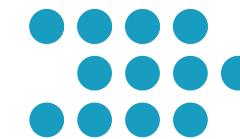
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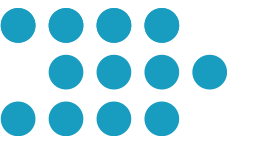
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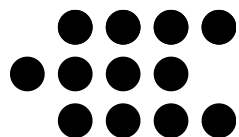
# 1. The work of the European Commission on equality

**Over recent decades, the EU has made significant progress on gender equality.**

Integrating the gender perspective into your policies  
Through measures to promote women  
Legislating on equal treatment

**However, inequalities between men and women persist.**

There continue to be more women in lower paid job sectors.  
Women are underrepresented in decision-making positions.



## 2. Inequality, a shared conclusion

### OECD Report 2017 - The Fight for Gender Equality: An Uphill Battle

- Young women in OECD countries have more years of education than young men, on average, but are less likely to find paid work.
- Motherhood usually has negative effects on women's remuneration and career advancement.
- Women are also less likely to be entrepreneurs and are underrepresented in private and public leadership positions.



### UNCTAD

- Between 2010 and 2019, 68% of businesses worldwide had no women as owners, and only 16% were owned by women.
  - This underrepresentation could undermine economic growth and decent employment.
- The loss of income due to the inactivity of women in companies can reach up to 30% of GDP in countries with large gender differences.



# 2.1 The commitment of the European Commission

## OBJECTIVES OF THE GENDER EQUALITY STRATEGY 2020-2025:

- 01 End gender violence.
- 02 Fight gender stereotypes
- 03 End gender gaps in the labor market.
- 04 Achieve equal participation in the different sectors of the economy.
- 05 Address the gender gaps present in salaries and pensions.
- 06 Reduce the gender gap in care provision.
- 07 Achieve balance in decision-making and politics.

GENDER EQUALITY STRATEGY  
2020-2025



# 3. Problems on the path to equality

## Gaps in available data for some sectors of the blue economy

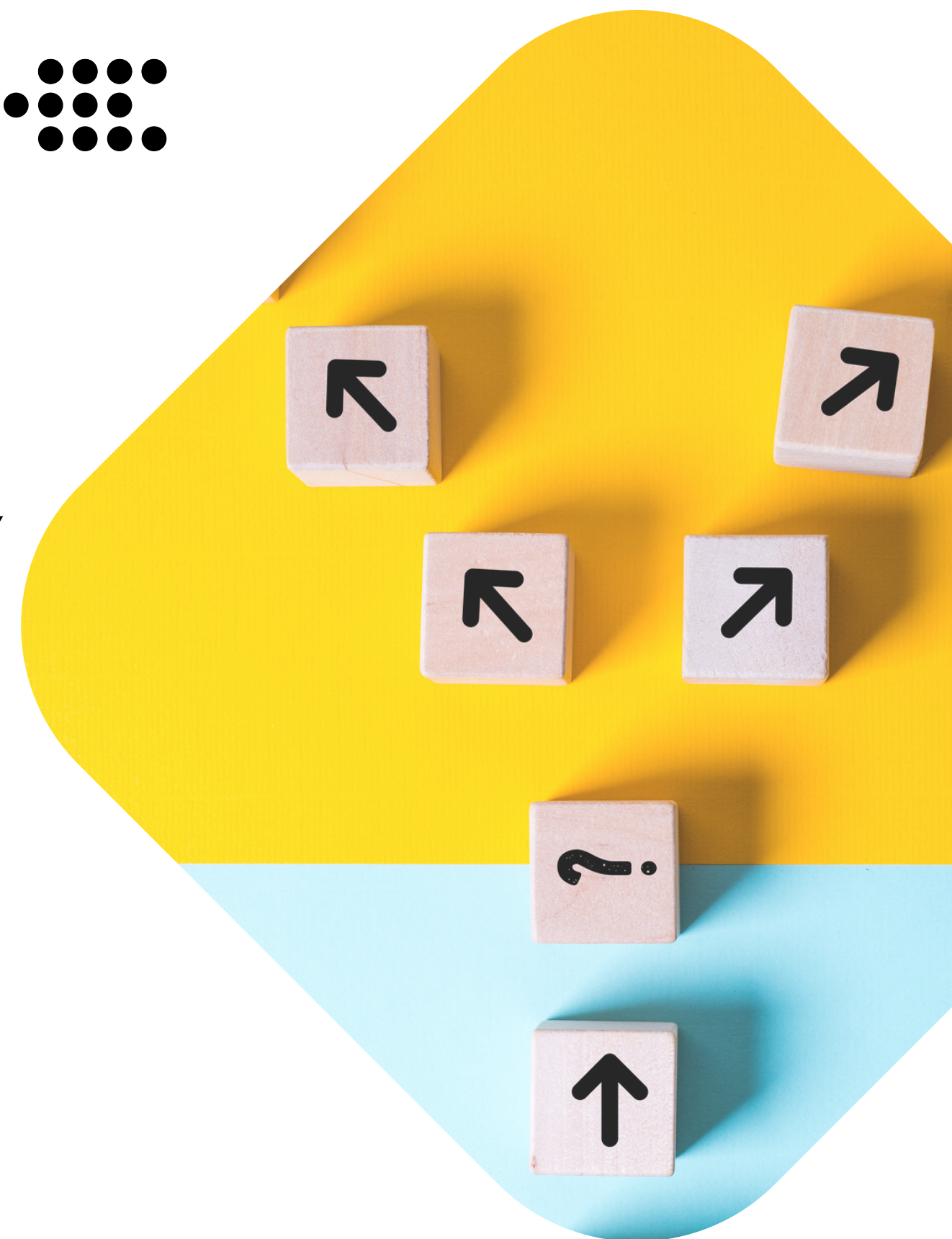
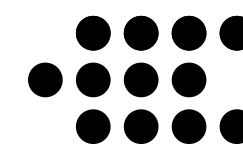
The data collected by the **gender distribution** is very limited in many sectors.

## Differences in the legislation of the Member States

Although gender equality policies have been implemented in all of them, the **way of approach** is different in each one of them.

## Not taking into account the socioeconomic reality

The sanctioning approach does not eradicate the cultural problem and will cause problems in the productive units.



# 4. The EU BlueEconomy Report

It serves as a reference for States to develop medium and long-term roadmaps.

→ The **CME** in collaboration with the Regional Maritime Clusters has prepared the [Maritime Sector Agenda](#).

Data from the established sectors of the Blue Economy (2019):

| Sector                      | GVA (% of the total Blue Economy in the EU) | € (in billion) |
|-----------------------------|---|----------------|
| Living marine resources     | 11%   | 19.3           |
| Non-living marine resources | 2.5%  | 4.7            |
| offshore wind energy        | 1%  | 1.9            |
| Port activities             | 15%   | 27.9           |
| Naval building              | 9%  | 15.6           |
| Marine transport            | 19%   | 34.3           |
| Coastal tourism             | 44%   | 80             |

Source: The EU Blue Economy Report 2022



# 5. Common strategies for the different sea basins

| Northern Waters |           |            | Mediterranean | Mediterranean |                 |                 | Black Sea |
|-----------------|-----------|------------|---------------|---------------|-----------------|-----------------|-----------|
| Atlantic        | North Sea | Baltic Sea |               | West MED      | East MED        | Adriatic-Ionian | Black Sea |
| Strategy        | Sea basin | Strategy   | Sea basin     | Strategy      | Sea (sub)-basin | Strategy        | Sea basin |
| ES              | BE        | DE         | CY            | ES            | CY              | EL              | BG        |
| FR              | DE        | DK         | EL            | FR            | EL              | HR              | RO        |
| IE              | NL        | EE         | ES            | IT            |                 | IT              |           |
| PT              | DK        | FI         | FR            | MT            |                 | SI              |           |
|                 | SE        | LT         | HR            | PT            |                 |                 |           |
|                 | FR        | LV         | IT            |               |                 |                 |           |
|                 |           | PL         | MT            |               |                 |                 |           |
|                 |           | SE         | SI            |               |                 |                 |           |

Most important sectors of the Atlantic Ocean and the Mediterranean Sea (2019 data):

| ATLANTIC OCEAN          |                   | MEDITERRANEAN SEA |                   |
|-------------------------|-------------------|-------------------|-------------------|
| SECTORS                 | GVA of the sector | SECTORS           | GVA of the sector |
| Coastal tourism         | €20.4 billion     | Coastal tourism   | €41 billion       |
| Living marine resources | €6.5 billion      | Marine transport  | €8 billion        |
| Port activities         | €3.5 billion      | Port activities   | €7.5 billion      |



## 6. Call for Proposals for the European Maritime and Fisheries Fund.

The measures taken so far have been effective, but there is concern that they:

- Do not extend to all sectors, industries, and activities within the maritime economy.
- Are also not sufficient to ensure a sustainable blue economy with **gender equality** throughout the EU.

### GOALS:

**Goal 1**

Increase the participation and representation of women.

**Goal 2**

Enhance knowledge and gather data on the contribution of women to the sustainable blue economy.

**Goal 3**

Promote gender equality in the sustainable blue economy.

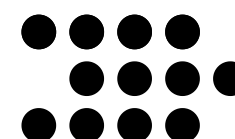
**Goal 4**

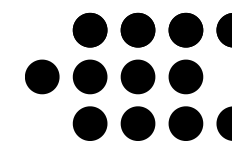
Encourage leadership, entrepreneurship, and women's participation in governance structures and decision-making mechanisms.

**Goal 5**

Assist sustainable sectors of the blue economy in adopting profound and structural changes that **facilitate and promote the inclusion of women in the broader maritime sector.**

(EMFAF-2022-PIA-WBE)

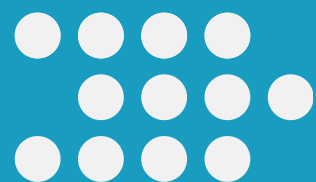




## 6.1 Acknowledges the lack of women at sea

**The available analyzed data demonstrates a clear gender bias in the blue sector:**

- Women constitute only **3.7%** of the European fishing fleet.
- In aquaculture, **76%** of the workers are men.
- In Portugal, women make up only **25.2%** of the marine sector.
- In France, women represent only **21%** of the blue economy sectors.



## 6.2 Requirements for Participation in the Call

**Proposals should not focus solely on the specifics of a single basin or region.**

They must have a global geographic scope and involve partners from different marine basins.

**Projects should not be centered on a single sector.**

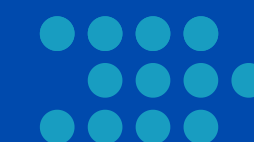
They must focus on at least three sectors of the sustainable blue economy.

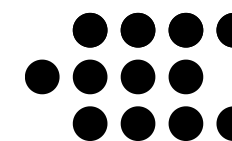
**We should consider...**

- **WE NEED A COMMON PERSPECTIVE** to ensure the coherence and cohesion of all actions.

However,

- If we start from different socio-economic realities, trying to implement the same measures across the entire geography of the European Union, we end up discriminating against women.

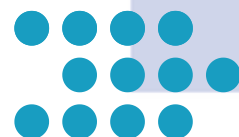


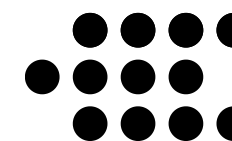


# 7. Disparity in Legislative Interpretation

## Legislation for Equality Pay

| Croatia   | Cyprus                                       | France   | Italy   | Malta   | Spain   |
|---|--|--|---|---|---|
| Evaluated by Ombuds person of Gender Equality in their annual reports | Equal Pay for Work of Equal Value Act (2002) | Law for the freedom to choose a professional future (2018) | Discontinuation of: salary transparency regulations (2015) and the exclusion from public contracts of those who fail to comply with the equal pay law (2016). | Employment and Industrial Relations Decree (2002) | Royal Decree 902/2020, of October 13, on equal pay between women and men.<br>Royal Decree 901/2020, of October 13, which regulates equality plans and their registration and modifies Royal Decree 713/2010, of May 28, on the registration and deposit of collective bargaining agreements and agreements. |





# 7. Disparity in Legislative Interpretation

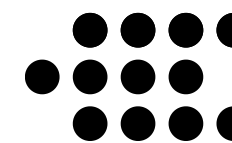
## Legislation on gender equality

| Croatia                    | France                   | Greece  | Malta  | Slovenia   | Spain   |
|----------------------------|--------------------------|---|--|--|---|
| Gender Equality Law (2003) | Real Equality Law (2014) | National Plan 2016-20 (2017)<br>Law 4604 (2019) | Decree of equality between men and women<br>National Commission to promote equality (2003) | National Program for equal opportunities between women and men (2015-2020) | Organic Law 3/2007, of March 22, for the effective equality of women and men. |

## Anti-discrimination legislation

| Croatia                        | Cyprus   | France                              | Greece                       | Slovenia   | Spain  |
|--------------------------------|--|-------------------------------------|------------------------------|--|--|
| Anti-discrimination law (2012) | Law against racial and other discrimination (2004) | Equality and Citizenship Law (2017) | National Plan 2016-20 (2017) | Decree on protection against discrimination (2016) | Law 15/2022, of July 12, comprehensive for equal treatment and non-discrimination. |



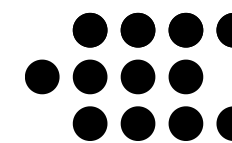


# 7. Disparity in Legislative Interpretation

## Employment equality legislation

| Cyprus  | France  | Greece                       | Italy  | Malta   | Slovenia   | Spain   |
|---|---|------------------------------|--|---|--|---|
| Law on Equal Treatment in Employment and Vocational Training (2002) | Law for the freedom to choose one's professional future (2018)<br><br>Interministerial plan for gender equality at work (2016-20) | National Plan 2016-20 (2017) | Decree on equal treatment for access to employment, vocational training, promotion and working conditions (2005) | Employment and Industrial Relations Decree (2002) | Decree on labor relations (2013)<br><br>National Program for equal opportunities between women and men (2015-2020) | Royal Decree-Law 6/2019, of March 1, on urgent measures to guarantee of equal treatment and opportunities between women and men in employment and occupation. |





# 7. Disparity in Legislative Interpretation

## Equal opportunity legislation

| France   | Greece                       | Italy  | Slovenia   | Spain   |
|--|------------------------------|--|--|---|
| Law for the freedom to choose one's professional future (2018) | National Plan 2016-20 (2017) | Equal opportunities regulations (2006)<br><br>Decree for the Equal Opportunities Commission (2007) | Decree on equal opportunities between women and men (2007)<br><br>National Program for equal opportunities between women and men (2015-2020)<br><br>Body within the Ministry of Labor, Family, Social Affairs and Equal Opportunities (2012) | Royal Decree-Law 6/2019, of March 1, on urgent measures to guarantee of equal treatment and opportunities between women and men in employment and occupation. |



# 8. The application of laws and their consequences

When equality policies go from being recommendations of good practices to becoming laws:

- The pressure exerted in defense of gender equality entails greater control over the productive unit.
- The implementation of legislative regulations on equality entails sanctions for non-compliance.

This is not a problem between men and women

**"THE PROBLEM IS SOCIO-BUSINESS-RELATED."**





# 8.1 Spanish reference regulations on Equality

**The Spanish Constitution of 1978, in its article 14, proclaims equality before the law, establishing the prohibition of any discrimination based on sex.**

**01. Organic Law 3/2007, of March 22 for effective equality of women and men**

**02. Royal Decree-Law 6/2019, of March 1, of urgent measures to guarantee equal treatment and opportunity between women and men at work and employment**

**03. Royal Decree 901/2020, of October 13, 2020, which regulates equality plans and their registration**

**04. Royal Decree 902/2020, of October 13, 2020, on equal pay between women and men**

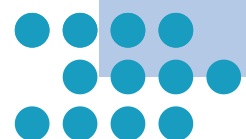
## 8.2 Reality of Spain in equality policies

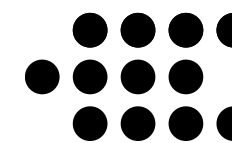
### With the modification of the law, currently all companies must...

- Implement measures to prevent gender inequalities.
- Have a protocol for sexual and gender-based harassment.
- Establish a Compensation Register.
- Maintain a record of salaries differentiated by gender.

### Companies with more than 50 employees should also...

- Register an Equality Plan.
  - To plan policies that will achieve equal opportunities.
- Record a Pay Audit.
  - To verify compliance with the principle of equality between men and women in terms of remuneration for the entire staff.
  - \*If there is a gap of 25% or more, a justification report must be prepared, confirming it is not based on gender-related reasons.





# Law 10/2021, July 9, remote work

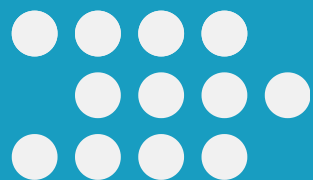
- It included changes in the “**LISOS Law**”

## LAW OF INFRINGEMENTS AND SANCTIONS IN THE SOCIAL ORDER

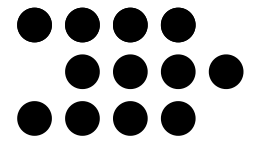
→ have led to a toughening of sanctions for violations in terms of labor relations, Social Security and risk prevention.

- **Discrimination against a worker based on sex, gender or origin is a very serious infraction.**

→ The maritime sectors will suffer greater difficulties due to their strong male representation and will need to work to eliminate stereotypes and implement gender equality and opportunity regulations.



# THE LABOR AND SOCIAL SECURITY INSPECTION ACT

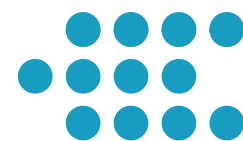


When there is a breach or violation of the principle of equal treatment and non-discrimination based on gender.

- Discrimination in access to employment.
- Discrimination in the employment relationship.
- Gender-based wage discrimination.
- Equality plans and measures.
- Sexual harassment and gender-based harassment.
- Work-life balance.
- Discrimination in collective bargaining.
- Occupational risk prevention.

**SANCTIONS**

**MINOR INFRINGEMENTS**  
**SERIOUS INFRINGEMENTS**  
**VERY SERIOUS INFRINGEMENTS**



## In the field of labor relations and employment, as well as in the field of Social Security, are considered:

### Serious infringements

- Lack of protocol for sexual harassment or harassment based on sex.
- Incompliance with obligations regarding equality plans
- Non-compliance with the rights of workers' representatives provided for in article 64 of the Workers' Statute.

**OF €751  
TO €7,500**

### Very Serious infringements

- Discrimination in the employment relationship based on sex.
- Sexual harassment.
- Discriminatory harassment based on sex
- Non application of the equality plan on the part of the company.

**OF €7,501  
TO €225,018**

## In terms of occupational risk prevention, they are considered:

### Serious infringements

- Lack of occupational risk prevention plan.
- Failure to carry out medical examinations and periodic surveillance tests of workers in accordance with regulations.
- The assignment of workers to jobs with conditions incompatible with their personal characteristics or those who are manifestly in transitory states or situations that do not respond to the psychophysical demands of the respective jobs.
- Exceed exposure limits to harmful agents.

**OF €2,451  
TO €49,180**

### Very Serious infringements

- Failure to observe specific regulations regarding the protection of the safety and health of workers during pregnancy and lactation periods.
- Do not immediately paralyze or suspend, at the request of the Labor and Social Security Inspection, the work carried out without observing the regulations on the prevention of occupational risks.
- The assignment of workers to jobs with conditions incompatible with their personal characteristics when this results in a serious and imminent risk to safety and health.

**OF €49,181  
TO €983,736**

## In terms of equality, the modification of the law has meant:

### YEAR 2021:

**319** infringements  
**7,849** performances  
**2308** requirements



### YEAR 2022:

**1,226** infringements  
**11,358** performances  
**4,992** requirements

Increase in  
performances

30.90%

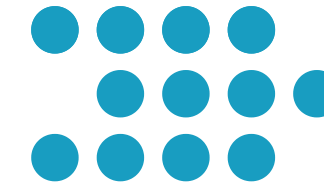
Increase in  
infringements

26.21%

Increase in  
requirements

48.13%

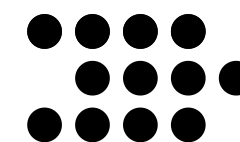
## 9. Final reflections



- 01 **There is a clear regulatory and data disparity that should be reviewed.**
- 02 **The problem of gender inequality must be addressed by adding the realities of all sectors, not in a fragmented way.**
- 03 **Inequality is not a problem for men and women, it is a business problem.**







# 10. Recommendations

## 1. We need the creation of a more global observatory.

- Aligned with the European Union reports for the blue economy.
- Driven sectorally and by region.
  - Through the **S3 Thematic Platforms**, whose launch was made on November 28 and 29, 2023 in Barcelona, by DG Mare, DG Regio, DG Grow.

The S3 equal opportunities platform would be led by Italy, the Region of Puglia and with the support of the Emilia Romagna region and the Maritime and Logistics Cluster of the Balearic Islands.

## 2. We have to adopt positive values and measures that promote real change at the socioeconomic level.



David Bassett (EATIP), Tiziana De Nittis (Emilia Romagna Region), Eleni Hatzianni (DG Mare), Iolanda Piedra (CMLIB), Stefano Valentini (ART-ER)

# THANK YOU

## Reflections on the need to build an Equality Observatory

*Spain's experience in regulatory application*

**FOCUS GROUP EQUAL OPPORTUNITIES**

**Mrs. Iolanda Piedra**

President



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