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## **1961 EUROPEAN SOCIAL CHARTER**

Appendix to  
39th National Report on the implementation of the  
European Social Charter

submitted by

**THE GOVERNMENT OF GERMANY**

Article 4 (3)  
Non-discrimination between women and  
men with respect to remuneration

for the period 01/01/2017 – 31/12/2020

**CYCLE 2022**

# **Appendix to the 39<sup>th</sup> Report of the Government of the Federal Republic of Germany on the implementation of the European Social Charter for the period 1 January 2017 - 31 December 2020**

## **Article 4 (3) of the European Social Charter**

### **Non-discrimination between women and men with respect to remuneration.**

**The following is communicated in response to the questions of the Committee of Experts about how application of the principle of equal pay for equal work is ensured and how much progress has been achieved in applying this principle:** The Federal Government focuses on a cause-related strategy for overcoming pay inequality and has adopted a wide range of primary and secondary legislative measures in the reporting period.

#### **1.) New Primary Legislation**

The following new primary legislation exerting a positive impact on the gender pay gap was introduced in the reporting period:

##### **a) Act on the Equal Participation of Women and Men in Executive Positions**

The Act on the Equal Participation of Women and Men in Executive Positions in the Private Sector and Public Service came into force on 1 May 2015 (Law of 24 April 2015, Federal Law Gazette I-2015, p. 642). The aim of the Act was above all to bring about a significant and sustained increase in the share of women in executive positions in the private sector and public service.

A fixed gender quota of 30% for all new appointments to supervisory boards of publicly listed and equally represented companies has applied since 1 January 2016. The share of women on the supervisory boards of the 106 companies that are currently publicly listed and equally represented has risen by 10.9 percentage points from 25% to 35.9% since 2015. The share of women on the managing boards of these companies has almost tripled since 2015 and now lies at 14.1%.

However, for the remaining 2,103 companies that are covered by the provisions of the Act on the Equal Participation of Women and Men in Executive Positions in the Private Sector and Public Service but do not fall under the quota, the share of women on supervisory boards amounted to just 21.6% in 2018. Women still remain strongly under-represented at board level. The share of women on the managing boards of all companies covered by the Act on

the Equal Participation of Women and Men in Executive Positions in the Private Sector and Public Service without a fixed quota for the supervisory board amounted to just 8.6% in 2018. For appointments to supervisory and essential bodies, the provisions of the Act on the Appointment and Secondment of Women and Men to Bodies within the Remit of the Federation apply as of three members determined by the Federation in order to achieve equal representation in this area. The share of women on all 230 or so essential and supervisory bodies with three or more members appointed by the Federation has increased from 42.4% on 31 December 2017 to 46.6% on 31 December 2020. Particularly pleasing is a rise of 8.4 percentage points from 36.5% to 46.9% for the supervisory bodies.

Thirty-seven percent of executive positions in the supreme federal authorities of federal public service are currently occupied by women; the figure across all authorities is just 35%.

The evaluation and annual monitoring of the Act on the Equal Participation of Women and Men in Executive Positions in the Private Sector and Public Service have revealed further need for action in order to increase further the share of women in executive positions. The **second Act on the Equal Participation of Women and Men in Executive Positions in the Private Sector and Public Service**, which entered into force **on 12 August 2021**, has introduced further provisions to increase the number of women in executive positions in the private sector and federal public service.

The key new provisions include the requirement for the managing board of publicly listed and equally represented companies with more than three members in future to appoint at least one woman and one man.

The Federation is setting itself stricter targets than the private sector. For the 100 or so companies in which it holds a majority interest, the requirement to appoint at least one woman and one man already applies as soon as the management body has more than two members. Furthermore, the thirty percent gender quota is being applied to the supervisory boards of these companies. The requirement for a minimum of one woman and one man also applies with immediate effect to the governing bodies of corporations in the social security sector – multi-member managing boards of statutory health insurance funds, the managements of pension and occupational accident insurance funds, the Board of Directors of the German Pension Fund and the Executive Board of the Federal Employment Agency. This will affect 150 corporations.

For the federal administration, the goal of achieving equal participation of women and men in executive positions by the end of 2025 is being legally anchored in the **Federal Act on Gender Equality**. The requirements of the Act on the Appointment and Secondment of Women and Men to Bodies within the Remit of the Federation are being extended to supervisory and essential bodies for which the Federation is only able to determine two members.

### **b) Introduction of a General Statutory Minimum Wage**

Since 1 January 2015, employees in Germany have been entitled to a general statutory minimum wage (Act Regulating a General Minimum Wage (Mindestlohngesetz, MiLoG), Federal Law Gazette I-2014, p. 1348). The minimum wage has been gradually increased since the introduction of the general statutory minimum wage of EUR 8.50 gross per hour on 1 January 2015:

- to EUR 8.84 gross on 1 January 2017,
- to EUR 9.19 gross on 1 January 2019,
- to EUR 9.35 gross on 1 January 2020 and
- to EUR 9.50 gross on 1 January 2021.

The minimum wage has been EUR 9.60 gross per hour since 1 July 2021. Further increases are planned

- to EUR 9.82 gross on 1 January 2022 and
- to EUR 10.45 gross on 1 July 2022.

As before, it is largely women (around 57%) who are benefiting from the cross-industry statutory minimum wage, which has further contributed to reducing the gender pay gap.

### **c) Childcare**

On 1 August 2013, a legal entitlement was introduced in Germany to a place in a nursery or daycare centre for all children over the age of one (Federal Act on Funding of Childcare for Children under the Age of Three, Federal Law Gazette, 2008-I., p. 2403) which represented a milestone in family policy. It supplemented the existing legal entitlement to childcare from the age of three until compulsory school age.

The nationwide expansion of child daycare provision is enabling parents in Germany to pursue gainful employment and reconcile work and family life better. Since 2008, the Federation has invested a total of EUR 3.28 billion in the expansion of childcare places for children under the age of three. This has altogether led to the creation of more than 560,000 childcare places for children under the age of three in the last ten years. The fourth investment programme from 2017 to 2020 set aside federal funds of EUR 1.126 billion to create a further 100,000

places for children up to school age. The fifth investment programme “Childcare financing” from 2020 to 2021 is intended to counter the financial challenges arising due to the COVID-19 pandemic. Under consideration of new construction, expansion and maintenance measures as well as the necessary equipment investments, EUR 1 billion are being provided for further needs-based expansion with an additional 90,000 childcare places for children up to school age.

With the Act on Good Early Childhood Education and Care, the Federation is supporting the Länder with a total of around EUR 5.5 billion in the period from 2019 to 2022. The Länder can use the additional funds to implement measures in ten areas of action and/or adopt measures to relieve families financially in terms of childcare fees. Furthermore, parents have been granted childcare fee relief nationwide since 1 August 2019: low-income families throughout Germany no longer have to pay any parental contribution if, for example, they receive child supplement, housing benefit, unemployment benefit or other benefits under Social Code II, Social Code XII or the Asylum Seekers Benefits Act. The aim of the Act is to develop further the quality of early education and care at nurseries and daycare centres throughout the country and improve access to childhood education and care. This is intended to contribute towards facilitating equivalent living conditions for children growing up in Germany and improved reconciliation of work and family life.

The Act on Providing All-Day Care and Education for Primary School Children (Ganztagsförderungsgesetz, GaFöG), parts of which came into force on 12 October 2021, aims to introduce a legal entitlement to full-time childcare for primary-school-children in stages from 1 August 2026 onwards, and to give every primary school child an entitlement to all-day childcare from 1 August 2029 onwards.

An initial investment programme to accelerate the infrastructure development of all-day childcare for primary school children was already launched on 29 December 2020. The Federation is making EUR 750 million of financial support available to the Länder for this in advance. The further investment funds of the Federation of up to EUR 2.75 billion will be made available once the Federation and Länder have agreed on the arrangements and financing for the legal entitlement to all-day childcare for children of primary school age.

## **d) Act to Promote Transparency of Wage Structures among Women and Men (Transparency in Wage Structures Act)**

### **(1) Entry into force of the Transparency in Wage Structures Act in 2017**

The Transparency in Wage Structures Act (Entgelttransparenzgesetz, EntgTranspG) entered into force on 6 July 2017. The aim of the Act is to support women (and men) in better asserting their entitlement to equal pay for equal work or work of equal value. The Act creates a clear legal basis for the principle of equal pay and clearly and transparently sets out in its own pedigree act the entitlement of women and men to equal pay for equal work or work of equal value.

The Transparency in Wage Structures Act addresses a further cause of pay inequality between women and men – the lack of transparency regarding company remuneration structures.

The Act envisages three instruments: firstly, an individual entitlement to disclosure for employees. Employers with more than 200 employees must explain to the latter upon request how and according to which criteria they are paid. The entitlement to disclosure covers the criteria and practices for determining remuneration (individual's own remuneration + comparable reference activity enquired about) and the amount of the comparable remuneration enquired about (median remuneration of a group of at least six employees). As well as the average monthly gross remuneration, up to two separate pay components can be enquired about.

Secondly, the Act calls on private employers with more than 500 employees to carry out internal company evaluation procedures regulated in a binding manner on their own responsibility to review and create equal pay (assisted by workforce representation) and to inform employees accordingly.

And thirdly, the Transparency in Wage Structures Act imposes a reporting obligation on employers that generally have more than 500 employees if they are required by the Commercial Code to compile a management report. This requires some 4,000 companies to report regularly on measures to promote equality and their impact, including measures to create equal pay, for example by means of the pay structures and job evaluation procedures applied. The reports must be published in the Federal Gazette as an annex to the management report.

### **(2.) Initial Evaluation in 2019 and Corporate Programme Since 2020**

The Federal Government is fundamentally obliged to evaluate the Transparency in Wage Structures Act two years after its entry into force and thereafter every four years. The first evaluation report of the Federal Government was presented in July 2019.

According to the results of the initial evaluation of the Act, little use had so far been made of the entitlement to disclosure: four percent of surveyed employees at companies with more than 200 staff have filled a request of disclosure. The evaluation furthermore revealed that 45 percent of companies surveyed (with more than 500 staff) had heeded the call to carry out internal company evaluation procedures and 44 percent of companies surveyed with a reporting obligation had met this obligation. In the aftermath of this initial evaluation, the Federal Government agreed to provide intensive support to the legal application of the Transparency in Wage Structures Act and implementation of the principle of equal pay. This initially meant raising awareness of the Act by means of public relations work and making comprehensive information material available for employees and employers. Furthermore, the topic of transparent pay structures was focused more strongly on companies, with the “Promoting Equal Pay – Advising, Supporting, Strengthening Businesses” programme starting at the end of 2020 and supporting companies in implementing the Act and the principle of equal pay so that women and men receive equal pay for equal or work of equal value. The programme furthermore promotes an awareness of the advantages of a gender-equitable HR and remuneration policy that serves to benefit all staff. Among other things with a service centre and a series of dialogues, the three-year programme supports employers in making internal remuneration structures transparent and implementing equal pay for women and men within the company.

## **2.) Further (Secondary Legislative) Measures to Reduce the Gender Pay Gap**

In order to reduce the earnings gap between women and men in a cause-related manner, the Federal Government adopted a large number of secondary legislative measures in the reporting period. The goal of equal pay of women and men for equal work can often only be achieved in cooperation with civil society (social partners, women’s and business associations) and with all other levels of government (Länder, local authorities).

The Federal Government’s intention is therefore to bring together the different stakeholders so that each becomes active where they are able to bring about change. The following measures and stakeholders are worthy of mention here:

### **a) Improvement of Underlying Conditions by Means of Family Policy Measures and Promotion of Return to Work**

Family-related interruptions to and reductions in gainful employment are a particularly significant cause of pay inequality in Germany. A comparison with other countries shows clearly

that the gap there in the average wages of women and men is lower due to a higher level of female labour market participation and good infrastructure for reconciling work and family life. Improved reconciliation of work and family life facilitates uninterrupted working lives for women and livelihood-securing forms of employment.

Creating suitable underlying conditions for parents in these areas is therefore crucial. The Federal Government has adopted a decisive stance here with its family and equal opportunities policy in recent years. The further **expansion of childcare**, improved tax **deductibility of childcare costs**, **parental allowance with partner months**, **parental allowance plus and the partnership bonus as income replacement benefits** are measures that assist women and men in reconciling work and family life and that support a fair division of childcare duties between women and men.

### **(1) New Arrangements for Parental Allowance**

New arrangements for parental allowance additionally apply to births from 1 September 2021. The reform of parental allowance aims to make the latter even more flexible, fair and simple. Parents are supported in reconciling work and family life even better and fairness in work and family life is strengthened further.

**More part-time opportunities:** The law contains numerous improvements for parents working part-time: the permissible working hours while receiving parental allowance and during parental leave have been increased from 30 to 32 hours per week. Furthermore, the amount of parental allowance for parents working part-time does not change if they draw income replacement benefits such as short-time allowance or sickness benefits.

**More attractive and flexible partnership bonus:** The partnership bonus, which supports both parents simultaneously working part-time, can also be received for 24 to 32 hours per week (instead of the previous 25 to 30 hours per week). Furthermore, the partnership bonus is being made more flexible and parents only need to submit subsequent proof of their working hours in exceptional cases. This will significantly reduce the bureaucratic outlay for parents, parental allowance offices and businesses.

**More parental allowance for particularly premature infants:** Parents of children born particularly prematurely will in future be given greater consideration on a permanent basis. If a child is born at least six weeks prior to the expected date, the parents will receive an additional month's parental allowance. There will be two additional months of parental allowance if the child is born eight weeks prematurely, three in the case of 12 weeks and four in the case of



16 weeks. This aims to provide parents with the time, calm and security they need in this particular situation.

**Administrative simplifications and clarifications:** Parents and administrative bodies will benefit from simplifications and legal clarifications. A right to submit an application for parents with low additional earnings from self-employment will enable the income of these parents to be taken into account better for parental allowance.

## **(2) “Success Factor Family” Corporate Programme**

Many business leaders have realised that it lies in their own interest to promote equal opportunities for women and men and the reconciliation of work and family life. Family-friendly working conditions are accompanied by fewer time conflicts for parents, greater company loyalty and employee satisfaction. When companies invest in such measures and foster a family-oriented culture, this generates significant potential returns, for instance in terms of fewer absences, lower fluctuation and an earlier return to work. In order to promote awareness at companies of the benefits of a family-friendly HR policy, the Federal Government has since 2006 been championing a family-friendly working world that supports men and women in reconciling work and family life by means of the “Success Factor Family” corporate programme together with the umbrella associations of German business (Confederation of German Employers’ Associations, German Confederation of Skilled Crafts, Association of German Chambers of Commerce and Industry), the German Trade Union Confederation and other industry associations. In order to support companies in implementing a family-friendly HR policy, the “Reconciliation Progress Index” has been developed to enable employers to gauge their corporate culture on a regular basis by means of 12 key figures and compare themselves with others anonymously. Part of the corporate programme is the “Success Factor Family” corporate network with almost 8,000 members – the largest nationwide platform for all employers committed to the theme of reconciling work and family life. The network office is based at DIHK Service GmbH. With its funding programme “Company Childcare” under the umbrella of the corporate programme, the Federal Government supports employers wishing to invest in company childcare provision. As well as new company childcare places, the creation of new places at daycare centres, care in exceptional cases and holiday care are also supported.

## **(3) “Back-to-Work Prospects” Action Programme**

An important supplementary step is the **“Back-to-Work Prospects” action programme** of the Federal Government running since March 2008. This programme and its various components supports women and men who have withdrawn from working life for several years to

provide childcare and/or nursing and wish to return to gainful employment. The broad-based initiative, conducted in cooperation with the Federal Employment Agency, provides funding among other things within the framework of a model programme co-financed by the European Social Fund (“Back-to-Work Prospects - Tapping Potential”) to local partners in order to create networks to support those returning to work and achieve a return to work that is as suited to their skills and sustainable as possible following a family-related interruption to gainful employment. A further goal of the action programme is to qualify persons returning to work for an activity subject to mandatory social security contributions in the field of household-related services. This is intended to enable employment opportunities also to be opened up for less well-qualified persons returning to work that offer prospects also with regard to their own retirement provision.

Since 2013, “blended learning scenarios” have been offered in addition to the existing programmes in a joint pilot project with the Federal Employment Agency for the skills development of persons returning to work (“PWE@online”). These e-learning programmes have been expanded in the current ESF funding period (2014-2020) and the use of online media has been increased. In addition, the theme of “returning to work and care responsibility” forms a further focal point.

#### **(4) Reconciliation of Work and Care**

In 2019 the German Independent Advisory Board on Work-Care Reconciliation presented its first report which recommended among other measures replacing the interest-free loan for periods of caregiver leave or family caregiver leave by a wage compensation benefit similar to parental allowance (to be found at <https://www.wege-zur-pflege.de/beirat>).

Various forms of relief for the reconciliation of work and care were implemented during the COVID-19 pandemic in the Caregiver Leave Act, Family Caregiver Leave Act and Social Code XI and most recently extended until 31 March 2022 (Federal Law Gazette I of 22 November 2021, p. 4906. The acute assistance for family carers includes greater flexibility during the care-giving leave and family care-giver and relief when calculating the amount of the loan during periods of leave. Furthermore, carer’s grants can be awarded temporarily for up to 20 working days (instead of ten working days). The right to short term absence from work in a care situation occurring at short notice is temporarily also has been extended to up to 20 working days.

## **b) Removing Gender Stereotypes – Expanding Career Paths/Spectrum of Career Opportunities**

In view of the lack of future skills potential, it is important for the economy to eliminate the gender-specific segregation of the labour market, while at the same time this will make an important contribution towards equal opportunities. An increase in the share of women in male-dominated professions and the share of men in social occupations is an important instrument for this. Traditional role conceptions are a significant reason for the restricted spectrum of career opportunities of women and men and pose obstacles for women on their career path.

The prevailing goal of the Federal Government in its equal opportunities policy is therefore to expand the spectrum of career opportunities of women and men and to improve their overall job and career prospects.

Examples of successful initiatives of the Federal Government on these issues include **the Girls' Day (since 2001)** and **Boys' Day projects** (since 2011) as nationwide event days aimed at fostering career orientation beyond traditional role perceptions at an early stage. Together with its partner organisations, the Cliché-free initiative has been campaigning since 2016 **for career and study choices to be made free from gender stereotypes**. On its website ([www.klischee-frei.de](http://www.klischee-frei.de)), the initiative offers extensive information and support material from experts and interested parties along the education chain. Since 2020 the **YouCodeGirls initiative** has been working to create an online platform intended to promote an **interest in coding among girls and young women**.

The Federal Government is supporting the strengthening of the share of women in the MINT area with the MINT action plan serving as a strategic umbrella that successfully bundles ongoing measures and new funding initiatives. Its goal is also to strengthen the opportunities of girls and women across all fields of action. This is taking place in the regional MINT clusters for the promotion of out-of-school MINT education, at the nationwide MINT networking centre (MINTvernetzt), in the promotion of research on the conditions for successful MINT education and in the #MINTmagie communication offensive. MINTvernetzt is also further developing the networking of partners in the National Pact for Women in MINT Careers. The MINT action plan helps to awaken the interest of girls and young women in MINT careers.

## **c) Enhancing the Value of Social Professions**

Social professions largely attract women: around 80% of those working in the nursing sector are women, rising to over 90% in early education. This form of horizontal labour market segregation is cited as one of the core structural reasons for the unadjusted wage gap between

men and women. Enhancing the value of social professions by means of a material improvement is therefore an important task for the strengthening of equal opportunities. The Federation, Länder, local authorities, partners and civil society have achieved important goals in terms of value enhancement in the reporting period. These particularly include decent training pay and a decent salary as well as career advancement opportunities:

For **careers in the nursing sector**, the fees for new trainees were abolished and decent training pay was secured with the entry into force of the Nursing Professions Act and the start of the new training programmes in nursing on 1 January 2020. The training offers a large range of deployment and development opportunities, for the first time contains reserved tasks (tasks that owing to the skills required can only be carried out by nursing staff) and can be completed as a university degree course. In order to support the introduction of the new training programmes in nursing, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth has launched the “Training Drive for Nurses (2019-2023)” as part of the Concerted Action on Nursing scheme. With specific objectives and 111 measures, it aims to attract well trained and committed nursing staff to the occupational field and support training institutions with the switch to the new training programmes.

The new Act to Improve Remuneration in Nursing that entered into force on 29 November 2019 and the prevailing Fourth Ordinance on Mandatory Working Conditions in the Nursing Sector (Vierte Verordnung über zwingende Arbeitsbedingungen in der Pflegebranche) entail a continuous rise in the minimum wage for nursing staff up until 1 April 2022 (to EUR 12.55 for unskilled nursing assistants and EUR 15.40 for skilled nursing staff). Within the scope of the Healthcare Development Act (Gesetz zur Weiterentwicklung der Gesundheitsversorgung), the payment of tariff-based remuneration for nursing and care staff at care institutions from 1 September 2022 was anchored in Social Code XI.

For **skilled staff in early education**, the federal programme “Campaign for Specialist Early Childhood Educators” served as an important source of momentum for practical training exempt of fees and with remuneration based on the Collective Agreement for the Public Service that is now offered in all the Länder. By resolution in 2020 of the Standing Conference of the Ministers of Education and Cultural Affairs of the Länder in the Federal Republic of Germany, it now constitutes standardised training. Liability to social security contributions for paid training for early childhood educators has been regulated by law. The promotion bonus in the federal programme for early childhood educators has set new standards: more than 1,600 particularly highly skilled specialists receive up to EUR 300 per month more for the assumption of special

activities. The aim now is to open up new career paths in the form of tariff-based further training. The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth is creating scientific momentum for this.

A total of EUR 580 million are being invested in the specialists by means of the Good Nursery Act (Gute-Kita-Gesetz) and the “Campaign for Specialist Early Childhood Educators” federal programme.

#### **d) Initiatives for the Promotion of a Fair Distribution of Paid Employment and Unpaid Care Work**

A key factor for equal opportunities lies in the fair distribution of unpaid care work and paid work between women and men. This has become particularly apparent during the COVID-19 pandemic. Despite the widespread desire to share equal employment opportunities and joint responsibility for children, housekeeping and care duties, men in Germany still often find themselves in the role of family breadwinner, while women take on more household chores and more frequently look after the children or care for relatives – often at the expense of their labour force participation and career opportunities. This is a cause of unequal hourly wages for women and men that has so far received little attention.

The Federal Government has therefore anchored in its gender equality strategy the goal of promoting a fair distribution of paid work and unpaid care work between women and men. The foundation of the gender equality strategy is the Second Gender Equality Report of the Federal Government that was approved by the Cabinet in July 2017. Following on from this, the Federal Government has carried out an EU-funded project to create the foundations for further developing the policy on unpaid care work. The results of this project are set out in the dossier entitled *Who takes care of children, household and the elderly?*. Since December 2020, the Federal Government has been funding the coordination office of the new civil society alliance “Sharing care work fairly”.

One focus of Germany’s Presidency of the Council of the European Union in the second half of 2020 was placed on advancing equal opportunities in working life between women and men – particularly including enforcement of the principle of equal pay. In December 2020, Council conclusions were adopted under Germany’s Presidency for combating the gender pay gap (entitled *Tackling the Gender Pay Gap: Valuation and Distribution of Paid Work and Unpaid Care Work*). The Council conclusions contain specific policy recommendations concerning the question of how the individual EU Member States can achieve a fair distribution of paid work and unpaid care work between women and men and call on each Member State to develop and implement country-specific measures.

### e) Social Partners

Another important point is cooperation with social partners.

For example, the Federal Government funded the “**Female Breadwinners**” project in a joint partnership with the German Trade Union Confederation up until 2014.

The inspiration for this came from the fact that in almost a fifth of German households comprising more than one person women earned the bulk of the income. Half of these women were single parents, while the other half had at least one common-law partner who had a low income or was in need of long-term care or unemployed. Female breadwinners are frequently faced with a double burden in this situation: they assume responsibility both as the main income earner in the household and for bringing up the children. The project served to strengthen public awareness of these women and was mobilised politically to promote their concerns.

Within the framework of its collaboration with the German Trade Union Confederation, the Federal Government has since September 2014 been funding the follow-up project “**What’s in it for women? – Economic Independence**“ ([www.was-verdient-die-frau.de](http://www.was-verdient-die-frau.de)), the objective of which is to strengthen the economic independence of women in order to reduce the gender pay gap. Above all the attention of young women is drawn to the mechanisms in curricula vitae that lead to unequal earnings structures of women and men. One focus of the project is placed on the development of web-based elements for communication and the use of social media. For example, women can use the web quiz ““The final rehearsal – what role do you play in your financial life?” (*Die Generalprobe – In welcher Rolle bestreitest Du das Leben?*) to simulate the financial impact of decisions in the course of their lives. Online seminars and information concerning economic independence issues are offered on the web platform “Your stepping stone” (*Dein Sprungbrett*). The project’s “Form gangs” (*Bildet Banden*) app offering information and above all networking opportunities for interested women has also been available since July 2021.

### f) Public Relations Campaign

The **Equal Pay Day** is an event day for the equal payment of women and men that has been held in Germany since 2008 at the initiative of Business and Professional Women e.V. Germany. The Equal Pay Day symbolically marks the day of the year up to which women work for nothing, while men are paid for their work from the beginning of the year. Numerous events take place nationwide on this day in order to raise awareness to the pay differences between women and men. In order for the Equal Pay Day initiative to be significantly strengthened beyond the event day itself by means of year-round commitment, the Equal Pay Day Office has been supported by the Federal Government since 2011. The Office prepares the contents of

the Equal Pay Day campaign with a central theme that changes from year to year in order to examine the topic of equal pay for women and men in an extensive and varied manner. To this end, information material is prepared, the Equal Pay Day homepage ([www.equalpayday.de](http://www.equalpayday.de)) is updated and a kick-off event is organised for disseminators, supporters and other interested parties. Furthermore, the Equal Pay Day Office supports action groups with guidelines for events, event notices and promotional material and is the central point of contact for companies and the public for all questions concerning the gender wage gap.

With the financial support of the Federal Government, the German Association of Rural Women trained women between 2013 and 2018 to act as “**equal pay advisors**”. Women face particular challenges in rural areas concerning the extent and quality of their labour market participation due to a lack of infrastructure and traditional role models. The advisors shed light especially in rural areas on issues such as mini-jobs, part-time employment and long interruptions to gainful employment and provided information in cooperation with regional business associations, chambers and local authorities at schools and other educational institutions about equal pay.

The promotion of self-employment and entrepreneurship by women can also help to eliminate the gender pay gap. For this reason and with financial support from the Federal Government, the German Association of Rural Women trained women with entrepreneurship experience between 2019 and mid-2021 to become female entrepreneurship guides. The guides held workshops at which they raised the awareness of women in rural areas of the option of professional self-employment and starting a business and acted as female role models for women interested in starting their own business. The Federal Government additionally funds further projects for the support of female entrepreneurs.

#### **g) Federal Anti-Discrimination Agency**

With the entry into force of the General Act on Equal Treatment in August 2006, the Federal Anti-Discrimination Agency commenced its operations. It is an independent point of contact for people feeling disadvantaged owing to the reasons set out in the General Act on Equal Treatment. In the event of disputes, the Federal Anti-Discrimination Agency can offer victims free advice, broker other advisors for them if applicable and bring about an amicable settlement between the parties. Since the Federal Anti-Discrimination Agency came into existence, there have been a total of 200 consultancy cases concerning gender wage discrimination.

The Federal Anti-Discrimination Agency has been assisting as a disseminator since 2013 in raising awareness of the “**ep check**” analysis tool that was developed in 2010. The equal

pay check helps to evaluate the key remuneration components (monthly basic salary, performance bonuses, overtime payment, additional remuneration for special challenges) by offering three separate tools: statistics, process analyses and pairwise comparisons. Eleven employers (a total of 26 since 2013) have reviewed their remuneration system with the analysis tool in the reporting period and received a corresponding certificate from the Anti-Discrimination Agency for their commitment. Further information about the project can be found at [www.eg-check.de](http://www.eg-check.de).

The Federal Anti-Discrimination Agency has since 2017 also offered companies the Gender Bias Check (gb-check) facilitating a review of the equal treatment of the genders in working life. This was jointly developed in 2016 together with Berlin School of Economics and Law as part of an EU-funded project (running from 1 January 2016 until 31 August 2017). The gb-check is an analysis instrument that assists employers and interest groups in identifying discrimination, preventing discriminatory treatment and adopting measures for enhanced equal opportunities by means of statistics, process analyses and pairwise comparisons. The tool is used in the areas of job advertisements, personnel selection, working and employment conditions, continuing vocational training, appraisals and working hours. The analysis instrument was tested at eleven employers during a pilot phase in 2016/2017. A further 15 employers have used the analysis instrument to review their working and employment conditions since 2017 and received a corresponding certificate from the Anti-Discrimination Agency for their commitment. Further information about the project can be found at [www.gb-check.de/english](http://www.gb-check.de/english).

#### **h) German Sustainable Development Strategy**

The German Sustainable Development Strategy sets out the framework for implementation of the 2030 Agenda in Germany. The next further development and update was adopted by the Federal Cabinet in March 2021. Equal opportunities aspects and the equal participation of women, also on the labour market, are of major relevance here. The German Sustainable Development Strategy contains the following indicators concerning the independent Sustainable Development Goal on gender equality (SDG 5): 5.1.a “Gender pay gap”, 5.1.b “Women in management positions in business”, 5.1.c “Women in management positions in the federal civil service”, 5.1.d “Proportion of fathers receiving parental allowance”, and 5.1.e “Vocational qualification of women and girls through German development cooperation”.



## **i) Länder**

The Länder strengthen the Federal Government's initiatives to combat pay differences with their own diverse range of measures and at the same time regularly call on the Federal Government at the annual Conference of the Ministers and Senators of the Länder for Gender Equality and Women's Affairs to adopt targeted measures to reduce the pay difference also proven to exist in public service. The Twenty-third Conference of the Ministers and Senators of the Länder for Gender Equality and Women's Affairs decided in 2013 to set up a fixed-term "Equal pay" working group across the Länder under the leadership of Hesse and Saxony-Anhalt. This working group carried out an extensive survey that was presented at the Twenty-fifth Conference of the Ministers and Senators of the Länder for Gender Equality and Women's Affairs in 2015 and submitted specific proposals of a primary and secondary legislative nature.

The Ministers and Senators of the Länder for Gender Equality and Women's Affairs also swapped ideas about transparent pay structures and equal pay in their area of responsibility at the subsequent conferences and adopted measures to promote this. For example, in October 2019 the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth invited the Länder to the special event entitled "Is the Transparency in Wage Structures Act working?" at which the results of the evaluation of the Act were presented. A theme at the Thirtieth Conference of the Ministers and Senators of the Länder for Gender Equality and Women's Affairs in 2020 comprised projects of individual Länder to promote equal pay in public service.

### **3.) Continuation of Statistical Data Series**

The latest statistical surveys on the gender pay gap can be found on the homepage of the Federal Statistical Office:

[https://www.destatis.de/DE/Themen/Arbeit/Verdienste/Verdienste-Verdienstunterschiede/\\_inhalt.html#sprg234956](https://www.destatis.de/DE/Themen/Arbeit/Verdienste/Verdienste-Verdienstunterschiede/_inhalt.html#sprg234956)

According to the latter, the average hourly gross earnings of women in 2020 came to EUR 18.62, which is 18% lower than those of men (EUR 22.78). In the preceding years 2018 and 2019, the gender pay gap amounted to 20% and 19% respectively. The gender pay gap has accordingly fallen by one percentage point annually since 2015. Nevertheless, Germany continues to have one of the highest pay gaps in Europe. The gender pay gap also fell slightly in East and West Germany in the reporting period: the so-called unadjusted gender pay gap in 2016 amounted to 22% in the former West Germany and 7% in the former East Germany. In

2020 the gender pay gap fell to 20% in the former West Germany and 6% in the former East Germany.

More in-depth statistical analyses of the pay gap are possible every four years on the basis of the structure of earnings survey. The latest results are for 2018. According to these, a good three quarters of the unadjusted gender pay gap are attributable to structural differences: the key reasons for the differences in average hourly gross earnings were differences in the sectors and occupations in which women and men are employed, as well as an unequal distribution of job requirements in terms of management and skills. In addition, women are more frequently employed part-time or in mini-jobs than men.

The remaining quarter of the earnings gap cannot be explained with job-related features. This so-called adjusted gender pay gap came to 6% nationwide in 2018 (unadjusted gender pay gap in 2018: 20%). This means that women with comparable qualifications and tasks earned an average of six percent less than men per hour. However, it must also be borne in mind here that the so-called adjusted gender pay gap may have been lower if other wage-relevant influencing factors had been available for the analyses. For example, there were no data available concerning individual behaviour in wage negotiations or family-related interruptions to gainful employment. This statistically unexplained part of the pay gap comprising the so-called adjusted gender pay gap cannot be equated with gender-based pay discrimination. At the same time, the explained part of the pay gap is not free of discrimination.

The analyses of the Federal Statistical Office reveal a slight decrease over time in both the so-called adjusted and unadjusted gender pay gaps. Women are thus gradually catching up in terms of their earnings.

The reasons for the wage gap are many-faceted. As well as the different choice of occupation (women frequently work in social or personal services that are less well paid, for example, than technical professions), an important reason is a (longer) family-related interruption to gainful employment followed by a return to part-time employment and mini-jobs: forty-nine percent of women in employment subject to mandatory social security contributions in 2020 worked part-time (source: Federal Employment Agency). In June 2020, 4.3 million people in Germany were employed exclusively in mini-jobs – 1.7 million men and 2.6 million women. This was eight percent less than in the previous year, and with a decrease of nine percent, women were somewhat more affected than men (minus seven percent). Mini-jobs have been declining for some time, but nothing like as sharply.

Furthermore, women still have worse career opportunities: women are under-represented in management positions, and particularly in top positions. Management positions are seldom filled part-time. Role stereotypes and gender-specific attributions also continue to have an effect on job evaluation, performance assessment and job placement and can lead to discrimination that is largely of an indirect nature.

**Continuation of detailed statistical series of figures on wage differences between men and women not working for the same employer – subdivided according to industry branch and skills level or other relevant factors:**

<b>Unadjusted pay gap by personal characteristics in 2018</b>				
Specification	Gross hourly earnings			Gender pay gap
	Total	Women	Men	
	EUR			%
Total	19.66	17.33	21.70	20
<b>Age</b>				
Younger than 25 years	10.56	10.22	10.87	6
25 to 29 years	16.29	15.54	16.94	8
30 to 34 years	19.32	18.13	20.22	10
35 to 39 years	20.70	18.65	22.31	16
40 to 44 years	21.23	18.60	23.53	21
45 to 49 years	21.77	18.68	24.71	24

## Unadjusted pay gap by personal characteristics in 2018

Specification	Gross hourly earnings			Gender pay gap
	Total	Women	Men	
	EUR			%
50 to 54 years	22.03	18.54	25.30	27
55 to 59 years	21.76	18.12	25.26	28
60 to 64 years	21.71	18.46	24.84	26
65 years and above	15.53	14.08	16.61	15
School-leaving qualification (activity code 2010)				
1 No school-leaving qualification	12.91	11.35	14.08	19
2 Lower secondary / primary school certificate	16.09	13.51	17.67	24
3 Intermediate school-leaving certificate or equivalent	17.59	16.09	19.22	16
4 (Subject-restricted) higher education entrance qualification	25.41	21.67	28.95	25
Vocational qualification attained (activity code 2010)				
1 No vocational qualification attained	12.04	11.31	12.73	11

## Unadjusted pay gap by personal characteristics in 2018

Specification	Gross hourly earnings			Gender pay gap
	Total	Women	Men	
	EUR			%
2 Recognised vocational qualification	18.08	16.42	19.63	16
3 Master craftperson's / technician's qualification or trade and technical school certificate	24.95	20.44	26.53	23
4 Bachelor's degree	21.78	19.38	24.21	20
5 Diploma / Magister degree / Master's degree / state examination	31.89	27.23	35.68	24
6 PhD / post-doctoral lecturing qualification (habilitation)	44.62	38.47	47.93	20

Source Federal Statistical Office, 2018 Structure of Earnings Survey

<https://www.destatis.de/DE/Themen/Arbeit/Verdienste/Verdienste-Verdienstunterschiede/Tabellen/gpg-personenlich.html>

## Unadjusted pay gap by job characteristics in 2018

Specification	Gross hourly earnings			Gender pay gap
	Total	Women	Men	
	EUR			%
Total	19.66	17.33	21.70	20
Territory				
Western Germany	20.14	17.58	22.36	21
Eastern Germany	16.27	15.64	16.87	7
Performance group				
Managerial employees	39.38	32.96	42.82	23
Senior employees	27.62	25.05	29.38	15
Skilled employees	18.24	17.27	19.14	10
Semi-skilled employees	14.23	13.23	15.05	12
Unskilled employees	12.20	11.93	12.49	4
Type of employment				
Full-time	21.82	19.08	23.05	17
Part-time	16.11	16.11	16.10	0
Civil servants full-time	28.85	27.21	30.60	11

## Unadjusted pay gap by job characteristics in 2018

Specification	Gross hourly earnings			Gender pay gap
	Total	Women	Men	
	EUR			%
Civil servants part-time	27.96	27.82	29.17	5
Partial retirements	41.04	34.33	44.56	23
Marginal employment	10.96	10.89	11.08	2
Apprentices	5.54	5.71	5.40	-6
<b>Type of employment contract</b>				
Open-ended employment contract	21.09	18.42	23.36	21
Fixed-term employment contract	15.44	14.70	16.24	9
Apprentices	5.54	5.71	5.46	-6
<b>Job tenure</b>				
Under one year	14.79	13.66	15.74	13
1 to 2 years	15.26	13.93	16.46	15
3 to 5 years	17.59	15.65	19.29	19
6 to 10 years	20.28	17.71	22.60	22

Unadjusted pay gap by job characteristics in 2018				
Specification	Gross hourly earnings			Gender pay gap
	Total	Women	Men	
	EUR			%
11 to 15 years	22.47	19.45	25.10	23
16 to 20 years	24.43	20.83	27.67	25
21 to 25 years	24.77	21.59	27.62	22
26 to 30 years	26.18	22.85	28.88	21
31 years and above	27.16	23.78	29.88	20

Source Federal Statistical Office, 2018 Structure of Earnings Survey

<https://www.destatis.de/DE/Themen/Arbeit/Verdienste/Verdienste-Verdienstunterschiede/Tabellen/gpg-arbeitsplatz.html>