



Mind the GAP!

Joint actions of workers' organizations for bridging the gender pay gap

General Workers Union

Malta

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Introduction: The Gender Pay Gap

Globally, females have a lower labour market activation rate than males and are more likely to be engaged in informal, part-time, and lower status positions resulting in lower paid work (ILO, 2018). Indeed, the gender pay gap is a reflection of wider inequalities, as gender intersects with other structural factors of discrimination including social class, age, race, and ethnicity. The gender pay gap is also caused by a segregated labour market as well as gendered caring responsibilities. Women and men tend to be concentrated in divergent job sectors which hold unequal status positions (Blau and Kahn, 2017). On an international level, 75 percent of all unpaid care work is undertaken by women (UN Women, 2022), resulting in career breaks and shorter paid working hours. Despite being illegal in various jurisdictions, gender pay gaps also exist in same work of equal value sites through both direct and indirect forms of discrimination. As part of wider gender inequality, the gender pay gap is the result of multiple factors, and thus effective redress demands holistic action.

In the past three decades the gender pay gap has been addressed through various policies and legislative frameworks. Reducing the gender pay gap has become an established objective amongst key policy actors including the EU Commission, national governments, employers' associations, trade unions, women, workers and various non-governmental organisations dealing with equality, human rights and social justice concerns.

Yet, despite sustained attention to the gender pay gap as part of wider equality objectives to guarantee equal pay and equal work opportunities, including its enactment into law, women's gross pay per hour still continues to be lower than men's and even more so when pay is measured over their lifetime.

Despite its criminalisation, the gender pay gap is still directly and indirectly engendered, for instance through the feminisation of certain sectors of the labour market, lack of work-life balance initiatives and limited career progression and opportunities for social mobility. Discrimination affects the gender pay gap at an individual level, where pay is lower for women, at a general level due to less quality employment opportunities, and in pay rates based on the gender composition of the job or skill. In turn, lower incomes perpetuate inequalities, whilst hindering women's independence, autonomy and bargaining power (Wodon and De le Briere, 2018).

These layers of discrimination are compounded for women workers on zero or short-term contracts and in the precarious, informal market. Even more so if you are a migrant woman due to the multi-layering of your vulnerability at work, institutionally and socially. Where migrant workers have become an integral part of the workforce, as in the Maltese Islands, the

growing exploitation of their labour in unregulated environments has led to widening pay gaps and gross inequalities.

Rationale of the Study

The Gender Pay Gap is an area which remains under-researched with a lacuna of knowledge about its prevalence and current state of affairs within the Maltese context. This brief report aims to provide further insights into seeming contradictions such as the inverse relationship between increased women's employment - a lower gender gap - and decreased women's relative pay - a higher gender pay gap. The focus of our analysis is the implementation of the EU Pay Transparency Directive in Malta and how to enhance its impact and effectiveness. The study is guided by several questions examining the perceived advantages and challenges in the implementation of the directive amongst significant domestic stakeholders in the field. Two primary research questions in this European project are:

- *What has changed since the directive was issued, are national laws compliant with EU standards, how far along is the process of implementing the directive by changing national laws, and what still needs to be done?*
- *Is there a need for modification and thus recommendations in ways to implement the directive and, following its implementation in 2026, in ways to monitor and to ensure employer compliance through increased worker's organization?*

Layout of Report

Following this brief explanation of the research and its aims and objectives, we give a legislative and policy overview of gender equality within the Maltese islands, including relevant existing tool kits to monitor and regulate gender equality. The report then reflects on gender equality challenges on the Maltese Islands within a historical perspective. We arrive then at a deeper understanding of recent employment and pay gap trends. The authors clarify their methodological design to examine the gender pay gap from a holistic perspective, including one-on-one interviews and a workers focus group, that allow us to conclude with the main findings emerging from the study. Based on these findings, recommendations and suggestions are made regarding the most effective implementation of the Pay Transparency Directive within the local context.

Legislative Frameworks and Policies

Human rights, equality and the protection against gender discrimination is enshrined under the Maltese Constitution (1964) which provides for non-discrimination in terms of equality in employment, including equal rights and equal pay. As per Article 14, "The State shall promote the equal right of men and women to enjoy all economic, social, cultural, civil and political rights and for this purpose shall take appropriate measures to eliminate all forms of discrimination between the sexes by any person, organisation or enterprise; the State shall in particular aim at ensuring that women workers enjoy equal rights and the same wages for the same work as men."

This Constitutional guarantee is complemented by various other specific legislative frameworks governing specific policy areas, including the sphere of employment. These include safeguards against sexual harassment at the place of work, unfair dismissal from employment, including for example due to pregnancy; lack of equal opportunities for progression and unequal pay for work of equal value.

A main legislative framework regarding non-discrimination in employment (apart from other areas including education and vocational guidance, banks and financial institutions) on the

basis of sex and gender (in addition to other grounds) concerns the Equality for Men and Women Act (Chapter 456 of 2003, Laws of Malta) hereafter referred to as the Equality Act (2003). This legislation provides for measures to combat discrimination and also establishes the National Commission for the Promotion of Equality for Men and Women (NCPE). The NCPE acts as an independent equality body for the promotion of equality and non-discrimination and amongst other functions investigates cases and complaints of alleged discrimination.

In terms of employment, under Article 4(1) the Equality Act enacts that it is unlawful to “discriminate, directly or indirectly, against a person in the arrangements made to determine or in determining who should be offered employment or in the terms and conditions on which the employment is offered or in the determination of who should be dismissed from employment”, whilst under Article 4(2), the Act prohibits amongst others discriminatory treatment in the management of work, the allocation of promotions, the distribution of tasks, the provision of training opportunities, and/or in the alteration of working conditions or the terms of employment or and any other conditions that assign less favourable status on the basis of sex or due to family responsibilities.

In its wide remit prohibiting discriminatory treatment across various aspects of employment, the Equality Act addresses the principle of equal pay for work of equal value. In line with these objectives, in addition to the Equality Mark certification which is awarded to entities that incorporate gender equality as a main value and whose management recognises and promotes the potential of all employees regardless of their gender and caring responsibilities, the NCPE also awards The Equal Pay Certification. The Equal Pay Certification recognises that equal pay for work of equal value is fundamental for achieving gender equality at the workplace. This Equal Pay Certification can be granted to interested equality mark certified private companies and public entities that employ 50 or more personnel.

As part of this certification, an Equal Pay Tool was developed by the NCPE to assist entities to verify that women and men within their organisation are granted equal pay for work of equal value. The underlying focus of the Equal Pay Tool is that the principle of equal pay for work of equal value not only involves cases where same or similar work is undertaken. Thus, the Equal Pay Certification ensures that work of equal value irrespective of the content, responsibilities, required skills, qualifications and competences as well as conducted under diverse situations and conditions, should receive equal remuneration.

Legislative clauses promoting the principle of equal pay for work of equal value can also be found under the Employment and Industrial Relations Act (Chapter 452 of 2002 of the Laws of Malta) which amongst other provisions prohibits wage differentiation for employees within the same job classification and undertaking work of equal value. This proviso is also articulated in the Equal Treatment in Employment Regulations (Subsidiary Legislation 452.95 of 2004), which complements the objectives of the Employment and Industrial Relations Act. These regulations transpose the provisions of Council Directive 2006/54/EC irrespective of employment within the private and public sector.

Other relevant legislative frameworks which may directly or indirectly address the principle of equal pay for work of equal value and thus impact the gender pay gap, concern the; the Work-Life Balance for parents and carers Regulations (Subsidiary Legislation 452.125 of 2022), the Protection of Maternity (Employment) Regulations (Subsidiary Legislation 452.91 of 2004), the Income Tax Act – Tax-Credit (Women Returning to Employment Rules) (Subsidiary Legislation 123.81 of 2005) and Part-time Employees Regulations (Subsidiary Legislation 452.79 of 2003), the Urgent Family Leave Regulations (Subsidiary Legislation 452.88 of 2004), the Leave for medically assisted Procreation (Subsidiary Legislation 452.114 of 2017) and the Gender Identity, Gender Expression and Sex Characteristics Act (Chapter 540 of 2015).

The principle of equal pay for equal work constitutes a main founding principle of the EU as enshrined under Article 157 of the Treaty on the Functioning of the European Union and the Gender 'Recast' Directive (2006) which under Article 4 specifies that: "for the same work or for work to which equal value is attributed, direct and indirect discrimination on grounds of sex with regard to all aspects and conditions of remuneration shall be eliminated. In particular, where a job classification system is used for determining pay, it shall be based on the same criteria for both men and women and so drawn up as to exclude any discrimination on grounds of sex." In 2014, the European Commission adopted Recommendation on strengthening principle of equal pay between men and women through transparency which was followed by the adoption of the Pay Transparency Directive in 2023.

The main objectives of the directive are those of empowering workers to be able to enforce the right to equal pay through binding measures, strengthening the transparency of existing pay systems, improving public awareness and understanding on the issue and enhance the enforcement of the rights and obligations arising from the value of equal pay for equal work. Indeed, gender pay disparity is reduced when corporations and employers are obliged to become more transparent (Bennedsen et al, 2023). More transparency enables better salary and job conditions negotiation, which is usually more challenging for women (Leibbrandt and List, 2012; Stevens & Whelan, 2019). This Directive is envisaged to be transposed in national law by Member States by 2026.

Gender Equality in the Maltese Labour Market

The Maltese people, favoured by colonisers for Malta's strategic location in the middle of the Mediterranean Sea, were subject to repressive measures through various imperial occupations from the Roman Empire (218bc -535ad) to the British Empire (1800-1964), Maltese society was considered inferior to its foreign masters most of whom made full use of divide and rule tactics. Equal rights were certainly not on the table. The exclusively male and conservative Catholic hierarchy became stronger under the long rule of the Knights of St John (1530-1978) that increased the powers of the Inquisitor and the oppression of women. The lay local elite made up of property owners, agricultural landlords and merchants was exploitative and exclusive. Thus, Maltese women were caught in a triple bind of oppression – imperial, religious and class oppression – and most women were restricted to servile impoverishment (Mintoff, 1990). Yet, despite this oppression, women in Malta have been since time immemorial engaged in the formal and informal economies (Callus, 1992).

Under British occupation, the islands were considered little more than a military fortress. Apart from female servants, nuns and prostitutes, women's place was mainly in the home and in the fields, adding children to the religious flock, taking care of the family, domesticated animals and kitchen gardens. Women were and still are the main carers of children, the sick and the elderly.

Malta played a crucial role in the second world war, and as men were conscripted into the British Forces, opportunities for women to work outside the home increased. However, in 1948 as British investment in Malta's war economy declined it became unlawful for females to sustain their employment within the public service upon marriage (Darmanin, 1992). Thus marriage posed an obstacle to women's employment in key sectors. Due to the marriage bar legislation, which was only removed in 1980, most women could not pursue professional careers, even in teaching and nursing, because they had to resign from government employment before getting married.

In the 1960s, on gaining partial independence, the British military was being run down and poverty and emigration were on the rise. More young women began seeking employment

outside the home, although this was largely considered improper (Sharples, 2017). Unfairness toward women was not just cultural, it was legal and economic too. Discrimination against women was systemic and despite advances remain so today. If opportunities for quality employment were scarce or non-existent in the 1960s, today the situation has improved but still we find labour segregation, lack of professional development opportunities and glass-ceilings. Meanwhile, the number of women in vulnerable employment has risen from 1991 to 2022, where “workers in vulnerable employment are the least likely to have formal work arrangements, social protection, and safety nets to guard against economic shocks; thus they are more likely to fall into poverty” (World Bank Group, 2024, pg.3).

Two major advances for women in the past fifty years have been improved secondary and tertiary education and the introduction of equal pay policies and children’s allowances in the 1970s. As Malta became more autonomous as a Republic in 1974 and as a country free of foreign forces in 1979, the state increased its commitment to promote equal rights and eliminate all forms of discrimination between men and women in terms of economic, social, cultural, civil and political rights with particular focus on conditions of work and wages.

Following decolonisation, and the expansion of Malta’s public and private industries, many women became actively engaged in textiles (Darmanin, 1992) and other manufacturing industries (Deguara, 1999). Female engagement within the labour market continued to expand with the growth of the public and private economy and the transformation from a production-based to a more service-oriented economy.

This growing tourist, financial and gaming sectors lately have expanded the workforce and thus the uptake of more women and migrants. Complementing the rise in labour demand, the supply of female labour increased particularly as they became more educated and as household expenses increased. Engagement within the labour market became more normalised, also because of increased awareness of women’s rights and the significance of autonomous income for gender equality. Various measures were subsequently introduced to facilitate women’s integration within the labour market. Measures aimed to facilitate female entry, retention and progression in the labour market include both those with a direct impact on disposable income and those with an indirect positive impact (Borg Caruana, 2023).

Government measures having a direct impact on women’s disposable income introduced in recent years include the i) pro-rata National Insurance contribution for part-time self-employed women; ii) the tax credit for women returning to work after having children; iii) lower tax rates for parents; iv) the increase in tax deductions for parents using private childcare centres; v) income tax incentives for inactive women over 40 years who return to work; vi) aligning the maternity benefit rate of self-employed women with the national minimum wage; vii) aligning the rate of pay of the four final weeks of maternity to the minimum wage; and viii) the introduction of the In-Work Benefit scheme to support low-income working parents and households (Borg Caruana, 2023).

Complementarily, main measures which have an indirect impact on women workers’ disposable income include: i) the provision of three months of unpaid parental leave for each parent until the child is eight years old; ii) the introduction of the Klabb 3-16 after school programme; iii) increase in parental leave up to a period of four months; iv) increase in maternity leave up to 18 weeks isn’t this the same as point iii?; v) provision of free child-care services for working parents and those following educational courses; vi) introduction of breakfast clubs for primary school children; vii) increase in adoption leave in line with maternity leave; viii) the introduction of the ‘Access to Employment’ scheme to promote employability of inactive and challenged jobseekers; ix) the setting up of the Maternity Leave Trust Fund (through Legal Notice 257 of 2015) to refund employers for the 14 weeks maternity leave paid to the employee; and x) the transposition of the EU Work-Life Balance Directive (through the

introduction of Legal Notice 201 of 2022) which provides for extended paternity and parental leave as well as flexible working hours for parents of young children and unpaid leave for individuals taking care of sick relatives (Borg Caruana, 2023).

The Gender Gap and the Gender Pay Gap

In 2023, Malta ranked 14th in the EU on the Gender Equality Index, scoring 67.8 points out of 100, 2.4 points below the EU average score (European Institute for Gender Equality, 2024). Malta's highest ranking of 80.0 points (standing 3rd of EU Member States) stood in the domain of work, with particular performance in the sub-domain of segregation and quality of work (76.5 points). (European Institute for Gender Equality, 2024). Yet, the gender gap and the gender pay gap remain an outstanding reality within the Maltese labour market.

The female employment rate is the proportion of the female population aged 15 to 64 years that is economically active. Malta's National Statistics Office provides trend data on women's employment rates from 2000 to 2023 (ESTAT Employment Rates by sex, age and citizenship). After joining the EU in 2004, external pressure for the female employment rate to rise on a par with northern countries amplified Malta's female employment rate rose strikingly fast from 33.4% to 70.3% while the male employment rate had risen from 75.3% to 84.1% in the same time period 2000-2023.

The female employment has registered a significant increase, yet the gender gap remains higher than the EU average, particularly within the 40-59 year old bracket. Though the female inactivity rate¹ in Malta for those between 15-74 years has registered a decline from 68.2% in 2000 to 40.1% in 2021, it remains 17% points higher than the male inactivity rate (Borg Caruana, 2023). The majority of inactive women (95.4% in 2021) are not actively searching for employment (Borg Caruana, 2023), mainly due to their household responsibilities, being discouraged, unwillingness to work and due to being active informally (Azzopardi and Bezzina, 2014).

The large majority, around 92% of employed females are engaged in the services sector, particularly in the areas of education, health, social work and the retail and wholesale industries (Borg Caruana, 2023). Conversely to full-time employment, the female employment rate in part-time employment is higher than that of males (Borg Caruana, 2023). 27% and 16% of all women in full-time and part-time employment in Malta are foreigners. While for full-time jobs, female foreigners were predominantly employed in the administrative and support services sectors, part-time work was more predominant in the accommodation and food services sector (in 2021) (Borg Caruana, 2023).

As per Table and Figure 1 below, comparing the gender gap and gender pay gap trends we see that as the percentage of women in the labour market increased so did the pay gap between the average male and female wages. While in 2006, the gender gap stood at 39.9%, it went down to 12.7 in 2022. During the same period, the pay gap was 5.2% in 2006 and in 2022 it was double at 10.2%. Although the Gender Pay Gap has declined from its peak of 13.2% in 2017, it remains higher than its historical average (Borg Caruana, 2023).

As the labour market has become more deregulated with the increase of neocapitalist economics and contract work with agencies has become widespread, this has led to more inequalities including gender pay/condition discrepancies. Indeed, one significant reason for the gap is the fact that part-time and precarious work is largely populated by women workers, of whom an increasing percentage are lower paid immigrant women worker as the Maltese labour market has become increasingly racially segregated. Meanwhile women with children most often have to take periods of long leave from labour market participation. In addition,

¹ the percentage of women who are not employed, unemployed or actively seeking work.

labour market segregation is endemic not because women have inferior education but because of the weight of patriarchal domination. This phenomenon is described thus:

Gender segregation narrows life choices, education and employment options, leads to unequal pay, further reinforces gender stereotypes and limits access to certain jobs while also perpetuating unequal gender power relations in the public and private spheres (EIGE, 2018, p.11).

Despite this important progress was made in the past decade in expanding free childcare opportunities for working women. But as O'Hagan (2015, p.13) analyses in her book 'Complex Inequality and 'Working Mothers', "it is on the grounds of motherhood that women experience most resistance to their changing role". Indeed, one clear consequence of this dilemma (moral and economic) is the decision by more Maltese women not to have children at all precipitating a critical demographic decline through a lowered fertility rate.

Table 1: Trends in Gender Gap and Gender Pay Gap

Year	Gender Pay Gap	Gender gap
2000	N/A	41.9
2001	N/A	43.9
2002	N/A	41.3
2003	N/A	42.2
2004	N/A	43.4
2005	N/A	40.1
2006	5.2	39.9
2007	7.8	37.5
2008	9.2	35.2
2009	7.7	33.9
2010	7.2	33.0
2011	7.7	32.3
2012	9.5	28.7
2013	9.7	26.3
2014	10.6	24.1
2015	10.7	24.5
2016	11.6	23.9
2017	13.2	22.5
2018	13.0	20
2019	11.6	20.4
2020	10.0	18
2021	10.5	16.5
2022	10.2	12.7

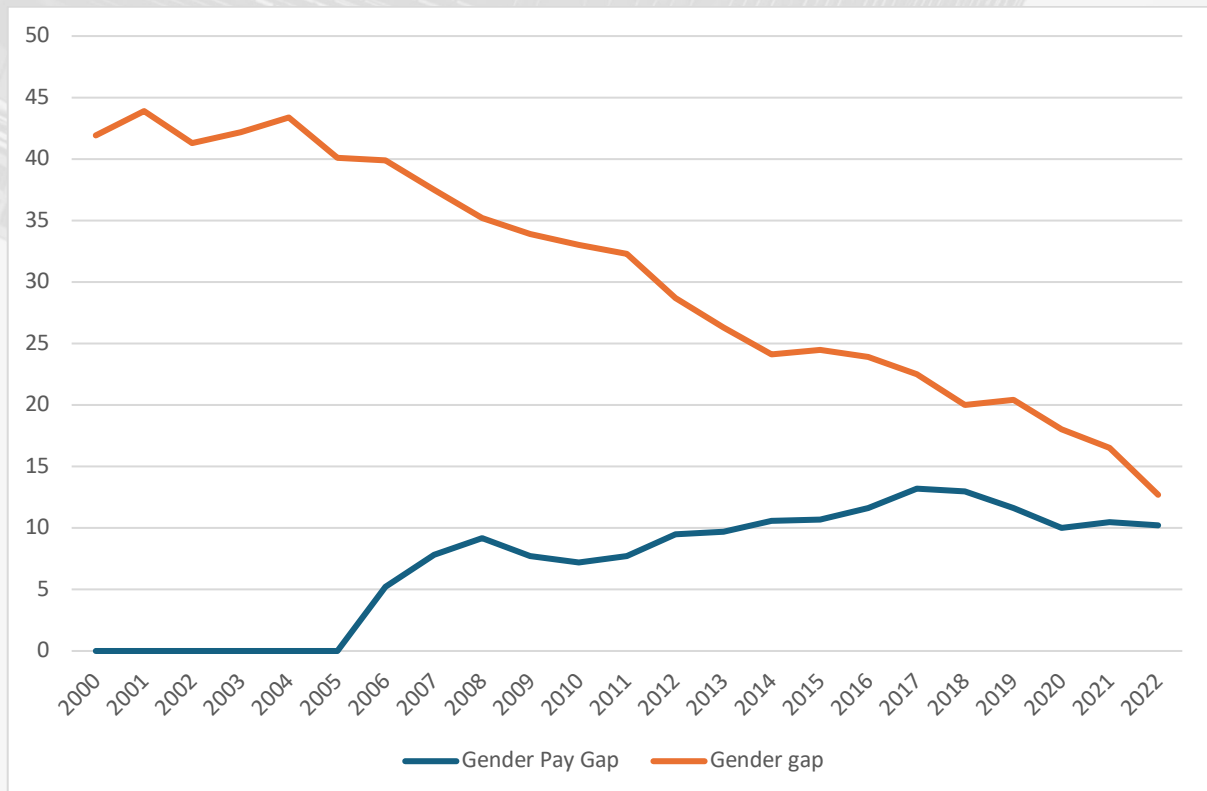


Figure 1: Trends in Gender Gap and Gender Pay Gap

Methodological Design

A multifaceted and triangular research approach to examine the Gender Pay Gap was adopted including both qualitative and quantitative analysis. Desk-based research on the topic and other issues of relevance to the gender pay gap within the Maltese context, was initially carried out followed by a secondary data analysis of official data on the gender employment gap and gender pay gap in Malta. The data analysis was adopted to establish longitudinal trends across the two indicators (as per Table and Figure 1 above).

The qualitative aspect of the research was conducted through the use of i) one-to-one interviews and ii) a focus group with relevant stakeholders involved in the implementation, monitoring and evaluation of the gender-pay gap directive in Malta. A total of 3 one-to-one interviews and 1 focus group with employees from various sectors and trade union activists encompassing a total of 13 participants were held.

Qualitative personal exploratory interviewing was held with experts and relevant stakeholders on the gender pay gap in Malta. These interviews were held with representatives from the i) National Statistics Office (NSO) which is responsible for the collection, compilation, analysis and publication of statistical information and related matters on the national level, ii) National Commission for the Promotion of Equality (NCPE), which strives to eliminate discrimination on all grounds, including on the basis of gender and family responsibilities, by raising awareness, implementing policies, monitoring domestic and EU legislation and Directives, and investigating complaints from the general public; and iii) General Workers' Union, the largest trade union movement in Malta, that mobilises a wide cross section of interests including the manufacturing, services and the public sector of the Maltese labour market. The General Workers Union is affiliated to the International Trade Union Confederation and the European

Trade Union Confederation as well as various sectoral international and European trade union federations.

A focus group was held with a wide spectrum of employees, social partners and stakeholders. For this purpose, an interview guide (Annex 1) was developed covering various issues of concern on the Pay Transparency Directive. The questions aimed to guide and focus the scope of the discussion by examining employees' views on the directive, its advantages and challenges as well as how the implementation of the directive could be facilitated and enhanced.

This mixed-method approach enables greater validity and reliability by combining secondary data analysis of official data on the gender pay gap with the in-depth primary data arising from multiple methods and stakeholders. The findings of the study as presented in the section below elicited a number of common themes that lead to relevant conclusions and recommendations on the implementation of the gender pay gap directive in Malta.

Findings

The following section will present the findings arising from the qualitative aspect of the study based on a thematic analysis examining i) experiences of discriminatory practices at the workplace; ii) knowledge, awareness and perceptions on the gender pay gap and the provisions of the Directive; iii) the sectors where the gender pay gap tends to be more prevalent; iv) the main advantages arising from the implementation of the Pay Transparency Directive, v) the main challenges in the implementation of the Pay Transparency Directive, vi) the measures that could be set in place to facilitate and enhance the implementation of the Directive.

Participants highlighted various underlying causes for the gender pay gap, including maternity leave, personal contracts, lack of team-work and sexual harassment. However, an overriding factor arises from patriarchal attitudes and cultural gender stereotypes and expectations. Within Maltese society, women still hold a strong caring role while also being engaged within the labour market. Many men still do not accept that women can hold positions of power whilst many employers hold patriarchal biases. Thus, the gender pay gap is also the result of lack of opportunities. Notwithstanding, this discriminatory attitude is changing and the workforce is becoming more emancipated.

All the participants considered the gender pay gap as being a high to moderate issue of concern. It was argued that it is a doubled-edged sword, since what is bad for women, is also bad for the rest of the workforce, as it impacts the conditions of work for all. All the participants were aware of the gender pay gap, its underlying causes and also quite knowledgeable about the directive and its provisions. Yet, they demanded further knowledge on how it will be implemented in practice and who will be responsible for its implementation, monitoring and enforcement. Participants saw various advantages in the implementation of the Directive since it would lead to greater gender equality as well as greater transparency and bargaining power for workers, yet a number of challenges were also highlighted, including lack of collaboration from employers, deregularisation of the labour market and patriarchal mentality. Focus group participants agreed 100% with the introduction of the Pay Transparency Directive yet presented a number of recommendations for its improved implementation, monitoring and enforcement.

Conclusions and Recommendations

Based on the findings arising from the study, the following section presents avenues for further research on the gender pay gap within the local context with the aim of developing more evidence-based practice in the field. It also presents a number of suggestions for combating

the gender pay gap and facilitating the implementation, monitoring and enforcement of the Pay Transparency Directive within the local context.

Despite ample research on gender discrimination, the gender pay gap has received limited scholarly attention within the Maltese context. As acknowledged by Borg Caruana (2023, p.91), “further in-depth research is needed to analyse the GPG in Malta, with particular focus on the determinants of this inequality, and its distribution across sectors.” With reference to the implementation of the Pay Transparency Directive, it is pivotal to examine how current national strategies and policies will be impacted by the directive and what actions need to be undertaken to ensure better alignment between national and EU actions. For example, it is pivotal to examine how the NCPE’s current Equality Mark and Equal Pay Certification will be revised in line with the directive, also given the current voluntary engagement by entities in such initiatives.

Addressing the gender pay gap entails addressing its underlying causes that result from multiple intersecting factors. This paper concludes that combating the gender pay gap demands above all; a change in patriarchal attitudes, a rights-based approach to employment, further reconciliation of work and personal life, combating gender segregation in education and the labour market, more transparent and accountable organizational practices and greater monitoring and enforcement of the principle of equal pay for same work and work of equal value.

The public sector being a highly regulated sector is considered to have lesser leeway for gender discrimination. Participants considered the gender pay gap to be lowest within the public service sector because it is the most stringently regulated through clear work contracts and agreements whereas it was considered to be more prevalent within the private sector, particularly in areas which are least regulated and particularly in areas in the informal economy. Thus, measures which further regulate, enforce and monitor the private sector and informal economy are key to lowering the gender pay gap.

Introducing a minimum living income would enable everyone to enjoy a good quality of life by covering necessary expenses for adequate living whilst helping to address the feminisation of poverty and income inequalities arising from gender pay gap. In addition, minimum wage legislation is noted to improve wages through the ‘lighthouse effect’ and by setting a benchmark for improved conditions (UN Women, 2015).

Educational and incentive measures are also needed. Combating occupational gender segregation through awareness raising and educational initiatives aimed at changing stereotypical representations, and investment in equality programs as well as through targets and incentives for women to enter male dominated fields and vice-versa and firms to engage employees in non-gendered occupational roles. Combating occupational gender segregation also needs to be addressed through the recognition of work value and its positive externalities by raising the average pay and status in sectors which are traditionally predominated by women.

Increased government investment in social benefit and protection such as care services for dependents to support work life balance and counteract the discriminations and disadvantages arising from unpaid work which hinders many females from accessing high quality jobs is pivotal for combating the gender pay gap.

The gender pay gap’s definition and thus measurement is based on hourly income, yet consideration may need to be given to ‘equal opportunities’, which is a significant factor in gender discrimination and inequality. In addition the gender pay gap definition reflects just a snapshot of pay in time and does not capture life time gender discrimination.

The paper also echoes concern about how the Pay Transparency Directive will be transposed into national legislation and where women workers and trade union activists will have a key role in this transposition. One preliminary step needed to ensure transparency is that all work contracts are registered with the Director of Works. For successful enforcement of the Directive, the removal of prescription of court proceedings and the reduction of the current lengthy proceedings of Industrial Tribunal are necessary. Finally, our research finds that a major limitation of the Directive's effectiveness is that it is primarily based on self-reporting by employers.

The adoption of NCPE's Equal Pay tool which would lead to the Equal Pay Certification for entities is currently based on voluntary participation by Equality Mark certified companies and public entities, employing at least 50 persons. The wider and 'compulsory' adoption of the Equal Pay tool would better ensure that the principle of equal pay for work of equal value is enshrined across the labour market and ensured for all. Currently, Equality Mark certified organisations that opt not to apply for the Equal Pay Tool will still retain their Equality Mark certification. Given that equal pay for work of equal value is an integral aspect of equality, the Equality Mark certification and the Equal Pay Certification may benefit from further alignment.

It is pivotal that the implementation, monitoring and evaluation of the Pay Transparency Directive takes into account national realities, in particular the realities faced by small island states such as Malta. The Directive needs to take more cognizance of the specific realities in Member States. For example, in Malta, the large majority of enterprises are small to medium enterprises with less than 50 employees. As a result, we recommend that small and medium sized enterprises are included in the transposition of the Directive locally to ensure most employees would not fall out of its protective safety net.

Enhanced networking and collaboration is needed amongst national entities such as JobsPlus, DIER and unions and other entities operating within the employment sector to address gaps and streamline efforts towards workers' rights. On a more holistic level, the Gender pay gap needs to be addressed in collaboration with wider equality struggles including racism and elitism.

A key recommendation is the need to set up of a robust Pay Transparency Unit made of different stakeholders including government representatives, women and migrant employees in the private, public and informal sectors, labour unions, employers, equality bodies, and civil society organisations to monitor and oversee the implementation of the Pay Transparency Directive. This representative unit is considered key to the effective implementation, monitoring and enforcement of the Pay Transparency Directive and its success in combating the gender pay gap and ensuring equal pay for work of equal value.

Globally more and more workers are calling for: a guaranteed minimum income, a shorter working week, longer funded maternal and paternal leave, quality childcare and public investment in child friendly infrastructure and caring responsibilities in the recognition that this "is a public good that requires social support" (O'Hagan, 2015, p.194). Finding a better balance between long working hours, family responsibilities, exercise, enjoyment and rest is a major contemporary issue.

Closing the gender pay gap is an important indicator of gender equality, however it also presents added positive repercussions by leading to increased household investment in health, housing and social and educational wellbeing as well as positive ripple effects on the global economy (Noland, Moran and Kotschwar, 2016).

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Annex 1: ANNEX 1: Focus Group Questions

Mind the GAP! Joint actions of workers' organizations for bridging the gender pay gap

Focus Group Questions

1. How do recognize or experience gender inequalities?

2. How do you/your organisation understand and define the Gender Pay Gap?

3. Do you consider the Gender Pay Gap as being of _____ issue of concern?

- High
- Moderate
- Low
- No



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4. In what sectors/industries do you consider the Gender Pay Gap to be:

- More prevalent

- Less prevalent

5. How much are you/your organization knowledgeable of the specific provisions and requirements of the Gender Pay Gap directive?

- Extremely
- Very
- Moderately
- Slightly
- Not at all

6. How would the Gender Pay Gap directive best be implemented?



7. What do you consider as being the main advantages resulting from the implementation of the directive?

- On an International level/In general

- Within the Maltese context

- Within your field of activity/personal experience





8. What do you consider to be the main challenges faced in the implementation of the directive?

- On an International level/In general

- Within the Maltese context

- Within your field of activity/personal experience

9. In what ways do you think that the provisions and implementation of the Gender Pay Gap directive could be enhanced?



10. How much do you/your organization agree with the introduction of the Gender Pay Gap Directive?

- Strongly Agree
- Agree
- Undecided
- Disagree
- Strongly Disagree

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