Equal pay for work of equal value. Memorandum

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The first part of this Commission memorandum on "equal pay for work of equal value" contains a presentation of the case law of the European Court of Justice on this issue and then focuses on: - what is meant by "work of equal value" in European law and in the legislation of the Member States and the scope of comparisons of this type of work, be they between men and women or between employees in the public and private sectors; - professional classification and evaluation (procedures or systems to define professional categories and then evaluate the relative demands of jobs) in European law; - what is meant by "pay" for the purposes of Article 119 of the EC Treaty (definitions of basic salary and additional considerations, contractual and non-contractual wages, social services, different services, social security services, pay and other conditions of work and all identifiable pay or financial conditions). The second part sets out the reasons why measures to promote equal pay for work of equal value need to be put into practice quickly. The Commission tables a series of basic ideas around which these measures could be structured: - improving databases on women's pay; - improving the dissemination of information on this issue; - practical and legal training in the application of the principle of equal pay both at Community level and in the Member States; - legislative action based on Article 169 of the Treaty (the Commission posits the idea of a Community code of good practice on the implementation of equal pay). This memorandum has been drafted for information purposes and as a discussion paper for the attention of all the interested parties (public administrations, national agencies responsible for ruling on litigation, social partners, lawyers and consultants) and contains no formal proposals as such.