EGGE – EC’s Expert Group on Gender and Employment

Assessment of the National Action Plans for Employment from a Gender Perspective

Spain

2003

EWERC, Manchester School of Management, UMIST

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October 2003

REPORT FOR THE EUROPEAN COMMISSION’S GROUP OF EXPERTS “Gender and Employment” (EGGE)
This report contains an assessment of the 2003 Spanish National Action Plan on Employment (hereafter "2003 Spanish NAP") made from a gender-equality perspective. It is important to stress that we do not assess the overall usefulness of the 2003 Spanish NAP, but mainly its potential contribution to the erosion of gender inequalities.

This report is organized in five parts. In part 1, we assess the first section of the 2003 Spanish NAP that refers to the national employment policy context and the three overarching objectives (full employment; improving quality and productivity at work; and strengthening social cohesion and inclusion). In part 2, we assess the specific guidelines of the 2003 Spanish NAP. In part 3, we assess the level of fulfillment of the Council Recommendations made to Spain for the 2003 Spanish NAP. In part 4, we assess the last section of the 2003 Spanish NAP that refers to good governance and partnerships in the implementation of the employment guidelines. In part 5, we provide an overview summary statement and identify two issues that we would like to see highlighted in the evaluation of the 2003 Spanish NAP from a gender perspective.

In this report, we often refer to gender mainstreaming. Gender mainstreaming concerns (re)organization, improvement, development and evaluation of policy processes, so that a gender equality perspective is incorporated in all policies, at all levels and at all stages by the actors normally involved in policy making. At times, we insert into this report quotations from the 2003 Spanish NAP. The translation from these quotations from Spanish to English have been made by María Luisa Moltó and Celia Valiente. Together with all the quotations from the Spanish NAP we include the number of page of the version in Spanish of the 2003 Spanish NAP (or the Appendixes) in which the quotations appear.

1. THE NATIONAL EMPLOYMENT POLICY CONTEXT: PROGRESS TOWARDS THE THREE OVERARCHING OBJECTIVES

In part 1, we assess the first section of the 2003 Spanish NAP that refers to the national employment policy context and the three overarching objectives (full employment; improving quality and productivity at work; and strengthening social cohesion and inclusion).

National Employment Policy Context

- Comment on evidence of reference to gender equality/gender mainstreaming, use of gender disaggregated statistics targets and evidence of gender impact assessment of new policies

  No reference to gender equality/gender mainstreaming.
  Absence of gender disaggregated statistics targets.
  No impact assessment of new policies.

First Overarching Objective: Full Employment
- Reference to specific EU employment target for women: No

- National employment targets: No. However, there is a mention to an assessment contained in the Updating of the Program of Stability of the Kingdom of Spain (2002-2003) (Actualización del Programa de Estabilidad del Reino de España (2002-2003)) of an annual increase of 1.8% of employment (full-time equivalent) between 2003 and 2006 (page 3 of the main text of the 2003 Spanish NAP).

- National employment targets for women: No

- National employment target for older people (is there a gender break-down)?: No/No

- Specific policies to reach women's employment targets/achieve substantial reduction in gender employment gap. Please assess adequacy of policy to achieve targets etc. and in relation to policies in previous NAPs: No mention to specific policies to reach women's employment targets or achieve substantial reduction in gender employment gap.

- Comment: Pronounced gender-blindness in this first overarching objective of full employment. The indicator on the progress made by women in employment over the 1997-2002 period evidenced by the female employment rate is out of context, as gender gap is lacking (see page 3 of the main text of the 2003 Spanish NAP). There is a reference to specific EU employment target for women in the contribution of trade unions CC.OO and UGT to the Spanish NAP (see page 109 in Annex VII).

Second Overarching Objective: Improving Quality and Productivity at Work

- Intrinsic job quality:

  + Dimensions discussed Y/N or E (elsewhere in NAP-please give guideline/section):

    No dimensions discussed.

  + Gender dimension identified and adequacy of the gender approach (good, adequate, limited, very limited):

    No gender dimension identified.

  + Gender dimension omitted:

    All gender dimensions omitted.

- Skills:

  + Dimensions discussed Y/N or E (elsewhere in NAP-please give guideline/section):
Very generic mentions to the importance of training (pages 3 and 4 of the main text of the 2003 Spanish NAP).

+ Gender dimension identified and adequacy of the gender approach (good, adequate, limited, very limited):

   Very limited gender approach.

+ Gender dimension omitted:

   Most gender dimensions omitted.

- Lifelong learning and career development:

   + Dimensions discussed Y/N or E (elsewhere in NAP-please give guideline/section):

       Gender dimension discussed in guideline 4.

   + Gender dimension identified and adequacy of the gender approach (good, adequate, limited, very limited):

       No gender dimension identified.

   + Gender dimension omitted:

       All gender dimensions omitted.

- Gender equality:

   + Dimensions discussed Y/N or E (elsewhere in NAP-please give guideline/section):

       Gender dimension discussed in guideline 6 (pages 26-27 of the main text of the 2003 Spanish NAP).

   + Gender dimension identified and adequacy of the gender approach (good, adequate, limited, very limited):

       No gender dimension identified.

   + Gender dimension omitted:

       All gender dimensions omitted.

- Health and safety at work:
+ Dimensions discussed Y/N or E (elsewhere in NAP-please give guideline/section):

A very generic mention to the importance of prevention of work accidents (page 3 of the main text of the 2003 Spanish NAP).

+ Gender dimension identified and adequacy of the gender approach (good, adequate, limited, very limited):

No gender dimension identified.

+ Gender dimension omitted:

All gender dimensions omitted.

- *Flexibility and security*:

+ Dimensions discussed Y/N or E (elsewhere in NAP-please give guideline/section):

A generic mention to the importance of security in employment (page 3 of the main text of the 2003 Spanish NAP).

+ Gender dimension identified and adequacy of the gender approach (good, adequate, limited, very limited):

A mention to exemptions on social security contributions of permanent employment of disadvantaged groups, with a particular attention to women. According to the 2003 Spanish NAP, today all permanent employment contracts of women benefit for at least one incentive (page 4 of the main text of the Spanish 2003 NAP). If this assessment were true, the adequacy of the gender approach related to job security would be good, since the proportion of fixed-term female employment is higher than the proportion of fixed-term male employment.

+ Gender dimension omitted:

Gender dimensions regarding flexibility are omitted. However, flexi-time schedules in order to facilitate the conciliation between work and family life is mentioned in the guidelines for collective bargaining in 2003 (page 118-119 of Annex VII).

- *Inclusion and access to the labour market*:

+ Dimensions discussed Y/N or E (elsewhere in NAP-please give guideline/section):

A very generic mention to the importance of women's access to paid employment (page 3 of the main text of the 2003 Spanish NAP).
+ Gender dimension identified and adequacy of the gender approach (good, adequate, limited, very limited):

Very limited gender approach. As said, a very generic mention to the importance of women's access to paid employment (page 3 of the main text of the 2003 Spanish NAP).

+ Gender dimension omitted:

References to any concrete measure through which the objective of women's access to paid employment would be achieved are omitted.

- **Work organization and work-life balance:**

  + Dimensions discussed Y/N or E (elsewhere in NAP-please give guideline/section):

    Gender dimension discussed in guideline 6 (page 26 of the main text of the 2003 Spanish NAP) and in Annex VII (page 119).

+ Gender dimension identified and adequacy of the gender approach (good, adequate, limited, very limited):

    No gender dimension identified.

+ Gender dimension omitted:

    All gender dimensions omitted.

- **Social dialogue and worker involvement:**

  + Dimensions discussed Y/N or E (elsewhere in NAP-please give guideline/section):


+ Gender dimension identified and adequacy of the gender approach (good, adequate, limited, very limited):

    Very limited gender approach.

+ Gender dimension omitted:

    All gender dimensions omitted.

- **Diversity and non-discrimination:**
+ Dimensions discussed Y/N or E (elsewhere in NAP-please give guideline/section):

    No dimension discussed.

+ Gender dimension identified and adequacy of the gender approach (good, adequate, limited, very limited):

    No gender dimension identified.

+ Gender dimension omitted:

    All gender dimensions omitted.

- **Overall work performance**:

+ Dimensions discussed Y/N or E (elsewhere in NAP-please give guideline/section):

    No dimension discussed.

+ Gender dimension identified and adequacy of the gender approach (good, adequate, limited, very limited):

    No gender dimension identified.

+ Gender dimension omitted:

    All gender dimensions omitted.

- **Labour productivity and job quality**:

+ Dimensions discussed Y/N or E (elsewhere in NAP-please give guideline/section):

    A mention in text to the increase in labour productivity and a chart on labour productivity between 1997 and 2003 (page 4 of the main text of the 2003 Spanish NAP).

+ Gender dimension identified and adequacy of the gender approach (good, adequate, limited, very limited):

    No gender dimension identified.

+ Gender dimension omitted:

    All gender dimensions omitted.

- **Comment**: Elaborate on assessment particularly with respect to adequacy of gender
approach and any additional points

Pronounced gender-blindness in this second overarching objective of improving quality and productivity at work. Most references found elsewhere in the plan, either in guideline 6 and/or in Annex VI.

Third Overarching Objective: Strengthening Social Cohesion and Inclusion

- Promoting access to quality employment for all women and men who are capable of working:

  + Dimensions discussed Y/N or E (please give guideline/section):

    No dimension discussed.

  + Gender dimension identified and adequacy of the gender approach (good, adequate, limited, very limited):

    No gender dimension identified.

  + Gender dimension omitted:

    All gender dimensions omitted.

- Combating discrimination on labour market:

  + Dimensions discussed Y/N or E (please give guideline/section):

    No dimension discussed.

  + Gender dimension identified and adequacy of the gender approach (good, adequate, limited, very limited):

    No gender dimension identified.

  + Gender dimension omitted:

    All gender dimensions omitted.

- Preventing exclusion from the world of work:

  + Dimensions discussed Y/N or E (please give guideline/section):

    A very generic statement about the fact that on-the-job training of workers diminishes the chances of loosing their jobs. This is specially so in the case of disadvantaged groups, such as non-skilled workers, older people, or women (page 5 of the main text of the 2003 Spanish NAP).
+ Gender dimension identified and adequacy of the gender approach (good, adequate, limited, very limited):

Very limited gender approach As said, a very generic statement about the fact that on-the-job training of workers diminishes the chances of loosing their jobs. This is specially so in the case of disadvantaged groups, such as non-skilled workers, older people, or women (page 5 of the main text of the 2003 Spanish NAP).

+ Gender dimension omitted:

Any reference to the concrete on-the-job training measures that will decrease the probability that women loose their jobs is omitted.

- Reducing regional disparities, positively supporting economic and social restructuring:

+ Dimensions discussed Y/N or E (please give guideline/section):

Gender dimension discussed in Annex IV (pages 75-77 of Annex IV).

+ Gender dimension identified and adequacy of the gender approach (good, adequate, limited, very limited):

No gender dimension identified.

+ Gender dimension omitted:

All gender dimensions omitted.

- Comment: (Pay particular attention to how this approach/discussion compares to the NAP on social inclusion; elaborate on assessments particularly with respect to adequacy of gender approach and any additional points):

This section on the third overarching objective (strengthening social cohesion and inclusion) is particularly vague and incomprehensible. However, regional governments provide a wide variety of measures related to guideline 6 in Annex IV (pages 75-77).

2. RESPONSE TO THE SPECIFIC GUIDELINES

In part 2, we assess the specific guidelines of the 2003 Spanish NAP.

1. Active and preventive measures for the unemployed and inactive

- Summary gender mainstreaming: No gender mainstreaming at all. Not a single reference to women or gender in guideline 1 (main text of the 2003 Spanish NAP).
- Gender mainstreaming:

+ Policy design: No

+ Statistics: No


Assessment of impact on gender equality (positive/neutral/negative):

Neutral or negative. There are no references whatsoever to women or gender. Therefore, we suspect that men would be overrepresented among the beneficiaries of the measures included in guideline 1, as has been the case in the past.

Comment on gender mainstreaming in the guideline:

+ Evidence of including the inactive—particularly women—within the scope of the guideline:

  No evidence.

+ Evidence of continuation/discontinuation of the target that women should be represented in schemes according to their share of unemployment:

  No evidence.

+ Policies designed to achieve a substantial reduction in the gender gap in unemployment:

  No such policies.

+ Disaggregation of targets and statistics by gender:

  All indicators (prevention and activation) related to guideline 1 are disaggregated by gender (see pages 43-45 in Annex I). In addition, prevention indicators are dissagregated by age (see page 43 in Annex I).

2. Job creation and entrepreneurship

Summary gender mainstreaming: No gender mainstreaming at all. Only one reference to women in guideline 2: a reduction in the contribution to the social security system of self-employed women (page 14 of the main text of the 2003 Spanish NAP).

Gender mainstreaming:
+ Policy design: No
+ Statistics: No
+ Targets/evaluation: No

- Assessment of impact on gender equality (positive/neutral/negative):

Neutral or negative. As said, there is only one references to women. Therefore, we suspect that men would be overrepresented among the beneficiaries of the measures included in guideline 2, as has been the case in the past.

- Comment on gender mainstreaming in the guideline:

+ Measures for women as self-employed: As said, guideline 2 contains a measure for women as self-employed individuals: the reduction in their contribution to the social security system. This measure is positive, although very limited (only one measure in the whole guideline 2).

+ Continuous training:

No gender mainstreaming regarding continuous training.

+ Small business entrepreneurs-career opportunity for all?:

No gender mainstreaming regarding small business entrepreneurs. Therefore, we suspect that measures to promote small business entrepreneurship will disproportionately benefit men.

3. Address change/promote adaptability and mobility in the labour market

- Summary gender mainstreaming: very scarce gender mainstreaming: only three vague and general references to the combination of family and working life:

* Reference 1: to the Agreement between the Public Administration and Unions on the Modernization and Improvement of the State, 2003-2004 (Acuerdo Administración-Sindicatos para el período 2003-2004, para la modernización y mejora de la Administración Pública). This agreement was signed by the Public Administration, the Workers's Commissions (Comisiones Obreras, CCOO), the General Workers' Union (Unión General de Trabajadores, UGT), and the Confederation of Independent Syndicates and Civil Service Union (Confederación de Sindicatos Independientes y Sindical de Funcionarios, CSI-CSIF). This agreement contains measures to combine work and family life (page 15 of the main text of the 2003 Spanish NAP, but no specification of which measures are these).

* Reference 2: to the 2002 Interconfederal Agreement on Collective Bargaining
(Acuerdo Interconfederal para la Negociación Colectiva 2002). This agreement was signed by the CCOO, the UGT, and the main employers' associations: The Spanish Confederation of Employers' Organizations (Confederación Española de Organizaciones Empresariales, CEOE); and the Spanish Confederation of Small and Medium Companies (Confederación Española de la Pequeña y Mediana Empresa, CEPYME). Equality between women and men was one of the issues in which agreement was reached without difficulty (page 16 of the main text of the 2003 Spanish NAP, but no specification of which concrete measures were included in this agreement).

* Reference 3: to the 2003 Interconfederal Agreement on Collective Bargaining (Acuerdo Interconfederal para la Negociación Colectiva 2003). This agreement proposes as a guideline for Collective Bargaining in 2003 the achievement of higher levels of working time flexibility, but taking in mind the combination of working and family responsibilities (pages 16 and 17 of the 2003 Spanish NAP).

- Gender mainstreaming:
  
  + Policy design: No
  
  + Statistics: No
  
  + Targets/evaluation: No with one exception (Reference 3 above mentioned).

- Assessment of impact on gender equality (positive/neutral/negative):

  Neutral or positive. The exact provisions for gender equality in the three aforementioned Agreements need to be developed further. If these provisions contain concrete measures related to the combination of working and family life, the impact on gender equality would be positive. If these provisions are mere generic declarations of the goodness of gender equality, instead of concrete measures to erode gender inequalities, their impact on gender equality would be none.

- Comment on gender mainstreaming in the guideline:

  + The link here to job quality issues:

    No link.

  + Is there likely to be a loss of quality in relation to the flexibility strategy?

    See Reference 3 above.

  + Are women returners included under groups facing difficulty of access?

    No mention to the issue.
+ Are equal opportunities included in promotion of corporate social responsibility?:

   No mention to the issue.

+ The treatment of gender in issues related to diversity of contracts:

   No treatment of gender.

+ The treatment of gender in issues related to working arrangements:

   No treatment of gender.

+ The treatment of gender in issues related to working time:

   See Reference 3 above.

+ The treatment of gender in issues related to career progression:

   No treatment of gender.

+ The treatment of gender in issues related to balance of work and private life:

   See Reference 3 above.

+ The treatment of gender in issues related to balance between flexibility and security:

   No treatment of gender.

+ The treatment of gender in issues related to access to training especially for low skilled:

   No treatment of gender.

+ The treatment of gender in issues related to working conditions and health and safety:

   No treatment of gender.

+ The treatment of gender in issues related to gender issues in restructuring policies:

   No treatment of gender.

+ Are only male dominated jobs included as examples of skill shortages?:

   No skill shortages are mentioned.

+ Is female labour identified as possible additional labour supply?:
4. Promote development of human capital and lifelong learning

- Summary gender mainstreaming: Very scarce gender mainstreaming. Only two (minor) cases of gender mainstreaming: the declaration that job training for working women would be a priority (page 20 of the main text of the 2003 Spanish NAP, but no explanation at all of how this priority is going to be implemented); and the statement that 42.39% of participants on job training programs were women (page 20 of the main text of the 2003 Spanish NAP, but no specification of the year of this indicator, presumably 2002).

- Gender mainstreaming:
  + Policy design: No
  + Statistics: No (with a minor exception): the statement that 42.39% of participants on job training programs were women (page 20 of the main text of the 2003 Spanish NAP, but no specification of the year of this indicator, presumably 2002).
  + Targets/evaluation: No (with a minor exception): the declaration that job training for working women would be a priority (page 20 of the main text of the 2003 Spanish NAP, but no explanation at all of how this priority is going to be implemented).

- Assessment of impact on gender equality (positive/neutral/negative):
  Neutral or negative. As said, there is only one references to women as targets. Therefore, we suspect that men would be overrepresented among the beneficiaries of the measures included in guideline 4, as has been the case in the past.

- Comment on gender mainstreaming in the guideline:
  + Gender disaggregation of targets:
    No (with a minor exception): the declaration that job training for working women would be a priority (page 20 of the main text of the 2003 Spanish NAP, but no explanation at all of how this priority is going to be implemented).
  + Gender disaggregation of statistics:
    No (with a minor exception): the statement that 42.39% of participants on job training programs were women (page 20 of the main text of the 2003 Spanish NAP, but no specification of the year of this indicator, presumably 2002).
  + Are gender equality issues included in access to education and training:
No.

+ Are gender equality issues included in ICT

No in the main body of the plan. Although not at the national level, yes at the regional level in Navarra (page 77 in Annex IV).

+ Are gender equality issues included in career developments:

No.

+ Are gender equality issues included in skills mismatch:

No.

+ Are gender equality issues included in bottlenecks:

No.

+ Are gender equality issues included in enterprise investments in training:

No.

5. Increase labour supply and promote active ageing

- Summary gender mainstreaming: Very scarce gender mainstreaming. Only two (minor) cases of gender mainstreaming: the disaggregation by sex of activity rates (since 1997) of those aged 15-64 years and those aged 55 or over (page 22 of the main text of the 2003 Spanish NAP); and the statement that activity rates of women will increase in the future (page 22 of the main text of the 2003 Spanish NAP).

- Gender mainstreaming:

  + Policy design: No

  + Statistics: No (with one exception): the disaggregation by sex of activity rates (since 1997) of those aged 15-64 years and those aged 55 or over (page 22 of the main text of the 2003 Spanish NAP).

  + Targets/evaluation: No.

- Assessment of impact on gender equality (positive/neutral/negative):

Neutral or negative. As said, there are no references to women as targets. Therefore, we suspect that men would be overrepresented among the beneficiaries of the
measures included in guideline 5, as has been the case in the past.

- Comment on gender mainstreaming in the guideline:

  + Are gender issues addressed with respect to availability/attractiveness of jobs:

    Gender issues not addressed.

  + Are gender issues addressed with respect to raising of skill levels also through continuous training:

    There is only a generic reference to the increase in the education level of women of working age in the next three years (page 22 of the main text of the 2003 Spanish NAP).

  + Are gender issues addressed with respect to provision of adequate support, e.g. care support for those participating in labour market:

    Gender issues not addressed.

  + Is analysis of active ageing strategy and outcomes disaggregated by gender:

    Analysis of future prospects of labour supply for 55 year olds and older people is disaggregated by gender (see page 22 of the main text of the 2003 Spanish NAP). But no disaggregation in the analysis of the active aging strategy.

  + If analysis of active ageing strategy and outcomes is not disaggregated by gender, may have this consequences for achieving labour supply objectives:

    This will have consequences as an acceleration of the growth rate of female participation in the labour force is expected, due to the labour market attachment of women born in 1950 (see page 22 of the main text of the 2003 Spanish NAP).

6. Gender equality

CAVEAT: In this guideline (and in others), the 2003 Spanish NAP often refers to measures taken in the past, for instance, the approval in 2002 of laws that reduce contributions to social security of permanent work contracts of women (page 26 of the 2003 Spanish NAP). These are measures of the past and we do not include them in this assessment of the 2003 Spanish NAP.

- Target: Substantial reduction in gender gap in employment:

  + Specific measures: No

  + Gender mainstreaming: No
+ Good/positive/neutral or negative: No new measures.

- **Target: Substantial reduction in gender gap in unemployment:**

  + Specific measures: No
  + Gender mainstreaming: No
  + Good/positive/neutral or negative: No new measures.

- **Target: Substantial reduction in gender gap in pay:**

  + Specific measures:

    * Implementation of the European project "ISOS: Pay Equality between Women and Men and Job Assessment (ISOS: La igualdad salarial entre mujeres y hombres y la valoración de puestos de trabajo)." The project has two aims: to analyze the gender gap in pay and to create a gender-neutral system of job assessment (page 26 of the 2003 Spanish NAP).

  + Gender mainstreaming: No.

  + Good/positive/neutral or negative: Could be positive, depending on future application.

- **Target: Reconciling work and family life objectives:**

  + Specific measures:

    * Incentives for work contracts of people who have been out of work because of maternal and parental leave during up to 24 months after delivery (page 26 of the main text of the 2003 Spanish NAP).

  + Gender mainstreaming: No

  + Good/positive/neutral or negative: Positive.

- **Target: Childcare targets:**

  + Specific measures:

    * Central-state contribution to finance child care services for children aged 3 or under set up by local governments or private companies (pages 26-27 of the main text of the 2003 Spanish NAP).

  + Gender mainstreaming: No
+ Good/positive/neutral or negative: Positive.

- **Target: Care facilities for other dependents:**

  + Specific measures: No
  + Gender mainstreaming: No
  + Good/positive/neutral or negative: No measures.

- **Comment:**

  + Is there an integrated approach involving gender mainstreaming and gender specific policies?

    Not in 2003 Spanish NAP, since there is hardly any gender mainstreaming. However, on 14th October 2003, Law 30/2003 on gender mainstreaming was published in BOE no. 246 (LEY 30/2003, de 13 de octubre, sobre medidas para incorporar la valoración del impacto de género en las disposiciones normativas que elabore el Gobierno). This law modifies articles 22.2 and 24.1.b) of Law 50/1997, by introducing the obligation to assess the gender impact of all policy measures. An estimate of the evaluation cost of each measure should also be provided.

  + Is "substantive reduction" treated as a serious target?

    No.

  + Are social partners involved?

    To a very limited extent. The 2003 Interconfederal Agreement on Collective Bargaining (Acuerdo Interconfederal para la Negociación Colectiva 2003) signed by social partners. This agreement includes orientative guidelines for collective bargaining on: anti-discrimination clauses; positive actions to foster women's employment in sectors where women are underrepresented; systems of selection, classification, promotion and training that are gender-neutral; equal pay for work of equal value; measures on working time, holidays, and hours for training that help people combine work and family; and evaluation of collective agreements from a gender-equality perspective. However, from the main text of the 2003 Spanish NAP (page 27), one may deduce that these guidelines are mostly orientative and voluntary.

  + Have social partners included the reduction of gender pay gap in their work program/policy?

    Yes. In addition to the above mentioned agreement, the trade unions CC.OO.
and UGT propose information campaigns to firms to publicise equal pay and yearly plans for the Labour Inspectorate to combat pay discrimination (see page 112 of Annex VII). The confederation of employers CEOE-CEPYME gives an explicit support in the NAP to the 2003 Interconfederal Agreement on Collective Bargaining (see pages 127-128 of Annex VII).

+ Is a multi-faceted approach taken to gender pay gap?

No.

+ Are there actions to reduce labour market segregation?

No (with the exception of the aforementioned orientative guideline of the 2003 Interconfederal Agreement on Collective Bargaining on positive actions to foster women's employment in sectors where women are underrepresented--page 27 of the main text of the 2003 Spanish NAP).

+ Is there attention to care services for other dependents?

No.

+ Are there measures to promote sharing of family and professional responsibilities?

No.

+ Are there measures to facilitate return to work after a period of leave?

Only one: the aforementioned incentives for work contracts of people who have been out of work because of maternal and parental leave during up to 24 months after delivery (page 26 of the main text of the 2003 Spanish NAP).

7. Promote the integration of and combat the discrimination against people at a disadvantage in the labour market

- Summary gender mainstreaming: Absence of gender mainstreaming.

- Gender mainstreaming:

  + Policy design: No.

  + Statistics: No.

  + Targets/evaluation: No.

- Assessment of impact on gender equality (positive/neutral/negative):
Neutral or negative. As said, there are no references to women as targets. Therefore, we suspect that men would be overrepresented among the beneficiaries of the measures included in guideline 7, as has been the case in the past.

- **Comment on gender mainstreaming in the guideline:**

  + Is the analysis by disadvantaged groups disaggregated by gender?

    No.

  + If the analysis by disadvantaged groups is not disaggregated by gender, would there be major benefits from such a disaggregation?

    Yes.

  + Are there problems in focusing only on gaps in unemployment rates -instead of employment rates?

    Yes, because the overwhelming majority of disadvantaged groups are not in the labour market. For instance, page 28 of the 2003 main text of the Spanish NAP says that according to the Active Population Survey (*Encuesta de Población Activa*), in the second quarter of 2002, 9% of the population of working age are handicapped, two thirds of handicapped people of working age are inactive, and 15% of active handicapped are unemployed.

  + Is the approach to the low skilled gender disaggregated?

    No.

  + Is there a gender analysis of immigration?

    No.

**8. Make work pay through incentives to enhance work attractiveness**

- **Summary gender mainstreaming:** very scarce gender mainstreaming: only two references to gender: i) the main text of the 2003 Spanish NAP (page 32) recognizes that some women with very young children who have to pay for their child care may not find enough incentives to work; ii) the main text of the 2003 Spanish NAP (page 32) disaggregated by sex the proportion of individuals receiving welfare state benefits (no specification of which these benefits are) who do not actively look for work (20% of men, 30% of women).

- **Gender mainstreaming:**

  + Policy design: No
+ Statistics: No, with one exception: as said, the 2003 Spanish NAP (page 32) disaggregated by sex the proportion of individuals receiving welfare state benefits (no specification of which these benefits are) who do not actively look for work (20% of men, 30% of women).

+ Targets/evaluation: No

- Assessment of impact on gender equality (positive/neutral/negative):

Neutral or negative. As said, there are no references to women as targets. Therefore, we suspect that men would be overrepresented among the beneficiaries of the measures included in guideline 8, as has been the case in the past.

- Comment on gender mainstreaming in the guideline:

+ Are there any contradictions between promoting gender equality in participation and policies to make work pay including design of benefits system in and out of work, tax systems, etc.?

No.

+ Are differences between demographic groups -lone parents, singles, married and/or cohabiting women, etc. discussed?

No, with one exception: the aforementioned recognition by the main text of the 2003 Spanish NAP (page 32) of the fact that some women with very young children who have to pay for their child care may not find enough incentives to work.

9. Transform undeclared work into regular employment

- Summary gender mainstreaming: very scarce gender mainstreaming: only one reference to gender: the continuation of reduction in contributions to social security of permanent work contracts of groups with special difficulties to participate in the labor market, women included (page 35 of the main text of the 2003 Spanish NAP).

- Gender mainstreaming:

+ Policy design: No.

+ Statistics: No.

+ Targets/evaluation: No, with one exception: the aforementioned continuation of reduction in contributions to social security of permanent work contracts of groups
with special difficulties to participate in the labour market, women included (page 35 of the main text of the 2003 Spanish NAP).

- Assessment of impact on gender equality (positive/neutral/negative):

Neutral or negative. As said, there is only one reference to women as targets. Therefore, we suspect that men would be overrepresented among the beneficiaries of the measures included in guideline 9, as has been the case in the past.

- Comment on gender mainstreaming in the guideline:

+ Are there likely to be positive or negative outcomes for gender equality from strategy -whether women are being integrated into formal economy or other groups displacing women's informal work, etc.?)?

In our view, guideline 9 of the 2003 Spanish NAP is so vague that it will hardly contribute to transform undeclared work into regular employment. Therefore, we do not envisage any important positive or negative outcomes for gender equality from guideline 9, since it will not have any major impact. To illustrate this point of the vagueness and lack of concreteness of guideline 9, let us highlight that it does not even recognize the size of the problem of the undeclared work in Spain. It is a commonplace to admit that Spain has one of the largest informal economies of the European Union (perhaps even the largest). Nevertheless, the main text of the Spanish NAP (page 34) does not even mention the size of the problem, but merely says that "Official estimates of non declared work in Spain do not exist. The number of contributors to the social security system is only slightly smaller than the number of workers shown in the Labour Force Survey and National Accounting".

10. Address regional employment disparities

- Summary gender mainstreaming: Absence of gender mainstreaming in the main body of the 2003 Spanish NAP. However, Annex IV provides a detail account of policies in the Spanish Autonomous Communities (regions).

- Gender mainstreaming:

+ Policy design: No.

+ Statistics: No.

+ Targets/evaluation: No.

- Assessment of impact on gender equality (positive/neutral/negative):

Neutral or negative. As said, there are not any references to women as targets in the main body of the 2003 Spanish NAP. However, all measures promoted by the
regional Governments provide both an estimate of women beneficiaries and the associated budget. In any case the great majority of them should be considered pilot programs with a limited effect.

- **Comment on gender mainstreaming in the guideline:**

  + Is there any analysis by gender in human and knowledge capital objectives?
    
    No.

  + Is there any gender equality implications of policies towards social economy?
    
    No.

### 3. RECOMMENDATIONS

In part 3, we assess the level of fulfillment of the Council Recommendations made to Spain for the 2003 Spanish NAP. These Recommendations are included in Annex VI of the 2003 Spanish NAP (pages 106-07). The Council made four recommendations to Spain on: 1) Adaptability of workers and companies; 2) equality between women and men; 3) regional disparities; and 4) employment services. For all the recommendations, we focus on the explicit mentions to the recommendations written in the 2003 Spanish NAP. These explicit mentions reflect the explicit actions of the Spanish government to fulfill the recommendations. We assess the response to the recommendations from the perspective of gender mainstreaming.

**Recommendation 1: Promote change and adaptability**

- **Recommendation** (full text): "To improve, in coordination with social partners, the organization of work, and lifelong learning in order to increase productivity and work quality. To revise labour law in order to help diminish the proportion of fixed-term employment and increase of part-time work."

  - **Under which guideline is this discussed**: Guideline 3 (pages 16-17 of the main text of the 2003 Spanish NAP).

  - **Is there an explicit gender dimension to the recommendation?**:
    
    No, the recommendation does not say anything explicit on gender.

  - **If no explicit gender dimension, do policies in this area have a strong gender impact (i.e. strong case for gender mainstreaming)?**:
    
    Yes, since the recommendation is about, among other things, the increase of part-time
work. In all countries, the overwhelming majority of people working part-time are women. In comparative terms, part-time work is still less widespread in Spain, where it accounts for 17.8% of female employment, 2.6% of male employment, and 8.0% of total employment—the equivalent EU average percentages are 33.0%, 6.6%, and 18.2% respectively (Franco and Jouhette 2003; data for 2002).

- Are gender issues identified in the response?:

  Only one issue. As said above, the 2003 Interconfederal Agreement on Collective Bargaining (Acuerdo Interconfederal para la Negociación Colectiva 2003) proposes as a guideline for collective bargaining in 2003 the achievement of higher levels of working time flexibility, but taking in mind the combination of working and family responsibilities (pages 16 and 17 of the 2003 Spanish NAP).

- Assess the adequacy of the response to the recommendation with respect to the gender equality issues:

  Inadequate.

**Recommendation 2: Equality between men and women**

- Recommendation (full text): "To implement efficient measures to increase total employment rate and reduce differences among men and women on employment and unemployment. To increase the supply of care services for children and other dependent individuals."

- Under which guideline is this discussed:

  Exclusively in guideline 6 (pages 26 and 27 of the main text of the 2003 Spanish NAP).

- Assess the adequacy of the response to the recommendation

  Inadequate. The inclusion of the response to recommendation 2 exclusively in guideline 6 reflects lack of gender mainstreaming, since the response to the recommendation on equality of men and women is included in the guideline on gender equality but not mainstreamed through the whole 2003 Spanish NAP.

**Recommendation 3: Regional disparities**

- Recommendation (full text): "To improve conditions that favour employment creation in the regions that are weaker in this regard. To eliminate obstacles to the geographical mobility of the labour force. To foster the coordination among regional employment services with the aim of reducing regional differences in employment and unemployment."
- Under which guideline is this discussed: Guideline 10.

- Is there an explicit gender dimension to the recommendation?:

   No, the recommendation does not say anything explicit on gender.

- If no explicit gender dimension, do policies in this area have a strong gender impact (i.e. strong case for gender mainstreaming)?:

   Yes, among other reasons, because women are overrepresented among individuals with caring responsibilities. Therefore, it is specially difficult for women (in comparison with men) to be geographically mobile.

- Are gender issues identified in the response?:

   No.

- Assess the adequacy of the response to the recommendation with respect to the gender equality issues:

   Inadequate.

**Recommendation 4: Employment services**

- Recommendation (full text): "To complete the modernization of public employment services in order to increase their efficiency and their capacity for mediation in the labour market. To complete the system of statistical monitoring."

- Under which guideline is this discussed: Guideline 1.

- Is there an explicit gender dimension to the recommendation?:

   No, the recommendation does not say anything explicit on gender.

- If no explicit gender dimension, do policies in this area have a strong gender impact (i.e. strong case for gender mainstreaming)?:

   Yes, since women are overrepresented among those without work. Public employment services may work in the direction of the erosion of this overrepresentation. Alternatively, public employment services may contribute increase this overrepresentation if, whether intentionally or unintentionally, help men more than women to find work.

- Are gender issues identified in the response?:
No.

- Assess the adequacy of the response to the recommendation with respect to the gender equality issues:

  Inadequate.

4. GOOD GOVERNANCE AND PARTNERSHIPS IN THE IMPLEMENTATION OF THE EMPLOYMENT GUIDELINES

In part 4, we assess the last section of the 2003 Spanish NAP that refers to good governance and partnerships in the implementation of the employment guidelines.

- Involvement of equality bodies, etc. in the preparation/implementation of the 2003 Spanish NAP:

  None (according to the main text of the 2003 Spanish NAP). The gender equality institution at the central state level is the Women's Institute (Instituto de la Mujer, IM). It was created in 1983. It is a permanent bureaucratic agency located with the Ministry of Labor and Social Affairs. The scope of the Women's Institute is very broad including five comprehensive goals: to promote policy initiatives for women through formal enactment of policy statements, to study all aspects of women's situation in Spain, to oversee the implementation of women's policy; to receive and handle women's discrimination complaints; and to increase women's knowledge of their rights. Comparatively speaking, it is an important institution in terms of the broadness of their goals, their staff and budget (Threlfall 1998; Valiente 1995; 2001). Afterwards, significant gender equality institutions were created at the regional and local levels (Ortbals 2003).

- Role of social partners in the promotion of gender mainstreaming/specific gender equality policies:

  Employers' organizations and specially trade unions complain that they have been allowed to participate in the elaboration of the 2003 Spanish NAP to a very limited extent (pages 40-41 of the main text of the Spanish NAP). Therefore, the role of social partners in the promotion of gender mainstreaming/specific gender equality policies in relation to the 2003 Spanish NAP is small (but not irrelevant).

- Adequacy of budget allocation to specific gender policies/gender mainstreaming and/or evidence of use of structural funds to promote gender equality:

  The share of the budget devoted to specific gender policies reported within guideline 6 is really small (12.4%). The great majority of this specific measures are bonuses for contracting women (11.9%) falling really under guideline 8. The budget share of specific measures to increase women’s employment, measures to reduce gender gaps
in employment and microcredits for setting up new business do not amount to 1% of the total budget of guideline 6. The great majority of the budget is devoted either to childcare of preschool children (66%) or to the new measure of fiscal incentives for working mothers of preschool children (20%). Overall, a moderate increase of 27% of the budget devoted to guideline 6 is observed from 2002 to 2003 NAP. The greater increases (over 100%) correspond to measures to reduce gender gaps and other measures financed by the Autonomous Communities. When we look at the expenditure per beneficiary/action we find no significant change from 2002 to 2003, except for a significant increase in the first case and a significant decrease in the second case. The expenditure per child cared has also decreased. Finally, the contribution of the structural funds has increased significantly representing from 1.8% of the total budget in 2002 to 2.5% in 2003.

- Additional comments: No additional comments

5. SUMMARY AND RECOMMENDATIONS

In part 5, we provide an overview summary statement and identify two issues that we would like to see highlighted in the evaluation of the 2003 Spanish NAP from a gender perspective.

Summary

Generally speaking and with some exceptions, in the 2003 Spanish NAP, gender mainstreaming hardly exists; and specific gender equality policies very few and described in very vague and abstract terms. The lack of strong institutional mechanisms for mainstreaming is probably responsible for the this development. Neither general mechanisms like the equality bodies (both the state unit and regional units), nor specific institutional mechanisms like the observatory for equal opportunities of women and men in employment, education and social inclusion, are taken seriously into consideration in the 2003 Spanish NAP. Past policies are presented as policies of the 2003 Spanish NAP, while they are not. This is also a characteristic of previous NAP’s (see Moltó 2002 for details). No significant progress can be found in comparison with former NAPs as to the development of gender evaluation or monitoring of policies and the setting of gender targets. Since 1998, policies included in a given NAP are not monitored from a gender perspective in the following year. (Moltó and Valiente, 2001: 3) Some progress on the breakdown by gender of indicators has been made with respect to the 2002 NAP, in particular in relation to prevention and activation indicators in guideline 1.

It is still true that as regards attention paid to gender issues within the guidelines, generally speaking, this attention has been very small (if not smaller) in the 2003 Spanish NAP. Gender is an issue of importance only in the sixth guideline. The absence of any reference to gender is very marked in the other guidelines, as well as in the three overarching objectives, particularly the third one.

Two issues which we would like to see included in the evaluation of the 2003 Spanish
NAP from a gender perspective

1. Evaluation of all measures of the 2003 Spanish NAP for men and women (when possible, with numerical indicators).

2. New policy alternatives and a follow up of the application of the recent Law 30/2003 on gender mainstreaming.

References


