



2021/0050(COD)

26.10.2021

AMENDMENTS 426 - 759

Draft report

Samira Rafaela, Kira Marie Peter-Hansen
(PE693.798v01-00)

Strengthening the application of the principle of equal pay for equal work or work of equal value between men and women through pay transparency and enforcement mechanisms

Proposal for a directive
(COM(2021)0093 – C9-0089/2021 – 2021/0050(COD))

AM_Com_LegReport

Amendment 426
Margarita de la Pisa Carrión

Proposal for a directive
Recital 42

Text proposed by the Commission

(42) Member States should provide for effective, proportionate and dissuasive penalties in the event of infringements of national provisions adopted pursuant to this Directive or national provisions that are already in force on the date of entry into force of this Directive and that relate to the right to equal pay between men and women for the same work or work of equal value. Such penalties should include fines, which should be set at a minimum level having due regard to the gravity and duration of the infringement, to any possible intent to discriminate or serious negligence, and to any other aggravating or mitigating factors that may apply in the circumstances of the case, *for instance, where pay discrimination based on sex intersects with other grounds of discrimination. Member States should consider allocating amounts recovered as fines to the equality bodies for the purpose of effectively carrying out their functions in regard to the enforcement of the right to equal pay, including to bring pay discrimination claims or assist and support victims in bringing such claims.*

Amendment

(42) Member States should provide for effective, proportionate and dissuasive penalties in the event of infringements of national provisions adopted pursuant to this Directive or national provisions that are already in force on the date of entry into force of this Directive and that relate to the right to equal pay between men and women for the same work or work of equal value. Such penalties should include fines, which should be set at a minimum level having due regard to the gravity and duration of the infringement, to any possible intent to discriminate or serious negligence, and to any other aggravating or mitigating factors that may apply in the circumstances of the case.

Or. es

Justification

The express reference to other grounds of discrimination goes beyond the scope of this Directive and its legal basis, infringing the principles of attribution and proportionality. Allocating fines to the monitoring body would violate its independence.

Amendment 427
Sylvie Brunet, Ilana Cicurel, Dragoş Pîslaru, Irena Joveva, Marie-Pierre Vedrenne,

Proposal for a directive
Recital 42

Text proposed by the Commission

(42) Member States should provide for effective, proportionate and dissuasive penalties in the event of infringements of national provisions adopted pursuant to this Directive or national provisions that are already in force on the date of entry into force of this Directive and that relate to the right to equal pay between men and women for the same work or work of equal value. Such penalties should include fines, which should be set at a minimum level having due regard to the gravity and duration of the infringement, to any possible intent to discriminate or serious negligence, and to any other aggravating or mitigating factors that may apply in the circumstances of the case, for instance, where pay discrimination based on sex intersects with other grounds of discrimination. Member States should consider allocating amounts recovered as fines to the equality bodies for the purpose of effectively carrying out their functions in regard to the enforcement of the right to equal pay, including to bring pay discrimination claims or assist and support victims in bringing such claims.

Amendment

(42) Member States should provide for effective, proportionate and dissuasive penalties in the event of infringements of national provisions adopted pursuant to this Directive or national provisions that are already in force on the date of entry into force of this Directive and that relate to the right to equal pay between men and women for the same work or work of equal value. Such penalties should include fines ***based, for instance, on the employer's gross annual turnover or on the employer's total payroll and*** which should be set at a minimum level having due regard to the gravity and duration of the infringement, to any possible intent to discriminate or serious negligence, and to any other aggravating or mitigating factors that may apply in the circumstances of the case, for instance, where pay discrimination based on sex intersects with other grounds of discrimination. Member States should consider allocating amounts recovered as fines to the equality bodies for the purpose of effectively carrying out their functions in regard to the enforcement of the right to equal pay, including to bring pay discrimination claims or assist and support victims in bringing such claims.

Or. en

Amendment 428

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

Proposal for a directive

Recital 42

Text proposed by the Commission

(42) Member States should provide for effective, proportionate and dissuasive penalties in the event of infringements of national provisions adopted pursuant to this Directive or national provisions that are already in force on the date of entry into force of this Directive and that relate to the right to equal pay between men and women for the same work or work of equal value. Such penalties should include fines, which should be set at a minimum level having due regard to the gravity and duration of the infringement, to any possible intent to discriminate or serious negligence, and to any other aggravating or mitigating factors that may apply in the circumstances of the case, for instance, where pay discrimination based on sex intersects with other grounds of discrimination. Member States should consider allocating amounts recovered as fines to the equality bodies for the purpose of effectively carrying out their functions in regard to the enforcement of the right to equal pay, including to bring pay discrimination claims or assist and support victims in bringing such claims.

Amendment

(42) Member States should provide for effective, proportionate and dissuasive penalties in the event of infringements of national provisions adopted pursuant to this Directive or national provisions that are already in force on the date of entry into force of this Directive and that relate to the right to equal pay between men and women for the same work or work of equal value. Such penalties should include fines, which should be set at a minimum level having due regard to the gravity and duration of the infringement, to any possible intent to discriminate or serious negligence, and to any other aggravating or mitigating factors that may apply in the circumstances of the case, for instance, where pay discrimination based on sex intersects with other grounds of discrimination. Member States should consider allocating amounts recovered as fines to the equality bodies ***and monitoring bodies as set out by the Directive*** for the purpose of effectively carrying out their functions in regard to the enforcement of the right to equal pay, including to bring pay discrimination claims or assist and support victims in bringing such claims.

Or. en

Amendment 429 Jeroen Lenaers

Proposal for a directive Recital 42

Text proposed by the Commission

(42) Member States should provide for effective, proportionate and dissuasive ***penalties*** in the event of infringements of national provisions adopted pursuant to this

Amendment

(42) Member States should provide for effective, proportionate and dissuasive ***sanctions*** in the event of infringements of national provisions adopted pursuant to this

Directive or national provisions that are already in force on the date of entry into force of this Directive and that relate to the right to equal pay between men and women for the same work or work of equal value. Such **penalties should** include fines, **which should be set at a minimum level having** due regard to the gravity and duration of the infringement, to any possible intent to discriminate or serious negligence, and to any other aggravating or mitigating factors that may apply in the circumstances of the case, for instance, where pay discrimination based on sex intersects with other grounds of discrimination. Member States should consider allocating amounts recovered as fines to the equality bodies for the purpose of effectively carrying out their functions in regard to the enforcement of the right to equal pay, including to bring pay discrimination claims or assist and support victims in bringing such claims.

Directive or national provisions that are already in force on the date of entry into force of this Directive and that relate to the right to equal pay between men and women for the same work or work of equal value. Such **sanctions could** include fines, **and taking** due regard to the gravity and duration of the infringement, to any possible intent to discriminate or serious negligence, and to any other aggravating or mitigating factors that may apply in the circumstances of the case, for instance, where pay discrimination based on sex intersects with other grounds of discrimination. Member States should consider allocating amounts recovered as fines to the equality bodies for the purpose of effectively carrying out their functions in regard to the enforcement of the right to equal pay, including to bring pay discrimination claims or assist and support victims in bringing such claims.

Or. en

Amendment 430
Jeroen Lenaers

Proposal for a directive
Recital 43

Text proposed by the Commission

(43) Member States should establish specific **penalties** for repeated infringements of any right or obligation relating to equal pay between men and women for the same work or work of equal value, to reflect the severity of the act and further deter such infringements. Such **penalties** may include different types of financial disincentives such as the revocation of public benefits or the exclusion, for a certain period of time, from any further award of financial inducements or from any public tender

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(43) Member States should establish specific **sanctions** for repeated infringements of any right or obligation relating to equal pay between men and women for the same work or work of equal value, to reflect the severity of the act and further deter such infringements. Such **sanctions** may include different types of financial disincentives such as the revocation of public benefits or the exclusion, for a certain period of time, from any further award of financial inducements or from any public tender

procedure.

procedure.

Or. en

Amendment 431

Jeroen Lenaers

Proposal for a directive

Recital 44

Text proposed by the Commission

(44) Obligations on employers stemming from this Directive are part of the applicable obligations in the fields of environmental, social and labour law whose compliance Member States have to ensure under Directive 2014/23/EU of the European Parliament and of the Council⁵⁶, Directive 2014/24/EU of the European Parliament and of the Council⁵⁷, Directive 2014/25/EU of the European Parliament and of the Council⁵⁸ in regard to participation in public procurement procedures. In order to comply with these obligations as far as the right to equal pay is concerned, Member States should in particular ensure that economic operators, in the performance of a public contract or concession, have pay setting mechanisms that do not lead to a pay gap between female and male workers that cannot be justified by gender-neutral factors in any category of workers carrying out equal work or work of equal value. In addition, Member States should consider for contracting authorities to introduce, as appropriate, **penalties** and termination conditions ensuring compliance with the principle of equal pay in the performance of public contracts and concessions. They may also take into account non-compliance with the principle of equal pay by the bidder or one of his subcontractors when considering the application of exclusion grounds or a decision not to award a contract to the tenderer submitting the most

Amendment

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economically advantageous tender.

⁵⁶ Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts, OJ L 94, 28.3.2014, p. 1.

⁵⁷ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC, OJ L 94, 28.3.2014, p. 65.

⁵⁸ Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC, OJ L 94, 28.3.2014, p. 243.

economically advantageous tender.

⁵⁶ Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts, OJ L 94, 28.3.2014, p. 1.

⁵⁷ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC, OJ L 94, 28.3.2014, p. 65.

⁵⁸ Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC, OJ L 94, 28.3.2014, p. 243.

Or. en

Amendment 432
Eugenia Rodríguez Palop, Silvia Modig

Proposal for a directive
Recital 44

Text proposed by the Commission

(44) Obligations on employers stemming from this Directive are part of the applicable obligations in the fields of environmental, social and labour law whose compliance Member States have to ensure under Directive 2014/23/EU of the European Parliament and of the Council⁵⁶, Directive 2014/24/EU of the European Parliament and of the Council⁵⁷, Directive 2014/25/EU of the European Parliament and of the Council⁵⁸ in regard to participation in public procurement procedures. In order to comply with these obligations as far as the right to equal pay is concerned, Member States should in particular ensure that economic operators,

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in the performance of a public contract or concession, have pay setting mechanisms that do not lead to a pay gap between female and male workers that cannot be justified by gender-neutral factors in any category of workers carrying out equal work or work of equal value. In addition, Member States should consider for contracting authorities to introduce, as appropriate, penalties and termination conditions ensuring compliance with the principle of equal pay in the performance of public contracts and concessions. They *may* also take into account non-compliance with the principle of equal pay by the bidder or one of his subcontractors when considering the application of exclusion grounds or a decision not to award a contract to the tenderer submitting the most economically advantageous tender.

in the performance of a public contract or concession, have pay setting mechanisms that do not lead to a pay gap between female and male workers that cannot be justified by gender-neutral factors in any category of workers carrying out equal work or work of equal value. In addition, Member States should consider for contracting authorities to introduce, as appropriate, penalties and termination conditions ensuring compliance with the principle of equal pay in the performance of public contracts and concessions. They *should* also take into account non-compliance with the principle of equal pay by the bidder or one of his subcontractors when considering the application of exclusion grounds or a decision not to award a contract to the tenderer submitting the most economically advantageous tender.

⁵⁶ Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts, OJ L 94, 28.3.2014, p. 1.

⁵⁷ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC, OJ L 94, 28.3.2014, p. 65.

⁵⁸ Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC, OJ L 94, 28.3.2014, p. 243.

⁵⁶ Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts, OJ L 94, 28.3.2014, p. 1.

⁵⁷ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC, OJ L 94, 28.3.2014, p. 65.

⁵⁸ Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC, OJ L 94, 28.3.2014, p. 243.

Or. en

Amendment 433
Jadwiga Wiśniewska

Proposal for a directive

Recital 44

Text proposed by the Commission

(44) Obligations on employers stemming from this Directive are part of the applicable obligations in the fields of environmental, social and labour law whose compliance Member States have to ensure under Directive 2014/23/EU of the European Parliament and of the Council⁵⁶, Directive 2014/24/EU of the European Parliament and of the Council⁵⁷, Directive 2014/25/EU of the European Parliament and of the Council⁵⁸ in regard to participation in public procurement procedures. In order to comply with these obligations as far as the right to equal pay is concerned, Member States should in particular ensure that economic operators, in the performance of a public contract or concession, have pay setting mechanisms that do not lead to a pay gap between female and male workers that cannot be justified by **gender-neutral** factors in any category of workers carrying out equal work or work of equal value. In addition, Member States should consider for contracting authorities to introduce, as appropriate, penalties and termination conditions ensuring compliance with the principle of equal pay in the performance of public contracts and concessions. They may also take into account non-compliance with the principle of equal pay by the bidder or one of his subcontractors when considering the application of exclusion grounds or a decision not to award a contract to the tenderer submitting the most economically advantageous tender.

⁵⁶ Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts, OJ L 94, 28.3.2014, p. 1.

⁵⁷ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and

Amendment

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⁵⁶ Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts, OJ L 94, 28.3.2014, p. 1.

⁵⁷ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and

repealing Directive 2004/18/EC, OJ L 94, 28.3.2014, p. 65.

⁵⁸ Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC, OJ L 94, 28.3.2014, p. 243.

repealing Directive 2004/18/EC, OJ L 94, 28.3.2014, p. 65.

⁵⁸ Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC, OJ L 94, 28.3.2014, p. 243.

Or. en

Amendment 434

Margarita de la Pisa Carrión

Proposal for a directive

Recital 44

Text proposed by the Commission

(44) Obligations on employers stemming from this Directive are part of the applicable obligations in the fields of **environmental**, social and labour law whose compliance Member States have to ensure under Directive 2014/23/EU of the European Parliament and of the Council⁵⁶, Directive 2014/24/EU of the European Parliament and of the Council⁵⁷, Directive 2014/25/EU of the European Parliament and of the Council⁵⁸ in regard to participation in public procurement procedures. In order to comply with these obligations as far as the right to equal pay is concerned, Member States should in particular ensure that economic operators, in the performance of a public contract or concession, have pay setting mechanisms that do not lead to a pay gap between female and male workers that cannot be justified by **gender-neutral factors** in any category of workers carrying out equal work or work of equal value. In addition, Member States should consider for contracting authorities to introduce, as appropriate, penalties and termination

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conditions ensuring compliance with the principle of equal pay in the performance of public contracts and concessions. They may also take into account non-compliance with the principle of equal pay by the bidder or one of his subcontractors when considering the application of exclusion grounds or a decision not to award a contract to the tenderer submitting the most economically advantageous tender.

⁵⁶ Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts, OJ L 94, 28.3.2014, p. 1.

⁵⁷ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC, OJ L 94, 28.3.2014, p. 65.

⁵⁸ Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC, OJ L 94, 28.3.2014, p. 243.

conditions ensuring compliance with the principle of equal pay in the performance of public contracts and concessions. They may also take into account non-compliance with the principle of equal pay by the bidder or one of his subcontractors when considering the application of exclusion grounds or a decision not to award a contract to the tenderer submitting the most economically advantageous tender.

⁵⁶ Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts, OJ L 94, 28.3.2014, p. 1.

⁵⁷ Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC, OJ L 94, 28.3.2014, p. 65.

⁵⁸ Directive 2014/25/EU of the European Parliament and of the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC, OJ L 94, 28.3.2014, p. 243.

Or. es

Justification

Gender ideology is not recognised in Article 157 of the TFEU, and therefore referring to the 'gender gap' would infringe the principle of attribution.

Amendment 435 **Margarita de la Pisa Carrión**

Proposal for a directive **Recital 46 a (new)**

Text proposed by the Commission

Amendment

46a. The imposition of sanctions, in addition to the payment of compensation,

is a measure that to date has not been considered necessary by nine Member States (Austria, Germany, Denmark, Estonia, Croatia, Netherlands, Poland, Portugal and Sweden)^{13a}.

^{13a} SWD(2021) 42, page 17.

Or. es

Amendment 436
Margarita de la Pisa Carrión

Proposal for a directive
Recital 47

Text proposed by the Commission

(47) This Directive lays down minimum requirements, thus respecting the Member States' prerogative to introduce and maintain more favourable provisions.

Rights acquired under the existing legal framework should continue to apply, unless more favourable provisions are introduced by this Directive. The implementation of this Directive cannot be used to reduce existing rights set out in existing Union or national law in this field, nor can it constitute valid grounds for reducing the rights of workers in regard to equal pay between men and women for the same work or work of equal value.

Amendment

(47) This Directive lays down minimum requirements, thus respecting the Member States' prerogative to introduce and maintain more favourable provisions.

Or. es

Justification

This amendment is consistent with this Directive's de minimis aim, as well as the existence of certain more uniform conditions of application in the different Member States.

Amendment 437
Sara Skyttedal, Jessica Polfjärd, Stefan Berger, Tomas Tobé, David Lega, Jörgen

Proposal for a directive
Recital 47

Text proposed by the Commission

(47) This Directive lays down **minimum requirements**, thus respecting the Member States' prerogative to introduce and maintain more favourable provisions. Rights acquired under the existing legal framework should continue to apply, unless more favourable provisions are introduced by this Directive. The implementation of this Directive cannot be used to reduce existing rights set out in existing Union or national law in this field, nor can it constitute valid grounds for reducing the rights of workers in regard to equal pay between men and women for the same work or work of equal value.

Amendment

(47) This Directive lays down **a framework**, thus respecting the Member States' prerogative to introduce and maintain more favourable provisions. Rights acquired under the existing legal framework should continue to apply, unless more favourable provisions are introduced by this Directive. The implementation of this Directive cannot be used to reduce existing rights set out in existing Union or national law in this field, nor can it constitute valid grounds for reducing the rights of workers in regard to equal pay between men and women for the same work or work of equal value.

Or. en

Amendment 438
Margarita de la Pisa Carrión

Proposal for a directive
Recital 48

Text proposed by the Commission

(48) In order to ensure proper monitoring of the implementation of the right to equal pay between men and women for the same work or work of equal value, Member States ***should set up or designate a dedicated monitoring body. This body, which may be part of an existing body pursuing similar objectives, should have specific tasks in relation to the implementation of the pay transparency measures foreseen in this Directive and gather certain data to monitor pay inequalities and the impact of the pay***

Amendment

(48) In order to ensure proper monitoring of the implementation of the right to equal pay between men and women for the same work or work of equal value, Member States ***shall entrust to the equality body provided for in Directive 2006/54/EC the tasks set out in this Directive.***

transparency measures.

Or. es

Amendment 439

Maria Walsh, Sirpa Pietikäinen, Jarosław Duda, Frances Fitzgerald, Deirdre Clune, Stelios Kympouropoulos, Loucas Fourlas

Proposal for a directive

Recital 48

Text proposed by the Commission

(48) In order to ensure proper monitoring of the implementation of the right to equal pay between men and women for the same work or work of equal value, Member States should set up or designate a dedicated monitoring body. This body, which may be part of an existing body pursuing similar objectives, should have specific tasks in relation to the implementation of the pay transparency measures foreseen in this Directive and gather certain data to monitor pay inequalities and the impact of the pay transparency measures.

Amendment

(48) In order to ensure proper monitoring of the implementation of the right to equal pay between men and women for the same work or work of equal value, Member States should set up or designate a dedicated monitoring body. This body, which may be part of an existing body pursuing similar objectives, ***and which cooperates in particular with social partners and other bodies responsible for the enforcement of workers' rights***, should have specific tasks in relation to the implementation of the pay transparency measures foreseen in this Directive and gather certain data to monitor pay inequalities and the impact of the pay transparency measures.

Or. en

Amendment 440

Anne Sander

Proposal for a directive

Recital 48

Text proposed by the Commission

(48) In order to ensure proper monitoring of the implementation of the right to equal pay between men and women for the same work or work of equal value,

Amendment

(48) In order to ensure proper monitoring of the implementation of the right to equal pay between men and women for the same work or work of equal value,

Member States should set up or designate a dedicated monitoring body. This body, which may be part of an existing body pursuing similar objectives, should have specific tasks in relation to the implementation of the pay transparency measures foreseen in this Directive and gather certain data to monitor pay inequalities and the impact of the pay transparency measures.

Member States should set up or designate a dedicated monitoring body. This body, which may be part of an existing body pursuing similar objectives, ***and cooperates in particular with the social partners and labour inspectors or other bodies that enforce the rights of workers,*** should have specific tasks in relation to the implementation of the pay transparency measures foreseen in this Directive and gather certain data to monitor pay inequalities and the impact of the pay transparency measures.

Or. fr

Amendment 441

Sylvie Brunet, Ilana Cicurel, Dragoş Pîslaru, Irena Joveva, Marie-Pierre Vedrenne, Véronique Trillet-Lenoir, Samira Rafaela, Atidzhe Alieva-Veli, Stéphane Bijoux, Alin Mituţa, Irène Tolleret

Proposal for a directive Recital 48

Text proposed by the Commission

(48) In order to ensure proper monitoring of the implementation of the right to equal pay between men and women for the same work or work of equal value, Member States should set up or designate a dedicated monitoring body. This body, which may be part of an existing body pursuing similar objectives, should have specific tasks in relation to the implementation of the pay transparency measures foreseen in this Directive and gather certain data to monitor pay inequalities and the impact of the pay transparency measures.

Amendment

(48) In order to ensure proper monitoring of the implementation of the right to equal pay between men and women for the same work or work of equal value, Member States should set up or designate a dedicated monitoring body. This body, which may be part of an existing body pursuing similar objectives, should have specific tasks in relation to the implementation of the pay transparency measures foreseen in this Directive and gather certain data to monitor pay inequalities and the impact of the pay transparency measures. ***Member States should ensure the monitoring body has adequate resources in order to fulfil its tasks.***

Or. en

Amendment 442

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

Proposal for a directive

Recital 48

Text proposed by the Commission

(48) In order to ensure proper monitoring of the implementation of the right to equal pay between men and women for the same work or work of equal value, Member States should set up or designate a dedicated monitoring body. This body, which may be part of an existing body pursuing similar objectives, should have specific tasks in relation to the implementation of the pay transparency measures foreseen in this Directive and gather certain data to monitor pay inequalities and the impact of the pay transparency measures.

Amendment

(48) In order to ensure proper monitoring of the implementation of the right to equal pay between men and women for the same work or work of equal value, Member States should set up or designate a dedicated monitoring body. This body, which may be part of an existing body pursuing similar objectives, should have specific tasks in relation to the implementation **and enforcement** of the pay transparency measures foreseen in this Directive and gather certain data to monitor pay inequalities and the impact of the pay transparency measures.

Or. en

Amendment 443

Jadwiga Wiśniewska

Proposal for a directive

Recital 49

Text proposed by the Commission

(49) Compiling wage statistics broken down by **gender** and providing the Commission (Eurostat) with accurate and complete statistics is essential for analysing and monitoring changes in the **gender** pay gap at Union level. Council Regulation (EC) No 530/1999⁵⁹ requires Member States to compile four-yearly structural earnings statistics at micro level that provide harmonized data for the calculation

Amendment

(49) Compiling wage statistics broken down by **sex** and providing the Commission (Eurostat) with accurate and complete statistics is essential for analysing and monitoring changes in the pay gap **between female and male workers** at Union level. Council Regulation (EC) No 530/1999⁵⁹ requires Member States to compile four-yearly structural earnings statistics at micro level that provide

of the **gender** pay gap. Annual high-quality statistics could increase transparency and enhance monitoring and awareness of **gender** pay inequality. The availability and comparability of such data is instrumental for assessing developments both at national level and throughout the Union.

harmonized data for the calculation of the pay gap **between female and male workers**. Annual high-quality statistics could increase transparency and enhance monitoring and awareness of pay inequality **between men and women**. The availability and comparability of such data is instrumental for assessing developments both at national level and throughout the Union. ***The obligations based on this provision are without prejudice to confidentiality rules of Regulation (EC) No 223/2009 on European statistics^{1a}.***

^{1a} Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164).

⁵⁹ Council Regulation (EC) No 530/1999 of 9 March 1999 concerning structural statistics on earnings and on labour costs (OJ L 63, 12.3.1999, p. 6).

⁵⁹ Council Regulation (EC) No 530/1999 of 9 March 1999 concerning structural statistics on earnings and on labour costs (OJ L 63, 12.3.1999, p. 6).

Or. en

Amendment 444
Margarita de la Pisa Carrión

Proposal for a directive
Recital 49

Text proposed by the Commission

Amendment

(49) Compiling wage statistics broken

(49) Compiling wage statistics broken

down **by gender** and providing the Commission (Eurostat) with accurate and complete statistics is essential for analysing and monitoring changes in the **gender** pay gap at Union level. Council Regulation (EC) No 530/1999⁵⁹ requires Member States to compile four-yearly structural earnings statistics at micro level that provide harmonized data for the calculation of the **gender** pay gap. Annual high-quality statistics could increase transparency and enhance monitoring and awareness of **gender** pay inequality. The availability and comparability of such data is instrumental for assessing developments both at national level and throughout the Union.

⁵⁹ Council Regulation (EC) No 530/1999 of 9 March 1999 concerning structural statistics on earnings and on labour costs (OJ L 63, 12.3.1999, p. 6).

down **between men and women** and providing the Commission (Eurostat) with accurate and complete statistics is essential for analysing and monitoring changes in the pay gap **between men and women** at Union level. Council Regulation (EC) No 530/1999⁵⁹ requires Member States to compile four-yearly structural earnings statistics at micro level that provide harmonized data for the calculation of the pay gap **between men and women**. Annual high-quality statistics could increase transparency and enhance monitoring and awareness of **any** pay inequality **between men and women**. The availability and comparability of such data is instrumental for assessing developments both at national level and throughout the Union.

⁵⁹ Council Regulation (EC) No 530/1999 of 9 March 1999 concerning structural statistics on earnings and on labour costs (OJ L 63, 12.3.1999, p. 6).

Or. es

Justification

This Directive's aim is to guarantee equal pay for equal work or work of equal value for men and women, not between the 'genders'; therefore, a breakdown by 'gender' falls outside the Directive's scope and infringes the principle of attribution.

Amendment 445

Eugenia Rodríguez Palop, Silvia Modig, Sandra Pereira

Proposal for a directive

Recital 49

Text proposed by the Commission

(49) Compiling wage statistics broken down by gender **and** providing the Commission (Eurostat) with accurate and complete statistics is essential for analysing and monitoring changes in the gender pay gap at Union level. Council Regulation

Amendment

(49) Compiling wage statistics broken down by gender, **disability, age and race, as well as** providing the Commission (Eurostat) with accurate and complete statistics is essential for analysing and monitoring changes in the gender pay gap

(EC) No 530/1999⁵⁹ requires Member States to compile four-yearly structural earnings statistics at micro level that provide harmonized data for the calculation of the gender pay gap. Annual high-quality statistics could increase transparency and enhance monitoring and awareness of gender pay inequality. The availability and comparability of such data is instrumental for assessing developments both at national level and throughout the Union.

⁵⁹ Council Regulation (EC) No 530/1999 of 9 March 1999 concerning structural statistics on earnings and on labour costs (OJ L 63, 12.3.1999, p. 6).

at Union level. Council Regulation (EC) No 530/1999⁵⁹ requires Member States to compile four-yearly structural earnings statistics at micro level that provide harmonized data for the calculation of the gender pay gap. Annual high-quality statistics could increase transparency and enhance monitoring and awareness of gender pay inequality. The availability and comparability of such data is instrumental for assessing developments both at national level and throughout the Union.

⁵⁹ Council Regulation (EC) No 530/1999 of 9 March 1999 concerning structural statistics on earnings and on labour costs (OJ L 63, 12.3.1999, p. 6).

Or. en

Amendment 446
Margarita de la Pisa Carrión

Proposal for a directive
Recital 49 a (new)

Text proposed by the Commission

Amendment

49a. According to the Commission's Impact Assessment, the unexplained pay gap is no higher than 5% in Belgium, Bulgaria, Cyprus, Czech Republic, Germany, Spain, Finland, Italy, Lithuania, Luxembourg, Malta, Netherlands, Poland and Slovakia, while the percentage is over 5% in Estonia, France, Hungary, Latvia, Portugal, Romania, Sweden and Slovenia^{9a}. A percentage of less than 5% is considered statistically irrelevant.

^{9a} SWD(2021) 42, page 144.

Or. es

Amendment 447

Sara Skyttedal, Jessica Polfjärd, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Lukas Mandl, Angelika Winzig, Pernille Weiss, Simone Schmiedtbauer, Barbara Thaler

Proposal for a directive

Recital 50

Text proposed by the Commission

(50) This Directive aims at a better and more effective implementation of the principle of equal pay for equal work or work to which equal value is attributed between men and women through the establishment of ***common minimum requirements*** which should apply to all undertakings and organisations across the European Union. ***Since this objective cannot be sufficiently achieved by the Member States and should therefore be achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Directive, which limits itself to setting minimum standards, does not go beyond what is necessary in order to achieve that objective.***

Amendment

(50) This Directive aims at a better and more effective implementation of the principle of equal pay for equal work or work to which equal value is attributed between men and women through the establishment of ***a framework*** which should apply to all undertakings and organisations across the European Union.

Or. en

Amendment 448

Margarita de la Pisa Carrión

Proposal for a directive

Recital 50

Text proposed by the Commission

(50) This Directive aims at ***a better and more effective implementation of*** the principle of equal pay for ***equal work or***

Amendment

(50) This Directive aims at ***reducing the unexplained pay gap in Estonia, France, Hungary, Latvia, Portugal, Romania,***

work to which equal value is attributed between men and women through the establishment of common minimum requirements which should apply to all undertakings and organisations across the European Union. Since this objective cannot be sufficiently achieved by the Member States and should therefore be achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Directive, which limits itself to setting minimum standards, does not go beyond what is necessary in order to achieve that objective.

Sweden and Slovenia to 5% and maintaining the principle of equal pay for men and women in the other Member States. Since that objective has not been achieved by those eight Member States, the Union is adopting this Directive, which is in any event in accordance with the principle of attribution applied to Article 157 of the TFEU.

Or. es

Amendment 449
Margarita de la Pisa Carrión

Proposal for a directive
Recital 50 a (new)

Text proposed by the Commission

Amendment

50a. In Member States in which the role of the social partners is crucial in setting remuneration levels, in particular, there is evidence that pay transparency measures can lead to a disgruntlement effect, as evidenced in the Commission's Impact Assessment^{11a}.

^{11a} SWD(2021) 42, page 45.

Or. es

Amendment 450
Margarita de la Pisa Carrión

Proposal for a directive
Recital 51

Text proposed by the Commission

(51) The role of social partners is of key importance in designing the way pay transparency measures are implemented in Member States, especially in those with high collective bargaining coverage. Member States should therefore have the possibility to entrust the social partners with the implementation of all or part of this Directive, provided that they take all the necessary steps to ensure that the results sought by this Directive are guaranteed at all times.

Amendment

(51) The role of social partners is of key importance in designing the way pay transparency measures are implemented in Member States, especially in those with high collective bargaining coverage. Member States should therefore have the possibility to entrust the social partners with the implementation of all or part of this Directive, provided that they take all the necessary steps to ensure that the results sought by this Directive are guaranteed at all times. ***This Directive shall be interpreted so as to strengthen the role of the social partners in the different Member States.***

Or. es

Amendment 451
Margarita de la Pisa Carrión

Proposal for a directive
Recital 51 a (new)

Text proposed by the Commission

Amendment

51a. In general, the different national legal systems prevent salaries from being lowered, and therefore the action measures to adjust the pay gap may lead to the risk of a forced increase in salaries. This risk is particularly serious in small and medium-sized enterprises (those with fewer than 250 workers).

Or. es

Amendment 452
Christine Schneider, Sabine Verheyen, Ralf Seekatz, Peter Liese, Peter Jahr, Sven Simon, Stefan Berger, Axel Voss, Angelika Niebler, Angelika Winzig, Lukas Mandl,

Pernille Weiss, Georgios Kyrtos, Jessica Polfjärd, Sara Skyttdal, Lena Düpont, Jens Gieseke, Markus Pieper, Markus Ferber, Henna Virkkunen

Proposal for a directive
Recital 52

Text proposed by the Commission

(52) In implementing this Directive Member States should avoid imposing administrative, financial and legal constraints in a way which would hold back the creation and development of micro, small and medium-sized enterprises. Member States are therefore invited to assess the impact of their transposition act, on small and medium-sized enterprises in order to ensure that they are not disproportionately affected, giving specific attention to micro-enterprises, to *alleviate* the administrative burden, *and to publish* the results of *such assessments*.

Amendment

(52) In implementing this Directive Member States should avoid imposing administrative, financial and legal constraints in a way which would hold back the creation and development of micro, small and medium-sized enterprises. Member States are therefore invited to assess the impact of their transposition act, on *mid-cap companies, excluding micro, small and medium-sized enterprises (SMEs) from any legislation concerning gender pay transparency or minimum wages*, in order to ensure that they are not disproportionately affected. *Moreover*, giving specific attention to micro-enterprises *and SMEs, and due* to the *increasing* administrative burden *through current legislation, a thorough analysis must be published with* the results of *an assessment how micro-enterprises and SMEs can be sustainably relieved of 30% of their administrative workload*.

Or. en

Amendment 453
Radan Kanev, Romana Tomc, Sara Skyttdal

Proposal for a directive
Recital 52

Text proposed by the Commission

(52) In implementing this Directive Member States should avoid imposing administrative, financial and legal constraints in a way which would hold back the creation and development of micro, small and medium-sized enterprises.

Amendment

(52) In implementing this Directive Member States should avoid imposing administrative, financial and legal constraints in a way which would hold back the creation and development of micro, small and medium-sized enterprises.

Member States are therefore invited to assess the impact of their transposition act, on small and medium-sized enterprises in order to ensure that they are not disproportionately affected, giving specific attention to micro-enterprises, to *alleviate* the administrative burden, *and to* publish the results of *such assessments*.

Member States are therefore invited to assess the impact of their transposition act, on *mid-cap companies, excluding micro*, small and medium-sized enterprises *(SMEs) from any legislation concerning gender pay transparency or minimum wages*, in order to ensure that they are not disproportionately affected. *Moreover*, giving specific attention to micro-enterprises *and SMEs, and due to the increasing administrative burden through current legislation, a thorough analysis must be* publish *with* the results of *an assessment how micro-enterprises and SMEs can be sustainably relieved of 30% of their administrative workload*.

Or. en

Amendment 454 **Anne Sander**

Proposal for a directive **Recital 52**

Text proposed by the Commission

(52) In implementing this Directive Member States should avoid imposing administrative, financial and legal constraints in a way which would hold back the creation and development of micro, small and medium-sized enterprises. Member States are therefore invited to assess the impact of their transposition act, on small and medium-sized enterprises in order to ensure that they are not disproportionately affected, giving specific attention to micro-enterprises, to alleviate the administrative burden, and to publish the results of such assessments.

Amendment

(52) In implementing this Directive Member States should avoid imposing administrative, financial and legal constraints in a way which would hold back the creation and development of micro, small and medium-sized enterprises. Member States are therefore invited to assess the impact of their transposition act, on small and medium-sized enterprises in order to ensure that they are not disproportionately affected, giving specific attention to micro-, *small and medium-sized* enterprises, to alleviate the administrative burden, and to publish the results of such assessments. *Member States are also invited to provide financial support and to establish support mechanisms for small and medium-sized enterprises to enable them to comply with*

the provisions of this Directive.

Or. fr

Amendment 455

Maria Walsh, Sirpa Pietikäinen, Jarosław Duda, Frances Fitzgerald, Deirdre Clune, Stelios Kypourouopoulos, Loucas Fourlas

Proposal for a directive

Recital 52

Text proposed by the Commission

(52) In implementing this Directive Member States should avoid imposing administrative, financial and legal constraints in a way which would hold back the creation and development of micro, small and medium-sized enterprises. Member States are therefore invited to assess the impact of their transposition act, on small and medium-sized enterprises in order to ensure that they are not disproportionately affected, giving specific attention to micro-enterprises, to alleviate the administrative burden, and to publish the results of such assessments.

Amendment

(52) In implementing this Directive Member States should avoid imposing administrative, financial and legal constraints in a way which would hold back the creation and development of micro, small and medium-sized enterprises. Member States are therefore invited to assess the impact of their transposition act, on small and medium-sized enterprises in order to ensure that they are not disproportionately affected, giving specific attention to micro-enterprises, to alleviate the administrative burden, and to publish the results of such assessments. ***Member States shall provide support, technical assistance and training, in particular for microenterprises and small and medium-sized enterprises, to comply with these obligations.***

Or. en

Amendment 456

Eugenia Rodríguez Palop, Silvia Modig

Proposal for a directive

Recital 52

Text proposed by the Commission

(52) ***In implementing this Directive Member States should avoid imposing***

Amendment

(52) Member States are invited to assess the impact of ***the*** transposition act ***of this***

administrative, financial and legal constraints in a way which would hold back the creation and development of micro, small and medium-sized enterprises. Member States are *therefore* invited to assess the impact of *their* transposition act, *on* small and medium-sized enterprises in order to ensure that they are not disproportionately affected, giving specific attention to micro-enterprises, to alleviate the administrative burden, and to publish the results of such assessments.

Directive, on micro, small and medium-sized enterprises in order to ensure that they are not disproportionately affected, giving specific attention to micro-enterprises, to alleviate the administrative burden, and to publish the results of such assessments.

Or. en

Amendment 457
Elżbieta Rafalska

Proposal for a directive
Recital 52

Text proposed by the Commission

(52) *In implementing this Directive Member States should avoid imposing administrative, financial and legal constraints in a way which would hold back the creation and development of micro, small and medium-sized enterprises.* Member States are *therefore* invited to assess the impact of their transposition act, on small and medium-sized enterprises in order to ensure that they are not disproportionately affected, giving specific attention to micro-enterprises, to alleviate the administrative burden, and to publish the results of such assessments.

Amendment

(52) *Implementation of the Directive should not significantly increase the administrative burden on employers. The actions envisaged may otherwise weaken the competitiveness of companies and inhibit entrepreneurship. Furthermore, the COVID-19 pandemic has had an enormous impact on the financial soundness of economic sectors and enterprises.* Member States are invited to assess the impact of their transposition act, on small and medium-sized enterprises in order to ensure that they are not disproportionately affected, giving specific attention to micro-enterprises, to alleviate the administrative burden, and to publish the results of such assessments.

Or. pl

Amendment 458

Ernest Urtasun
on behalf of the Greens/EFA Group

Proposal for a directive
Recital 52

Text proposed by the Commission

(52) ***In implementing this Directive Member States should avoid imposing administrative, financial and legal constraints in a way which would hold back the creation and development of micro, small and medium-sized enterprises.*** Member States are ***therefore*** invited to assess the impact of their transposition act, on small and medium-sized enterprises in order to ensure ***that they are not disproportionately affected, giving specific attention to micro-enterprises,*** to alleviate the administrative burden, and to publish the results of such assessments.

Amendment

(52) Member States are invited to assess the impact of their transposition act, on ***micro***, small and medium-sized enterprises in order to ensure ***its proper implementation while providing necessary support*** to alleviate the administrative burden, and to publish the results of such assessments. ***Member States should also include an assessment on the impact of the Directive on female dominated sectors.***

Or. en

Amendment 459
Daniela Rondinelli

Proposal for a directive
Recital 52

Text proposed by the Commission

(52) In implementing this Directive Member States should avoid imposing administrative, financial and legal constraints in a way which would hold back the creation and development of micro, small and medium-sized enterprises. Member States are therefore invited to assess the impact of their transposition act, on small and medium-sized enterprises in order to ensure that they are not disproportionately affected, giving specific attention to micro-enterprises, to alleviate the administrative burden, and to publish

Amendment

(52) In implementing this Directive Member States should avoid imposing administrative, financial and legal constraints in a way which would hold back the creation and development of micro, small and medium-sized enterprises. Member States are therefore invited to assess the impact of their transposition act, on ***micro-***, small and medium-sized enterprises in order to ensure ***it has been correctly applied and to verify*** that they are not disproportionately affected, giving specific attention to micro-enterprises, to

the results of such assessments.

alleviate the administrative burden, and to publish the results of such assessments.

Or. it

Amendment 460

Margarita de la Pisa Carrión

Proposal for a directive

Recital 52

Text proposed by the Commission

(52) In implementing this Directive Member States should avoid imposing administrative, financial and legal constraints in a way which would hold back the creation and development of micro, small and medium-sized enterprises. Member States are therefore invited to ***assess the impact*** of their transposition act, ***on small and medium-sized enterprises*** in order to ensure that they are not ***disproportionately*** affected, ***giving specific attention to*** micro-enterprises, to alleviate ***the*** administrative burden, ***and to publish the results of such assessments***.

Amendment

(52) In implementing this Directive Member States should avoid imposing administrative, financial and legal constraints in a way which would hold back the creation and development of micro, small and medium-sized enterprises. Member States are therefore invited to ***exclude small and medium-sized enterprises from*** their transposition act in order to ensure that they are not affected, ***particularly*** micro-enterprises, ***and to alleviate their*** administrative burden, ***in accordance with the recommendations of the European Parliamentary Research Service^{5a}***.

^{5a} ***PE 662.647, page 6.***

Or. es

Justification

The European Parliamentary Research Service has pointed out, with regard to the impact on small and medium-sized enterprises, that the impact analysis on competitiveness is missing, 'which is surprising' (page 6).

Amendment 461

Elżbieta Rafalska

Proposal for a directive

Recital 52 a (new)

Text proposed by the Commission

Amendment

(52 a) *The proposed provisions guaranteeing pay transparency must be balanced and must not restrict the freedom of establishment or the freedom to negotiate pay of the parties to an employment relationship.*

Or. pl

Amendment 462

Margarita de la Pisa Carrión

Proposal for a directive

Recital 53 a (new)

Text proposed by the Commission

Amendment

53a. *The European Parliamentary Research Service has pointed out that the Commission's impact assessment did not take the proportionality principle into account, and did not compare the options against that principle^{2a}.*

^{2a} PE 662.647, page 2.

Or. es

Justification

Under the good regulation principles, when carrying out its advance impact assessment of a proposal for a directive the Commission should have compared the various options in terms of their effectiveness, efficiency and consistency, as well as in terms of the principle of proportionality.

Amendment 463

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

Proposal for a directive
Article 1 – paragraph 1

Text proposed by the Commission

This Directive lays down minimum requirements to strengthen the application of the principle of equal pay between men and women for equal work or work of equal value enshrined in Article 157 TFEU and the prohibition of discrimination laid down in Article 4 of Directive 2006/54/EC, in particular through pay transparency and reinforced enforcement mechanisms.

Amendment

This Directive lays down minimum requirements to strengthen the application of the principle of equal pay between men and women for equal work or work of equal value enshrined in Article 157 TFEU and the prohibition of discrimination ***on the grounds of sex*** laid down in Article 4 of Directive 2006/54/EC, in particular through pay transparency and reinforced enforcement mechanisms.

Or. en

Amendment 464

Sara Skyttedal, Jessica Polfjård, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Lukas Mandl, Angelika Winzig, Pernille Weiss, Simone Schmiedtbauer, Barbara Thaler

Proposal for a directive
Article 1 – paragraph 1

Text proposed by the Commission

This Directive lays down ***minimum requirements*** to strengthen the application of the principle of equal pay between men and women for equal work or work of equal value enshrined in Article 157 TFEU and the prohibition of discrimination laid down in Article 4 of Directive 2006/54/EC, in particular through pay transparency and reinforced enforcement mechanisms.

Amendment

This Directive lays down ***a framework*** to strengthen the application of the principle of equal pay between men and women for equal work or work of equal value enshrined in Article 157 TFEU and the prohibition of discrimination laid down in Article 4 of Directive 2006/54/EC, in particular through pay transparency and reinforced enforcement mechanisms.

Or. en

Amendment 465

Abir Al-Sahlan, Dragoş Pîslaru, Linea Søgaard-Lidell, Alin Mituţa

Proposal for a directive
Article 1 – paragraph 1

Text proposed by the Commission

Amendment

This Directive ***lays down minimum requirements to strengthen*** the application of the principle of equal pay between men and women for equal work or work of equal value enshrined in Article 157 TFEU and the prohibition of discrimination laid down in Article 4 of Directive 2006/54/EC, in particular through pay transparency and reinforced enforcement mechanisms.

This Directive ***establishes a framework to promote*** the application of the principle of equal pay between men and women for equal work or work of equal value enshrined in Article 157 TFEU and the prohibition of discrimination laid down in Article 4 of Directive 2006/54/EC, in particular through pay transparency and reinforced enforcement mechanisms.

Or. en

Amendment 466

Margarita de la Pisa Carrión

**Proposal for a directive
Article 2 – paragraph 1**

Text proposed by the Commission

Amendment

1. This Directive applies to ***employers in the public and private sectors.***

1. This Directive applies to ***European companies (SEs). It shall also apply to all the European Union's institutions and bodies. Its scope shall extend to candidates in selection processes organised by the said SEs, institutions and bodies of the European Union, in accordance with the provisions of Article 5.***

Or. es

Justification

The European company is a type of limited company created by European law to manage enterprises in different European countries under unified legislation; therefore, the principles of subsidiarity and proportionality make it advisable to start European regulation through this type of company. The European Union's institutions must set an example with regard to equal pay for men and women for equal work or work of equal value.

Amendment 467

Christine Schneider, Sabine Verheyen, Ralf Seekatz, Peter Liese, Peter Jahr, Sven

Simon, Stefan Berger, Axel Voss, Angelika Niebler, Angelika Winzig, Lukas Mandl, Pernille Weiss, Georgios Kyrtos, Jessica Polfjård, Sara Skyttedal, Lena Düpont, Jens Gieseke, Markus Pieper, Markus Ferber, Henna Virkkunen

**Proposal for a directive
Article 2 – paragraph 1**

Text proposed by the Commission

1. This Directive applies to employers in the public and private sectors.

Amendment

1. This Directive applies to employers in the public and private sectors ***with more than 500 employees.***

A presumption of appropriateness shall apply to companies that are bound by or apply collective bargaining agreements.

Or. en

**Amendment 468
Radan Kanev, Romana Tomc, Sara Skyttedal**

**Proposal for a directive
Article 2 – paragraph 1**

Text proposed by the Commission

1. This Directive applies to employers in the public and private sectors.

Amendment

1. This Directive applies to employers in the public and private sectors ***with more than 200 employees.***

A presumption of appropriateness shall apply to companies that are bound by or apply collective bargaining agreements.

Or. en

**Amendment 469
Sirpa Pietikäinen, Maria Walsh, Maria da Graça Carvalho, Cindy Franssen, Frances Fitzgerald**

**Proposal for a directive
Article 2 – paragraph 1**

Text proposed by the Commission

1. This Directive applies to employers

Amendment

1. This Directive applies to employers

in the public and private sectors.

in the public and private sectors, ***including non-standard sectors, such as platform employers, sheltered workshops and any other form of contractual work.***

Or. en

Amendment 470

Dennis Radtke, Radan Kanev, Romana Tomc

Proposal for a directive

Article 2 – paragraph 1

Text proposed by the Commission

1. This Directive applies to employers in the public and private sectors.

Amendment

1. This Directive applies to employers in the public and private sectors.
Employers who are bound by collective wage agreements shall be subject to a presumption of appropriateness.

Or. en

Amendment 471

Jens Gieseke, Ralf Seekatz

Proposal for a directive

Article 2 – paragraph 1

Text proposed by the Commission

(1) This Directive applies to employers in the public and private sectors.

Amendment

(1) This Directive applies to employers in the public and private sectors ***with more than 1 000 workers.***

Or. de

Amendment 472

Abir Al-Sahlani, Linea Søgaard-Lidell

Proposal for a directive

Article 2 – paragraph 1

Text proposed by the Commission

1. This Directive ***applies*** to employers in the public and private sectors.

Amendment

1. This Directive ***shall gradually apply*** to employers in the public and private sectors

Or. en

Amendment 473

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

**Proposal for a directive
Article 2 – paragraph 2**

Text proposed by the Commission

2. This Directive applies to all workers who have an employment contract or employment relationship as defined by law, collective agreements and/or practice in force in each Member State with consideration to the case-law of the Court of Justice.

Amendment

2. This Directive applies to all workers who have an employment contract or employment relationship as defined by law, collective agreements and/or practice in force in each Member State, ***including directly and indirectly employed workers especially those employed via a temporary agency as defined in Directive 2008/104 or platform as well as atypical forms such as zero-hour contracts, sheltered/accompanied work contracts and part-time workers***, with consideration to the case-law of the Court of Justice.

This Directive applies to workers referred to in the first subparagraph of this paragraph irrespective of their sex, gender identity, gender expression or sexual characteristics for the purpose of complying with the prohibition of discrimination laid down in Article 4 of Directive 2006/54/EC.

Or. en

Amendment 474

Ernest Urtasun
on behalf of the Greens/EFA Group

Proposal for a directive
Article 2 – paragraph 2

Text proposed by the Commission

2. This Directive applies to all workers who have an employment **contract or** employment relationship as defined by law, collective agreements and/or practice in force in each Member State with consideration to the case-law of the Court of Justice.

Amendment

2. This Directive applies to all workers who ***work in the Union or are working for an employer based in a Member State, and who*** have an employment **contractor** employment relationship as defined by law, collective agreements and/or practice in force in each Member State ***including non-standard contracts such as part-time workers, workers on fixed-term contracts and persons with a contract of employment or with an employment relationship with a temporary agency*** with consideration to the case-law of the Court of Justice.

Or. en

Amendment 475
Daniela Rondinelli

Proposal for a directive
Article 2 – paragraph 2

Text proposed by the Commission

2. This Directive applies to all workers who have an employment contract or employment relationship as defined by law, collective agreements and/or practice in force in each Member State with consideration to the case-law of the Court of Justice.

Amendment

2. This Directive applies to all workers who have an employment contract or employment relationship as defined by law, collective agreements and/or practice in force in each Member State, ***including part-time workers, workers on fixed-term contracts and persons with a contract of employment or with an employment relationship with a temporary agency,*** with consideration to the case-law of the Court of Justice.

Or. it

Amendment 476

Sirpa Pietikäinen, Maria Walsh, Maria da Graça Carvalho, Frances Fitzgerald

Proposal for a directive

Article 2 – paragraph 2

Text proposed by the Commission

2. This Directive applies to all workers who have an employment contract or employment relationship as defined by law, collective agreements and/or practice in force in each Member State with consideration to the case-law of the Court of Justice.

Amendment

2. This Directive applies to all workers who have an employment contract, ***including contracts for part-time work, contracts for temporary agency work, zero-hour contracts and sheltered or accompanied work contracts***, or employment relationship as defined by law, collective agreements and/or practice in force in each Member State with consideration to the case-law of the Court of Justice.

Or. en

Amendment 477

Sandra Pereira

Proposal for a directive

Article 2.º – paragraph 2

Text proposed by the Commission

2. This Directive applies to all workers who have an employment contract or employment relationship as defined by law, collective agreements and/or practice in force in each Member State ***with consideration to the case-law of the Court of Justice***.

Amendment

2. This Directive applies to all workers who have an employment contract or employment relationship, ***as well as to self-employed workers economically dependent on the contracting entity***, as defined by law, collective agreements and/or practice in force in each Member State.

Or. pt

Amendment 478

Margarita de la Pisa Carrión

Proposal for a directive
Article 2 – paragraph 2

Text proposed by the Commission

2. This Directive applies to all workers who have an employment contract or employment relationship as defined by law, collective agreements and/or practice in force in each Member State with consideration to the case-law of the Court of Justice.

Amendment

2. This Directive applies to all workers who have an employment contract or employment relationship as defined by law, collective agreements and/or practice in force in each Member State with consideration to the case-law ***of their respective courts and that*** of the Court of Justice.

Or. es

Amendment 479

Abir Al-Sahlan, Dragoş Pîslaru, Atidzhe Alieva-Veli, Linea Søgaaard-Lidell, Alin Mituţa

Proposal for a directive
Article 2 – paragraph 2

Text proposed by the Commission

2. This Directive applies to ***all*** workers who have an employment contract or employment relationship as defined by law, collective agreements and/or practice in force in each Member State ***with consideration to the case-law of the Court of Justice.***

Amendment

2. This Directive applies to workers who have an employment contract or employment relationship as defined by law, collective agreements and/or practice in force in each Member State

Or. en

Amendment 480

Sara Skyttedal, Jessica Polfjärd, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Lukas Mandl, Angelika Winzig, Pernille Weiss, Simone Schmiedtbauer, Barbara Thaler

Proposal for a directive
Article 2 – paragraph 2

Text proposed by the Commission

Amendment

2. This Directive applies to all workers who have an employment contract or employment relationship as defined by law, collective agreements and/or practice in force in each Member State *with consideration to the case-law of the Court of Justice*.

2. This Directive applies to all workers who have an employment contract or employment relationship as defined by law, collective agreements and/or practice in force in each Member State.

Or. en

Amendment 481

Christine Schneider, Sabine Verheyen, Ralf Seekatz, Peter Liese, Peter Jahr, Sven Simon, Stefan Berger, Axel Voss, Angelika Niebler, Angelika Winzig, Lukas Mandl, Pernille Weiss, Georgios Kyrtzos, Lena Düpont, Jens Gieseke, Markus Pieper, Markus Ferber, Henna Virkkunen

Proposal for a directive Article 2 – paragraph 2

Text proposed by the Commission

2. This Directive applies to ***all*** workers who have an employment contract or employment relationship as defined by law, collective agreements and/or practice in force in each Member State with consideration to the case-law of the Court of Justice.

Amendment

2. This Directive applies to workers who have an employment contract or employment relationship as defined by law, collective agreements and/or practice in force in each Member State with consideration to the case-law of the Court of Justice.

Or. en

Amendment 482

Sara Skytvedal, Jessica Polfjärd, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Lukas Mandl, Angelika Winzig, Pernille Weiss, Simone Schmiedtbauer, Barbara Thaler

Proposal for a directive Article 2 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Member States with labour market models where autonomous labour market parties are responsible for wage formation shall have the option not to apply this

*Directive, either totally or in part,
provided that there is, in the view of the
Member State, sufficient support for this
among representative social partners at
national level.*

Or. en

Amendment 483

**Lukas Mandl, Christian Sagartz, Angelika Winzig, Sara Skyttedal, Pernille Weiss,
Barbara Thaler, Jessica Polfjård, Simone Schmiedtbauer, Alexander Bernhuber**

Proposal for a directive

Article 2 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

**2a. This Directive shall not be
applicable to employers bound by a
collective agreement setting pay levels
respecting the principle of equal work.**

Or. en

Amendment 484

Sirpa Pietikäinen, Maria da Graça Carvalho, Frances Fitzgerald

Proposal for a directive

Article 2 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

**2a. This Directive applies
proportionally to small and medium-sized
enterprises.**

Or. en

Amendment 485

Margarita de la Pisa Carrión

Proposal for a directive

Article 3 – paragraph 1 – point a

Text proposed by the Commission

(a) ‘pay’ means the ordinary basic or minimum wage or salary and any other consideration, whether in cash or in kind which the worker receives directly or indirectly (‘complementary or variable components’), in respect of his/her employment from his/her employer;

Amendment

(a) ‘pay’ means the ordinary basic or minimum wage or salary and any other consideration, whether in cash or in kind which the worker receives directly or indirectly (‘complementary or variable components’, ***including non-monetary benefits such as additional days of leave or reduction in the paid working day***), in respect of his/her employment from his/her employer;

Or. es

Amendment 486
Elżbieta Rafalska

Proposal for a directive
Article 3 – paragraph 1 – point a

Text proposed by the Commission

(a) ‘pay’ means the ordinary basic or minimum wage or salary and any other consideration, whether in cash or in kind which the worker receives directly or indirectly (***‘complementary or variable components’***), in respect of his/her employment from his/her employer;

Amendment

(a) ‘pay’ means the ordinary basic or minimum wage or salary and any other consideration, whether in cash or in kind which the worker receives directly or indirectly in respect of his/her employment from his/her employer;

Or. pl

Justification

The wording of the provision is unclear, and there is no proper explanation of the components covered by its scope

Amendment 487

Sara Skyttedal, Jessica Polfjärd, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Lukas Mandl, Angelika Winzig, Pernille Weiss, Simone Schmiedtbauer, Barbara Thaler

Proposal for a directive

Article 3 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) **‘pay gap’ means the difference of average pay levels between female and male workers of the employer, expressed as percentage of the average pay level of male workers;**

deleted

Or. en

Amendment 488

Silvia Modig

Proposal for a directive

Article 3 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) ‘pay gap’ means the difference of average pay levels between female and male workers **of the employer**, expressed as percentage of the average pay level of male workers;

(c) ‘pay gap’ means the difference of average pay levels between female and male workers, expressed as percentage of the average pay level of male workers; **in circumstances when a person identifies as neither a man or a woman, the comparison is with person of another gender, carrying out equal work or work of equal value, with the highest pay;**

Or. en

Amendment 489

Jadwiga Wiśniewska

Proposal for a directive

Article 3 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) ‘pay gap’ **means the difference of average pay levels** between female and male workers **of the employer**, expressed as percentage of the average **pay level of male workers**;

(c) ‘pay gap between female and male workers’ **means the difference between the average gross hourly earnings of men and women** expressed as **a** percentage of the average **gross hourly earnings of men**;

Amendment 490
Elżbieta Rafalska

Proposal for a directive
Article 3 – paragraph 1 – point c

Text proposed by the Commission

(c) ‘pay gap’ means the *difference of average pay levels between female and male workers of the employer*, expressed as percentage of the average *pay level of male workers*;

Amendment

(c) ‘*gender* pay gap’ means the *quotient* (expressed as *a* percentage) of the *difference between the average gross hourly earnings of men and women and the average gross hourly earnings of men*;

Or. pl

Amendment 491
Margarita de la Pisa Carrión

Proposal for a directive
Article 3 – paragraph 1 – point c

Text proposed by the Commission

c) ‘pay gap’ means the difference of average pay levels between female and male workers of the employer, expressed as percentage of the average pay level of male workers;

Amendment

‘pay gap’ (*Does not affect the English version.*)

Or. es

Justification

(Does not affect the English version.)

Amendment 492
Sara Skyttedal, Jessica Polfjärd, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Lukas Mandl, Angelika Winzig, Pernille Weiss, Simone Schmiedtbauer, Barbara Thaler

Proposal for a directive

Article 3 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) ‘median pay level’ means the pay of the worker that would have half of the workers earn more and half less than they do;

deleted

Or. en

Amendment 493

Sara Skyttedal, Jessica Polfjärd, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Lukas Mandl, Angelika Winzig, Pernille Weiss, Simone Schmiedtbauer, Barbara Thaler

Proposal for a directive

Article 3 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) ‘median pay gap’ means the difference between the median pay level of female and median pay level of male workers expressed as percentage of the median pay level of male workers;

deleted

Or. en

Amendment 494

Silvia Modig

Proposal for a directive

Article 3 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) ‘median pay gap’ means the difference between the median pay level *of female* and median pay level of male workers expressed as percentage of the median pay level of male workers;

(e) ‘median pay gap’ means the difference between the median pay level *off male* and median pay level of male workers expressed as percentage of the median pay level of male workers; *in circumstances when a person identifies as neither a man or a woman, the comparison is with person of another*

gender, carrying out equal work or work of equal value, with the highest pay.

Or. en

Amendment 495

Jadwiga Wiśniewska

Proposal for a directive

Article 3 – paragraph 1 – point e

Text proposed by the Commission

(e) ‘median pay gap’ means the difference between the median pay level of female and median pay level of male workers expressed as percentage of the median pay level of male workers;

Amendment

(e) ‘median pay gap *between female and male workers*’ means the difference between the median pay level of female and median pay level of male workers expressed as percentage of the median pay level of male workers;

Or. en

Amendment 496

Sara Skyttedal, Jessica Polfjärd, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Lukas Mandl, Angelika Winzig, Pernille Weiss, Simone Schmiedtbauer, Barbara Thaler

Proposal for a directive

Article 3 – paragraph 1 – point f

Text proposed by the Commission

(f) ‘*quartile pay band*’ means each of four equal groups of workers into which they are divided according to their pay levels – from the lowest to the highest;

Amendment

deleted

Or. en

Amendment 497

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Marianne Vind, Aurore Lalucq, Brando Benifei,

Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

Proposal for a directive

Article 3 – paragraph 1 – point f a (new)

Text proposed by the Commission

Amendment

(fa) ‘work of equal value’ means work that is determined to be of equal value in accordance with non-discriminatory and objective gender-neutral criteria as set out in Article 4(3) and has to be based on a comparison of two groups of workers which have not been formed in an arbitrary manner. The work performed is comparable, based on an overall assessment of the requirements and nature of work and criteria such as knowledge and skills, responsibility and effort without taking into account working hours for the purpose of clarity. In case professional experience is taken into account in the determination of work of equal value, the party claiming this as a factor shall prove that the higher professional experience generally leads to added value for the work actually performed.

Or. en

Amendment 498

Eugenia Rodríguez Palop, Leila Chaibi, Konstantinos Arvanitis, Marisa Matias, José Gusmão, Marc Botenga, Silvia Modig, Nikolaj Villumsen

Proposal for a directive

Article 3 – paragraph 1 – point f a (new)

Text proposed by the Commission

Amendment

(fa) ‘work of equal value’ means work that is determined to be of equal value in accordance with non-discriminatory and objective gender-neutral criteria as set out in Article 4(3).

Amendment 499

Ernest Urtasun, Kira Marie Peter-Hansen
on behalf of the Greens/EFA Group

Proposal for a directive

Article 3 – paragraph 1 – point f a (new)

Text proposed by the Commission

Amendment

(fa) 'worker' means a natural person who provides work or services in a predominantly personal capacity and is not genuinely operating a business undertaking on his or her own account.

Or. en

Amendment 500

Daniela Rondinelli

Proposal for a directive

Article 3 – paragraph 1 – point g

Text proposed by the Commission

Amendment

(g) category of workers: means workers performing the same work or work of equal value ***grouped by the workers' employer*** based on criteria as laid down in Article 4 of this Directive ***and specified by the employer concerned***;

(g) category of workers: means workers performing the same work or work of equal value based on criteria as laid down in Article 4 of this Directive;

Or. it

Amendment 501

Eugenia Rodríguez Palop, Leila Chaibi, Konstantinos Arvanitis, Marisa Matias, José Gusmão, Marc Botenga, Silvia Modig, Nikolaj Villumsen

Proposal for a directive

Article 3 – paragraph 1 – point g

Text proposed by the Commission

Amendment

(g) ‘category of workers’ means workers performing the same work or work of equal value grouped by the workers’ employer based on criteria as laid down in Article 4 of this Directive and specified by the employer concerned;

(g) ‘category of workers’ means workers performing the same work or work of equal value grouped by the workers’ employer based on criteria as laid down in Article 4 of this Directive and specified by the employer concerned ***in consultation with workers’ representatives***;

Or. en

Amendment 502

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Marianne Vind, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

Proposal for a directive

Article 3 – paragraph 1 – point g

Text proposed by the Commission

Amendment

(g) ‘category of workers’ means workers performing the same work or work of equal value grouped by the workers’ employer based on criteria as laid down in Article 4 of this Directive and specified by the employer concerned;

(g) ‘category of workers’ means workers performing the same work or work of equal value grouped by the workers’ employer based on criteria as laid down in Article 4 of this Directive and specified by the employer concerned ***in consultation with workers representatives***.

Or. en

Amendment 503

Abir Al-Sahlani, Dragoș Pîslaru, Hilde Vautmans, Linea Søgaaard-Lidell, Alin Mituța

Proposal for a directive

Article 3 – paragraph 1 – point g

Text proposed by the Commission

Amendment

(g) ‘category of workers’ means workers performing the same work or work

(g) ‘category of workers’ means ***workers who are grouped by the workers’***

of equal value *grouped by the workers' employer based on criteria as laid down in Article 4 of this Directive and specified by the employer concerned;*

employer with respect to applicable law, collective agreement or other provisions in each Member State with regard to workers performing the same work or work of equal value;

Or. en

Amendment 504

Sara Skyttedal, Jessica Polfjärd, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Lukas Mandl, Angelika Winzig, Pernille Weiss, Simone Schmiedtbauer, Barbara Thaler

Proposal for a directive

Article 3 – paragraph 1 – point g

Text proposed by the Commission

Amendment

(g) ‘category of workers’ means workers *performing the same work or work of equal value* grouped by *the workers' employer based on criteria as laid down in Article 4 of this Directive and specified by the employer concerned;*

(g) ‘category of workers’ means workers grouped by *their respective employers in accordance with national law, collective bargaining agreements, and other relevant practices in the Member State.*

Or. en

Amendment 505

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

Proposal for a directive

Article 3 – paragraph 1 – point g a (new)

Text proposed by the Commission

Amendment

(ga) ‘workers' representatives’ means:
(a) *trade union representatives, namely, representatives designated or elected by trade unions or by members of such unions in accordance with national*

legislation and practices ;

(b) elected representatives, namely, representatives who are freely elected by the workers of the organization, not under the domination or control of the employer in accordance with provisions of national laws or regulations or of collective agreements and whose functions do not include activities which are the exclusive prerogative or trade unions

(c) where there exist (according to national law and practice) in the same organization both trade union representatives and elected representatives, appropriate measures shall be taken to ensure that the existence of elected representatives is not used to undermine the position of the trade unions concerned or their representatives and to ensure the exclusive prerogatives of trade union shall be preserved, in particular the right to collective bargaining and to conclude a collective agreement and to have (digital) access to the workers

(d) workers right to choose to organize in a trade union and to collective bargaining will be respected

Or. en

Amendment 506

Ernest Urtasun, Kira Marie Peter-Hansen
on behalf of the Greens/EFA Group

Proposal for a directive

Article 3 – paragraph 1 – point g a (new)

Text proposed by the Commission

Amendment

(ga) ‘workers’ representatives’ means:

(a) trade union representatives, namely, representatives designated or elected by trade unions or by members of such unions in accordance with national

legislation and practice;

b) elected representatives, namely, representatives who are freely elected by the workers of the undertaking or organisation, not under the domination or control of the employer in accordance with provisions of national laws or regulations or of collective agreements and whose functions do not include activities which are the exclusive prerogative of trade unions;

c) where there exist in the same undertaking both trade union representatives and elected representatives, appropriate measures shall be taken to ensure that the existence of elected representatives is not used to undermine the position of the trade unions concerned or their representatives and to ensure that the exclusive prerogatives of trade unions shall be preserved, in particular their right to collective bargaining and to conclude a collective agreement and to have free access to the workers;

(d) workers right to choose to organise in a trade union and to collective bargaining will be respected;

Or. en

Amendment 507

Eugenia Rodríguez Palop, Leila Chaibi, Konstantinos Arvanitis, Marisa Matias, José Gusmão, Marc Botenga, Silvia Modig, Nikolaj Villumsen

Proposal for a directive

Article 3 – paragraph 1 – point g a (new)

Text proposed by the Commission

Amendment

(ga) ‘workers’ representatives’ means:

(a) trade union representatives, namely, representatives designated or elected by trade unions or by members of such unions in accordance with national

legislation and practice;

(b) elected representatives, namely, representatives who are freely elected by the workers of the undertaking, not under the domination or control of the employer in accordance with provisions of national laws or regulations or of collective agreements and whose functions do not include activities which are the exclusive prerogative of trade unions;

Where there exist (according to national law and practice) in the same undertaking both trade union representatives and elected representatives, appropriate measures shall be taken to ensure that the existence of elected representatives is not used to undermine the position of the trade unions concerned or their representatives, ensuring their exclusive prerogatives and rights as well as workers' right to organise in a trade union and to collective bargaining.

Or. en

Amendment 508
Cindy Franssen

Proposal for a directive
Article 3 – paragraph 1 – point g a (new)

Text proposed by the Commission

Amendment

(ga) ‘Workers’ representative’ means a recognised trade union or other persons designated by workers to represent them in an organisation in accordance with national law or practice. Where both exist in the same organisation, the exclusive prerogatives of trade unions shall be preserved.

Or. en

Amendment 509

Sirpa Pietikäinen, Maria Walsh, Maria da Graça Carvalho, Frances Fitzgerald, Cindy Franssen

Proposal for a directive

Article 3 – paragraph 1 – point g a (new)

Text proposed by the Commission

Amendment

(ga) ‘work of equal value’ means work that is determined to be of equal value in accordance with non-discriminatory and objective gender-neutral criteria as set out in Article 4(5).

Or. en

Amendment 510

Jeroen Lenaers

Proposal for a directive

Article 3 – paragraph 1 – point g a (new)

Text proposed by the Commission

Amendment

(ga) ‘workers’ representatives’ means a recognised trade union or other persons designated by the workers in an organisation to represent them in accordance with national law and/or practice;

Or. en

Amendment 511

Heléne Fritzon, Johan Danielsson, Marianne Vind

Proposal for a directive

Article 3 – paragraph 1 – point g a (new)

Text proposed by the Commission

Amendment

(ga) ‘workers’ representative’ means trade union or workers’ representative according to national law and practice;

Amendment 512

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

Proposal for a directive

Article 3 – paragraph 1 – point i

Text proposed by the Commission

(i) ‘indirect discrimination’ means the situation where an apparently neutral provision, criterion or practice would put persons of one sex at a particular disadvantage compared with persons of the other sex, unless that provision, criterion or practice is objectively justified by a legitimate aim, and the means of achieving that aim are appropriate and necessary;

Amendment

(i) ‘indirect discrimination’ means the situation where an apparently neutral provision, criterion or practice would put persons of one sex at a particular disadvantage compared with persons of the other sex, unless that provision, criterion or practice is objectively justified by a legitimate aim ***in accordance with the criteria laid down in Article 4 of this Directive***, and the means of achieving that aim are appropriate and necessary;

Amendment 513

Eugenia Rodríguez Palop, Leila Chaibi, Konstantinos Arvanitis, Marisa Matias, José Gusmão, Marc Botenga, Silvia Modig, Nikolaj Villumsen, Sandra Pereira

Proposal for a directive

Article 3 – paragraph 1 – point i

Text proposed by the Commission

(i) ‘indirect discrimination’ means the situation where an apparently neutral provision, criterion or practice would put persons of one sex at a particular disadvantage compared with persons of the other sex, unless that provision, criterion or practice is objectively justified by a legitimate aim, and the means of achieving

Amendment

(i) ‘indirect discrimination’ means the situation where an apparently neutral provision, criterion or practice would put persons of one sex at a particular disadvantage compared with persons of the other sex, unless that provision, criterion or practice is objectively justified by a legitimate aim ***in accordance with the***

that aim are appropriate and necessary;

criteria laid down in article 4, and the means of achieving that aim are appropriate and necessary;

Or. en

Amendment 514

Ernest Urtasun

on behalf of the Greens/EFA Group

Proposal for a directive

Article 3 – paragraph 1 – point i a (new)

Text proposed by the Commission

Amendment

(ia) “intersectional discrimination” refers to discrimination on the basis of two or more grounds or characteristics or identities which operate and interact with each other at the same time in such a way as to be inseparable, producing distinct and specific forms of discrimination;

Or. en

Amendment 515

Eugenia Rodríguez Palop, Leila Chaibi, Konstantinos Arvanitis, Marisa Matias, José Gusmão, Marc Botenga, Silvia Modig, Nikolaj Villumsen

Proposal for a directive

Article 3 – paragraph 1 – point i a (new)

Text proposed by the Commission

Amendment

(ia) “intersectional discrimination” refers to discrimination on the basis of two or more grounds or characteristics or identities which operate and interact with each other at the same time in such a way as to be inseparable, producing distinct and specific forms of discrimination;

Or. en

Amendment 516

Sylvie Brunet, Ilana Cicurel, Dragoş Pîslaru, Hilde Vautmans, Irena Joveva, Marie-Pierre Vedrenne, Véronique Trillet-Lenoir, Samira Rafaela, Atidzhe Alieva-Veli, Stéphane Bijoux, Alin Mituţa, Irène Tolleret

Proposal for a directive

Article 3 – paragraph 1 – point i a (new)

Text proposed by the Commission

Amendment

(ia) ‘workers’ representatives’ means trade unions or workers’ representatives according to national law and practices;

Or. en

Amendment 517

Sandra Pereira, Eugenia Rodríguez Palop

Proposal for a directive

Article 3.º – paragraph 1 – point k a (new)

Text proposed by the Commission

Amendment

(ka) ‘collective agreement’ means all agreements in writing regarding pay and working conditions and terms of employment concluded between trade union organisations and other workers’ representative organisations and employers’ organisations following a collective negotiation;

Or. pt

Amendment 518

Sirpa Pietikäinen, Maria Walsh, Maria da Graça Carvalho, Frances Fitzgerald

Proposal for a directive

Article 3 – paragraph 1 – point k a (new)

Text proposed by the Commission

Amendment

(ka) ‘workers’ representative’ means a recognised trade union or other persons

designated by workers to represent them in an organisation in accordance with national law or practice.

Or. en

Amendment 519
Sandra Pereira

Proposal for a directive
Article 3.º – paragraph 1 – point k b (new)

Text proposed by the Commission

Amendment

(kb) ‘workers’ representative organisations’ means trade union organisations or workers’ representatives in accordance with national law and practice;

Or. pt

Amendment 520
Eugenia Rodríguez Palop, Leila Chaibi, Konstantinos Arvanitis, Marisa Matias, José Gusmão, Marc Botenga, Silvia Modig, Nikolaj Villumsen, Sandra Pereira

Proposal for a directive
Article 3 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. For the purposes of the principle of equal pay for equal work or work of equal value:

a) the comparison is between a job carried out by a man and a woman;

b) in circumstances when a person identifies as neither a man or a woman, the comparison is with the person that, carrying out equal work or work of equal value, has the highest pay.

Or. en

Amendment 521

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Marianne Vind, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

Proposal for a directive

Article 3 – paragraph 2 – point a

Text proposed by the Commission

(a) harassment and sexual harassment, within the meaning of Article 2(2) of Directive 2006/54/EC, as well as any less favourable treatment based on a person's rejection of or submission to such conduct, when such harassment or treatment relates to or results from the exercise of the rights provided for in this Directive;

Amendment

(a) harassment and sexual harassment, within the meaning of **Article 1 (c) and** Article 2(2) of Directive 2006/54/EC, as well as any less favourable treatment based on a person's rejection of or submission to such conduct, when such harassment or treatment relates to or results from the exercise of the rights provided for in this Directive;

Or. en

Amendment 522

Sandra Pereira

Proposal for a directive

Article 3.º – paragraph 2 – point b

Text proposed by the Commission

(b) instruction to **discriminate against** persons on grounds of sex;

Amendment

(b) instruction to **differentiate, exclude, restrict or give preference to** persons, on grounds of sex, **that has the purpose or effect of nullifying or restricting the recognition, enjoyment or exercise, on equal terms, of rights, freedoms and guarantees or of economic, social and cultural rights;**

Or. pt

Amendment 523

Sandra Pereira, Eugenia Rodríguez Palop

Proposal for a directive

Article 3.º – paragraph 2 – point c

Text proposed by the Commission

(c) any less favourable treatment of a woman related to pregnancy or maternity leave within the meaning of Council Directive 92/85/EEC⁶¹.

⁶¹ Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 348, 28.11.1992, p. 1).

Amendment

(c) any less favourable treatment of a woman related to pregnancy or maternity leave within the meaning of Council Directive 92/85/EEC⁶¹, ***or of a woman or man related to parental leave or family support leave, or of a man related to parental leave or paternity leave.***

⁶¹ Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16(1) of Directive 89/391/EEC) (OJ L 348, 28.11.1992, p. 1).

Or. pt

Amendment 524

Stelios Kypouropoulos, Jarosław Duda, Loucas Furlas, Radan Kanev

Proposal for a directive

Article 3 – paragraph 2 – subparagraph 1 (new)

Text proposed by the Commission

Amendment

(d) failure by the employer to provide reasonable accommodation to workers with disabilities within the meaning of Article 5 of Directive 2000/78/EC.

Or. en

Amendment 525

Sirpa Pietikäinen, Maria Walsh, Maria da Graça Carvalho, Frances Fitzgerald, Cindy Franssen

Proposal for a directive

Article 3 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) failure by an employer to provide reasonable accommodation to workers with disabilities within the meaning of Article 5 of Directive 2000/78/EC.

Or. en

Amendment 526

Ádám Kósa

Proposal for a directive

Article 3 – paragraph 3

Text proposed by the Commission

Amendment

(3) Pay discrimination under this Directive includes discrimination based on a combination of sex and any other ground or grounds of discrimination protected under Directive 2000/43/EC or Directive 2000/78/EC. ***deleted***

Or. hu

Justification

In my view, these extensions go beyond the fundamental aim of the proposal for a directive to establish common minimum standards for better and more effective enforcement of the principle of equal pay for men and women. On the other hand, they cause great uncertainty during the implementation of the directive in terms of recognising the existence of discrimination, deciding on the appropriate comparator, assessing the proportionality, and determining, where relevant, the level of compensation awarded or penalties imposed.

Amendment 527

Sara Skyttedal, Jessica Polfjård, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari

Proposal for a directive
Article 3 – paragraph 3

Text proposed by the Commission

Amendment

3. *Pay discrimination under this Directive includes discrimination based on a combination of sex and any other ground or grounds of discrimination protected under Directive 2000/43/EC or Directive 2000/78/EC.* *deleted*

Or. en

Amendment 528
Margarita de la Pisa Carrión

Proposal for a directive
Article 3 – paragraph 3

Text proposed by the Commission

Amendment

3. Pay discrimination under this Directive *includes* discrimination based on *a combination of sex and any other ground or grounds of discrimination protected under Directive 2000/43/EC or Directive 2000/78/EC.*

3. Pay discrimination under this Directive *derives from* discrimination based on sex, *contrary to Article 157 of the TFEU.*

Or. es

Justification

Any other grounds of discrimination would lie outside the Directive's legal basis, as well as the scope of the Impact Assessment carried out by the Commission, and would infringe the principles of attribution, proportionality and 'ultra vires'.

Amendment 529

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

Proposal for a directive

Article 3 – paragraph 3

Text proposed by the Commission

3. Pay discrimination under this Directive includes discrimination based on a combination of sex **and** any other ground or grounds of discrimination protected under Directive 2000/43/EC or Directive 2000/78/EC.

Amendment

3. Pay discrimination under this Directive includes discrimination based on a combination of sex **and/or** any other ground or grounds of discrimination protected under Directive 2000/43/EC or Directive 2000/78/EC.

Or. en

Amendment 530

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

Proposal for a directive Article 3 a (new)

Text proposed by the Commission

Amendment

Article 3 a

Prohibition of discrimination

1. In order to achieve the Union's goal of equal pay for equal work or work of equal value, direct and indirect discrimination on grounds of sex with regard to all aspects and conditions of remuneration shall be eliminated.

2. In particular, where a job classification system is used for determining pay, it shall be based on the same criteria for all workers and so drawn up as to exclude any discrimination on the grounds of sex.

Or. en

Amendment 531

Eugenia Rodríguez Palop, Leila Chaibi, Konstantinos Arvanitis, Marisa Matias, José Gusmão, Marc Botenga, Silvia Modig, Nikolaj Villumsen

Proposal for a directive
Article 4 – paragraph -1 (new)

Text proposed by the Commission

Amendment

-1. Member States shall clarify the concept of ‘work of equal value’ in national law, in accordance with the case law of the Court and point 10 of Recommendation 2014/124/EU, basing the value of work on objective, gender neutral criteria in accordance with paragraph 3 of this article.

Or. en

Amendment 532

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

Proposal for a directive
Article 4 – paragraph 1

Text proposed by the Commission

Amendment

1. Member States shall take the necessary measures to ensure that employers have pay structures in place ensuring that **women and men** are paid equally for the same work or work of equal value.

1. Member States shall take the necessary measures **after consulting with the social partners and equality bodies** to ensure that employers have pay structures in place ensuring that **workers** are paid equally for the same work or work of equal value **without discrimination based on the grounds of sex. Member States may allow social partners to negotiate and conclude collective agreements to secure the enforcement of equal pay between women and men for equal work or work of equal value**

Or. en

Amendment 533

Pernille Weiss, Sara Skyttedal, Jessica Polfjärd, Christine Schneider, Lukas Mandl, Angelika Winzig

Proposal for a directive

Article 4 – paragraph 1

Text proposed by the Commission

1. Member States shall take the necessary measures to ensure that employers have pay structures in place ensuring that women and men are paid equally for the same work or work of equal value.

Amendment

1. Member States shall take the necessary measures to ensure that employers have pay structures in place ensuring that women and men are paid equally for the same work or work of equal value. ***Where wage setting is ensured via collective agreements between social partners member states may entrust the social partners to ensure that women and men are paid equally for the same work or work of equal value.***

Or. en

Amendment 534

Elżbieta Rafalska

Proposal for a directive

Article 4 – paragraph 1

Text proposed by the Commission

1. Member States shall take the necessary measures to ensure that employers have pay structures in place ensuring that women and men are paid equally for the same work or work of equal value.

Amendment

1. Member States shall take the necessary measures to ensure that employers have pay structures in place ensuring that women and men are paid equally for the same work or work of equal value. ***The development of tools or methodologies for Member States to assess and compare the value of work shall facilitate the adaptation of such instruments to the specific characteristics of the individual Member States.***

Or. pl

Amendment 535
Jessica Stegrud

Proposal for a directive
Article 4 – paragraph 1

Text proposed by the Commission

1. Member States shall take the necessary measures to ensure that employers have pay structures in place ensuring that women and men are paid equally for the same work or work of equal value.

Amendment

1. Member States shall take the necessary measures to ensure that employers have pay structures in place ensuring that women and men are paid equally for the same work or work of equal value. ***This does not preclude employers to pay differently workers doing the same work or work of equal value on the basis of performance and competence.***

Or. en

Amendment 536

Maria Walsh, Sirpa Pietikäinen, Jarosław Duda, Frances Fitzgerald, Deirdre Clune, Stelios Kympouropoulos, Loucas Fourlas

Proposal for a directive
Article 4 – paragraph 1

Text proposed by the Commission

1. Member States shall take the necessary measures to ensure that employers have pay structures in place ensuring that women and men are paid equally for the same work or work of equal value.

Amendment

1. Member States shall take the necessary measures, ***after consulting the social partners and the equality bodies or other competent authority*** to ensure that employers have pay structures in place ensuring that women and men are paid equally for the same work or work of equal value.

Or. en

Justification

The institutional architecture of equality bodies is diverse, in terms of their mandates, functions, and grounds covered.

Amendment 537
Sandra Pereira

Proposal for a directive
Article 4.º – paragraph 1

Text proposed by the Commission

1. Member States shall take the necessary measures to ensure that employers have pay structures in place ensuring that women and men are paid equally for the same work or work of equal value.

Amendment

1. Member States shall take the necessary measures to ensure ***that pay, careers and jobs are valued, and*** that employers have pay structures in place ensuring that women and men are paid equally for the same work or work of equal value.

Or. pt

Amendment 538
Anne Sander

Proposal for a directive
Article 4 – paragraph 1

Text proposed by the Commission

1. Member States shall take the necessary measures to ensure that employers have pay structures in place ensuring that women and men are paid equally for the same work or work of equal value.

Amendment

1. Member States, ***in cooperation with the social partners***, shall take the necessary measures to ensure that employers have pay structures in place ensuring that women and men are paid equally for the same work or work of equal value.

Or. fr

Amendment 539
Sara Skyttedal, Jessica Polfjärd, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Henna Virkkunen, Radan Kanev, Lukas Mandl, Angelika Winzig, Pernille Weiss, Simone Schmiedtbauer, Barbara Thaler

Proposal for a directive
Article 4 – paragraph 1

Text proposed by the Commission

1. Member States shall take the necessary measures to ensure that employers have pay structures in place ensuring that women and men are paid equally for the same work or work of equal value.

Amendment

1. Member States shall take the necessary measures to ensure that employers have pay structures in place ensuring that women and men are paid equally for the same work or work of equal value ***performed for the same employer***.

Or. en

Amendment 540

Abir Al-Sahlani, Dragoş Pîslaru, Hilde Vautmans, Linea Søgaaard-Lidell, Alin Mituţa

**Proposal for a directive
Article 4 – paragraph 1**

Text proposed by the Commission

1. Member States shall take the necessary measures to ensure that employers have pay structures in place ensuring that women and men are paid equally for the same work or work of equal value.

Amendment

1. Member States shall take the necessary measures to ensure that employers have pay structures in place ensuring that women and men are paid equally for the same work or work of equal value ***performed at the same employer***

Or. en

Amendment 541

Daniela Rondinelli

**Proposal for a directive
Article 4 – paragraph 1**

Text proposed by the Commission

1. Member States shall take the necessary measures to ensure that employers have pay structures in place ensuring that women and men are paid equally for the same work or work of equal value.

Amendment

1. Member States, ***with the social partners***, shall take the necessary measures to ensure that employers have pay structures in place ensuring that women and men are paid equally for the same work or work of equal value.

Or. it

Amendment 542

Christine Schneider, Sabine Verheyen, Ralf Seekatz, Peter Liese, Peter Jahr, Sven Simon, Stefan Berger, Axel Voss, Angelika Niebler, Angelika Winzig, Lukas Mandl, Georgios Kyrtos, Lena Düpont, Jens Gieseke, Markus Pieper, Markus Ferber

Proposal for a directive

Article 4 – paragraph 1

Text proposed by the Commission

1. Member States shall take the necessary measures to ensure ***that employers have pay structures in place ensuring*** that women and men are paid equally for the same work or work of equal value.

Amendment

1. Member States shall take the necessary measures to ensure that women and men are paid equally for the same work or work of equal value.

Or. en

Amendment 543

Ernest Urtasun

on behalf of the Greens/EFA Group

Proposal for a directive

Article 4 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Member States shall clarify the concept of ‘work of equal value’ in national law, in accordance with the case-law of the Court and point 10 of Recommendation 2014/124/EU, basing the value of work on objective, gender-neutral criteria in accordance with paragraph 3 of this Article.

Or. en

Amendment 544

Ernest Urtasun, Kira Marie Peter-Hansen

on behalf of the Greens/EFA Group

Proposal for a directive
Article 4 – paragraph 2

Text proposed by the Commission

2. Member States shall take the necessary measures **ensuring** that tools or methodologies are established **to assess and compare** the value of work in **line** with the criteria set out in this Article. These tools or methodologies **may** include gender-neutral job evaluation and classification systems.

Amendment

2. Member States shall take the necessary measures, **after consulting the social partners and the equality bodies, to ensure** that tools or methodologies are established **and are easily accessible to workers and employers for the purpose of assessing and comparing** the value of work in **accordance** with the criteria set out in this Article **and to encourage the use of such tools or methodologies to determine pay levels**. These tools or methodologies **shall be established with the involvement of the social partners, and the worker's representatives, or in the absence thereof, the workers concerned shall be involved in the process and be given access to all relevant information. These tools shall** include gender-neutral job evaluation and classification systems.

Or. en

Amendment 545

Sirpa Pietikäinen, Maria da Graça Carvalho, Cindy Franssen, Frances Fitzgerald

Proposal for a directive
Article 4 – paragraph 2

Text proposed by the Commission

2. Member States shall take the necessary measures **ensuring** that tools or methodologies are established to assess and compare the value of work in line with the criteria set out in this Article. **These** tools or methodologies **may** include gender-neutral job evaluation and classification systems.

Amendment

2. Member States shall take the necessary measures, **after consulting the social partners and the equality bodies, to ensure** that tools or methodologies are established to assess and compare the value of work in line with the criteria set out in this Article. **Those** tools or methodologies **shall be easily accessible by workers and employers. The European Institute for Gender Equality (EIGE) shall certify those tools or methodologies. Those tools or methodologies shall be implemented**

with the involvement of the social partners at employer or sectoral level, and shall include gender-neutral job evaluation and classification systems.

Or. en

Amendment 546
Anne Sander

Proposal for a directive
Article 4 – paragraph 2

Text proposed by the Commission

2. Member States shall take the necessary measures ensuring that tools or methodologies are established to assess and compare the value of work in line with the criteria set out in this Article. These tools or methodologies may include gender-neutral job evaluation and classification systems.

Amendment

2. Member States, ***in cooperation with the social partners***, shall take the necessary measures ensuring that tools or methodologies are established to assess and compare the value of work in line with the criteria set out in this Article. These tools or methodologies may include gender-neutral job evaluation and classification systems.

The measures implemented shall fully respect the autonomy of the social partners and encourage social dialogue, thus providing a framework for pay-setting practices.

Or. fr

Amendment 547
Eugenia Rodríguez Palop, Leila Chaibi, Konstantinos Arvanitis, Marisa Matias, José Gusmão, Marc Botenga, Silvia Modig, Nikolaj Villumsen

Proposal for a directive
Article 4 – paragraph 2

Text proposed by the Commission

2. Member States shall take the necessary measures ensuring that tools or methodologies are established ***to assess and compare*** the value of work in line with

Amendment

2. Member States shall take the necessary measures ensuring that tools or methodologies are established ***and are easily accessible to workers and employers***

the criteria set out in this Article. These tools or methodologies *may* include gender-neutral job evaluation and classification systems.

for the purpose of assessing and comparing the value of work in line with the criteria set out in this Article. These tools or methodologies *shall be established with the involvement of social partners and the support of equality bodies, and shall* include gender-neutral job evaluation and classification systems.

Or. en

Amendment 548

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Marianne Vind, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

Proposal for a directive Article 4 – paragraph 2

Text proposed by the Commission

2. Member States shall take the necessary measures ensuring that tools or methodologies are established *to assess and compare* the value of work in *line* with the criteria set out in this Article. These tools or methodologies *may* include gender-neutral job evaluation and classification systems.

Amendment

2. Member States shall take the necessary measures ensuring that tools or methodologies are established *and are easily accessible to workers and employers for the purpose of assessing and comparing* the value of work in *accordance* with the criteria set out in this Article. These tools or methodologies *shall* include gender-neutral job evaluation and classification systems. *These tools or methodologies shall be established with the involvement of the social partners.*

Or. en

Amendment 549 Jeroen Lenaers

Proposal for a directive Article 4 – paragraph 2

Text proposed by the Commission

2. Member States shall take the necessary measures ensuring that tools or methodologies are established to assess and compare the value of work in line with the criteria set out in this Article. These tools or methodologies may include gender-neutral job evaluation and classification systems.

Amendment

2. Member States shall take the necessary measures ensuring that tools or methodologies are established to assess and compare the value of work in line with the criteria set out in this Article. These tools or methodologies may include gender-neutral job evaluation and classification systems. ***Member States may choose to develop these tools or methodologies in cooperation with social partners or leave the task to them.***

Or. en

Amendment 550

Maria Walsh, Jarosław Duda, Frances Fitzgerald, Deirdre Clune, Stelios Kypourouopoulos, Loucas Fourlas

**Proposal for a directive
Article 4 – paragraph 2**

Text proposed by the Commission

2. Member States shall take the necessary measures ***ensuring*** that tools or methodologies are established to assess and compare the value of work in line with the criteria set out in this Article. These tools or methodologies may include gender-neutral job evaluation and classification systems.

Amendment

2. Member States shall take the necessary measures, ***after consulting the social partners and equality bodies or other competent authority, to ensure*** that tools or methodologies are established to assess and compare the value of work in line with the criteria set out in this Article. These tools or methodologies may include gender-neutral job evaluation and classification systems

Or. en

Amendment 551

Daniela Rondinelli

**Proposal for a directive
Article 4 – paragraph 2**

Text proposed by the Commission

2. Member States shall take the necessary measures ensuring that tools or methodologies are established to assess and compare the value of work in line with the criteria set out in this Article. These tools or methodologies may include gender-neutral job evaluation and classification systems.

Amendment

2. Member States, **with the social partners**, shall take the necessary measures ensuring that tools or methodologies are established to assess and compare the value of work in line with the criteria set out in this Article. These tools or methodologies may include gender-neutral job evaluation and classification systems.

Or. it

Amendment 552

Margarita de la Pisa Carrión

Proposal for a directive

Article 4 – paragraph 2

Text proposed by the Commission

2. Member States shall take the necessary measures ensuring that tools or methodologies are established to assess and compare the value of work in line with the criteria set out in this Article. **These** tools or methodologies **may include gender-neutral** job evaluation and classification systems.

Amendment

2. Member States shall take the necessary measures ensuring that tools or methodologies are established to assess and compare the value of work in line with the criteria set out in this Article. **The** tools or methodologies **used for** job evaluation and classification **shall avoid any salary discrimination between men and women**.

Or. es

Amendment 553

Sara Skyttedal, Jessica Polfjärd, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Lukas Mandl, Angelika Winzig, Pernille Weiss, Simone Schmiedtbauer, Barbara Thaler

Proposal for a directive

Article 4 – paragraph 2

Text proposed by the Commission

2. Member States shall take the necessary measures ensuring **that tools or methodologies are established** to assess

Amendment

2. Member States shall take the necessary measures ensuring **guidance** to assess and compare the value of work in

and compare the value of work in line with the criteria set out in this Article. **These tools or methodologies** may include gender-neutral job evaluation and classification systems.

line with the criteria set out in this Article. **This guidance** may include gender-neutral job evaluation and classification systems.

Or. en

Amendment 554

Abir Al-Sahlan, Dragoş Pîslaru, Hilde Vautmans, Linea Søgaaard-Lidell, Alin Mituţa

Proposal for a directive

Article 4 – paragraph 2

Text proposed by the Commission

2. Member States shall **take the necessary** measures ensuring **that tools or methodologies are established** to assess and compare the value of work in line with the criteria set out in this Article. These **tools or methodologies** may include gender-neutral job evaluation and classification systems.

Amendment

2. Member States shall **together with social partners take appropriate** measures ensuring **adequate guidance** to assess and **when possible** compare the value of work in line with the criteria set out in this Article. These **recommendations** may include gender-neutral job evaluation and classification systems.

Or. en

Amendment 555

Jadwiga Wiśniewska

Proposal for a directive

Article 4 – paragraph 2

Text proposed by the Commission

2. Member States shall take the necessary measures ensuring that tools or methodologies are established to assess and compare the value of work in line with the criteria set out in this Article. These tools or methodologies may include **gender-neutral** job evaluation and classification systems.

Amendment

2. Member States shall take the necessary measures ensuring that tools or methodologies are established to assess and compare the value of work in line with the criteria set out in this Article. These tools or methodologies may include **sex-neutral** job evaluation and classification systems.

Or. en

Amendment 556
Silvia Modig

Proposal for a directive
Article 4 – paragraph 3

Text proposed by the Commission

3. The tools or methodologies shall allow assessing, in regard to the value of work, whether workers are in a comparable situation, on the basis of objective criteria **which** shall **include** educational, professional and training requirements, skills, effort **and** responsibility, **work undertaken** and the **nature of the tasks involved**. They shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' **sex**.

Amendment

3. The tools or methodologies **referred to in paragraph 2** shall allow assessing, in regard to the value of work, whether workers are in a comparable situation, on the basis of objective, **gender neutral criteria**. **Those gender neutral criteria shall be agreed with the social partners. Those criteria shall cover at least the following:**

(a) educational, professional and training requirements;

(b) skills, **including the knowledge necessary to meet the requirements of a job, interpersonal skills and problem solving, education, training, experience, knowledge, organisational skills;**

(c) effort, **including mental, psycho-social and physical effort;**

(d) responsibility, **including for people, goods and equipment, information and financial resources, responsibility, including accountability, information or financial resources;**

(e) working conditions, **including those relating to the working environment (physical, psychological and emotional) and the organisational environment.**

The tools or methodologies referred to in paragraph 2 shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' **gender**. **Member States shall provide support to employers and the social partners, including training and detailed guidance**

on establishing the objective, gender-neutral criteria referred to in the first subparagraph of this paragraph and the tools and methodologies referred to paragraph 2.

Or. en

Amendment 557

Sirpa Pietikäinen, Maria da Graça Carvalho, Frances Fitzgerald

Proposal for a directive

Article 4 – paragraph 3

Text proposed by the Commission

3. The tools or methodologies shall allow ***assessing, in*** regard to the value of work, whether workers are in a comparable situation, on the basis of objective criteria ***which*** shall include educational, professional and training requirements, skills, effort and responsibility, ***work undertaken*** and the ***nature of the tasks involved***. ***They*** shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' sex.

Amendment

3. The tools or methodologies ***referred to in paragraph 2*** shall allow ***for an assessment, with*** regard to the value of work, ***of*** whether workers are in a comparable situation, on the basis of objective, ***gender-neutral*** criteria ***agreed upon with social partners***. ***Those tools or methodologies*** shall include, ***but are not limited to:***

(a) educational, including formal and non-formal educational, professional and training requirements;

(b) skills, including those necessary to meet the requirements of a job, people centred and interpersonal skills and problem solving;

(c) effort including mental and psycho-social effort and physical effort;

(d) responsibility, including for people, goods and equipment, information and financial resources;

(e) working conditions, including those relating to the working environment (physical, psychological or emotional) and the organisational environment.

The tools or methodologies referred to in

paragraph 2 shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' sex. ***Member States shall provide support to employers and the social partners, including training and detailed guidance on establishing the criteria referred to in the first subparagraph of this paragraph and the tools and methodologies referred to in paragraph 2.***

Or. en

Amendment 558

Ernest Urtasun

on behalf of the Greens/EFA Group

Proposal for a directive

Article 4 – paragraph 3

Text proposed by the Commission

3. The tools or methodologies shall allow assessing, in regard to the value of work, whether workers are in a comparable situation, on the basis of objective criteria ***which*** shall ***include*** educational, professional and training requirements, skills, effort ***and*** responsibility, ***work undertaken*** and the ***nature of the tasks involved***. They shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' ***sex***.

Amendment

3. The tools or methodologies ***referred to in paragraph 2*** shall allow assessing, in regard to the value of work, whether workers are in a comparable situation, on the basis of objective, ***gender neutral criteria***. ***These gender neutral criteria shall be agreed with the social partners and shall cover at least the following:***

(a) educational, professional and training requirements;

(b) skills, ***including the knowledge necessary to meet the requirements of a job, interpersonal skills and problem solving;***

(c) effort, ***including mental, psycho-social and physical effort;***

(d) responsibility, ***including for people, goods and equipment, information and financial resources;***

(e) working conditions, including those relating to the working environment (physical, psychological and emotional) and the organisational environment.

The tools or methodologies referred to in paragraph 2 shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' gender. Member States shall provide support to employers and the social partners, including training and detailed guidance on establishing the objective, gender-neutral criteria referred to in the first subparagraph of this paragraph and the tools and methodologies referred to in paragraph 2.

Or. en

Amendment 559

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Marianne Vind, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picerno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń

Proposal for a directive Article 4 – paragraph 3

Text proposed by the Commission

3. The tools or methodologies shall allow assessing, in regard to the value of work, whether workers are in a comparable situation, on the basis of objective criteria **which** shall include educational, professional and training requirements, skills, effort **and** responsibility, **work undertaken** and the **nature of the tasks involved**. They shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' sex.

Amendment

3. The tools or methodologies **as referred to in paragraph 2** shall allow assessing, in regard to the value of work, whether workers are in a comparable situation, on the basis of objective **and gender neutral criteria**. **Those gender-neutral criteria shall be agreed with the social partners and shall include but not be limited to: formal and non-formal educational, professional and training requirements, skills, including the knowledge necessary to meet the requirements of a job, interpersonal skills and problem solving, effort, including mental, psycho-social and physical effort,**

responsibility, *including for people, goods and equipment, information and financial resources, and working conditions including those relating to the working environment* and the *organisational environment*. *The tools or methodologies referred to in paragraph 2* shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' sex.

Or. en

Amendment 560

Eugenia Rodríguez Palop, Leila Chaibi, Konstantinos Arvanitis, Marisa Matias, José Gusmão, Marc Botenga, Silvia Modig, Nikolaj Villumsen

Proposal for a directive Article 4 – paragraph 3

Text proposed by the Commission

3. The tools or methodologies shall allow assessing, in regard to the value of work, whether workers are in a comparable situation, on the basis of objective criteria which shall include educational, professional and training requirements, skills, effort and responsibility, *work undertaken* and the *nature of the tasks involved*. *They shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' sex.*

Amendment

3. The tools or methodologies shall allow assessing, in regard to the value of work, whether workers are in a comparable situation, on the basis of objective *gender-neutral* criteria which *should include aspects of jobs carried out predominantly by women that are frequently overlooked*. *Those criteria* shall include *but not be limited to:*

- a) educational, professional and training requirements, acquired learning and knowledge;*
- b) skills, including experience, interpersonal skills, problem solving, judgement and organisational skills;*
- c) effort, including mental, emotional, psycho-social and physical effort;*
- d) accountability and responsibility, including for people, goods and equipment, information and financial*

resources;

e) working conditions, including those relating to the working environment (physical, psychological and emotional) and the organisational environment.

Or. en

Amendment 561

Sylvie Brunet, Ilana Cicurel, Dragoş Pîslaru, Hilde Vautmans, Irena Joveva, Marie-Pierre Vedrenne, Stéphane Bijoux, Véronique Trillet-Lenoir, Alin Mituța

Proposal for a directive

Article 4 – paragraph 3

Text proposed by the Commission

3. The tools or methodologies shall allow assessing, in regard to the value of work, whether workers are in a comparable situation, on the basis of objective criteria **which** shall include educational, professional and training requirements, skills, **effort and** responsibility, work undertaken **and** the nature of the tasks involved. They shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' sex.

Amendment

3. The tools or methodologies shall allow assessing, in regard to the value of work, whether workers are in a comparable situation, on the basis of objective criteria. ***Those criteria shall be agreed with the social partners and shall include, for instance :***

(a) educational, professional and training requirements;

(b) skills, ***including the knowledge necessary to meet the requirements of a job, interpersonal skills and problem solving;***

(c) responsibility, ***including for people, goods and equipment, information and financial resources;***

(d) work undertaken;

(e) the nature of the tasks involved

They shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' sex.

Or. en

Amendment 562

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Marianne Vind, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń

Proposal for a directive

Article 4 – paragraph 3

Text proposed by the Commission

3. The tools or methodologies shall allow assessing, in regard to the value of work, whether workers are in a comparable situation, on the basis of objective criteria which shall include educational, professional and training requirements, skills, effort and responsibility, work undertaken and the nature of the tasks involved. They shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' sex.

Amendment

3. The tools or methodologies shall allow assessing, in regard to the value of work, whether workers are in a comparable situation, on the basis of objective criteria which shall include educational, professional and training requirements, skills, effort and responsibility, work undertaken and the nature of the tasks involved. They shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' sex.

Member States shall provide support to employers and the social partners, including training and detailed guidance on establishing the objective, gender-neutral criteria referred to in the first subparagraph of this paragraph and the tools and methodologies referred to paragraph 2.

Or. en

Amendment 563

Margarita de la Pisa Carrión

Proposal for a directive

Article 4 – paragraph 3

Text proposed by the Commission

3. The tools or methodologies shall allow assessing, in regard to the value of work, whether workers are in a comparable

Amendment

3. The tools or methodologies shall allow assessing, in regard to the value of work, whether workers are in a comparable

situation, on the basis of objective criteria which shall include educational, professional and training requirements, skills, effort and responsibility, work undertaken and the nature of the tasks involved. They shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' sex.

situation, on the basis of objective criteria which shall include educational, professional, **organisational** and training requirements, skills, **experience**, **commitment to the undertaking's aims**, effort and responsibility, work undertaken and the nature of the tasks involved, **as well as general and specific criteria deriving from collective bargaining. This list of criteria is non-exhaustive.** They shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' sex.

Or. es

Amendment 564

Maria Walsh, Jarosław Duda, Frances Fitzgerald, Deirdre Clune, Stelios Kympouropoulos, Loucas Fourlas

Proposal for a directive Article 4 – paragraph 3

Text proposed by the Commission

3. The tools or methodologies shall allow assessing, in regard to the value of work, whether workers are in a comparable situation, on the basis of objective criteria **which** shall include educational, professional and training requirements, skills, effort and responsibility, work undertaken **and** the nature of the tasks involved. They shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' sex.

Amendment

3. The tools or methodologies shall allow assessing, in regard to the value of work, whether workers are in a comparable situation, on the basis of objective criteria. **These criteria** shall include, **for example**, educational, professional and training requirements, skills, effort and responsibility, work undertaken, the nature of the tasks involved, **ability and performance, sector specific work organization, productivity and length of service.** They shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' sex

Or. en

Amendment 565

Elżbieta Rafalska

Proposal for a directive
Article 4 – paragraph 3

Text proposed by the Commission

3. The tools or methodologies shall allow assessing, in regard to the value of work, whether workers are in a comparable situation, on the basis of objective criteria which shall include educational, professional and training requirements, skills, effort and responsibility, work undertaken and the nature of the tasks involved. They shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' sex.

Amendment

3. The tools or methodologies shall allow assessing, in regard to the value of work, whether workers are in a comparable situation, on the basis of objective **and robust** criteria which shall include educational, professional and training requirements, skills, **individual jobs and the varying range of tasks and duties associated with them**, effort and responsibility, **working conditions**, work undertaken and the nature of the tasks involved. They shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' sex.

Or. pl

Amendment 566

Sara Skyttedal, Jessica Polfjärd, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Henna Virkkunen, Radan Kanev, Lukas Mandl, Angelika Winzig, Pernille Weiss, Simone Schmiedtbauer, Barbara Thaler

Proposal for a directive
Article 4 – paragraph 3

Text proposed by the Commission

3. **The tools or methodologies** shall allow assessing, in regard to the value of work, whether workers are in a comparable situation, on the basis of objective criteria which **shall** include educational, professional and training requirements, skills, effort and responsibility, work undertaken and the nature of the tasks involved. They shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' sex.

Amendment

3. **An overall assessment according to this guidance** shall allow assessing, in regard to the value of work, whether workers are in a comparable situation, on the basis of objective criteria which **may** include educational, professional and training requirements, skills, effort and responsibility, work undertaken and the nature of the tasks involved **and similar criteria defined in national law and collective bargaining agreements**. They shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' sex.

Amendment 567

Abir Al-Sahlani, Atidzhe Alieva-Veli, Linea Sogaard-Lidell

Proposal for a directive

Article 4 – paragraph 3

Text proposed by the Commission

3. ***The tools or methodologies shall allow assessing***, in regard to the value of work, whether workers are in a comparable situation, on the basis of objective criteria which ***shall*** include educational, professional and training requirements, skills, effort and responsibility, work undertaken and the nature of the tasks involved. They shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' sex.

Amendment

3. ***An overall assessment according to this guidance***, in regard to the value of work, whether workers are in a comparable situation, on the basis of objective criteria which ***may*** include educational, professional and training requirements, skills, effort and responsibility, work undertaken and the nature of the tasks involved ***or similar criteria laid down by national law or by collective agreement***. They shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' sex.

Amendment 568

Anne Sander

Proposal for a directive

Article 4 – paragraph 3

Text proposed by the Commission

3. The tools or methodologies shall allow assessing, in regard to the value of work, whether workers are in a comparable situation, on the basis of objective criteria which shall include educational, professional and training requirements, skills, effort and responsibility, work undertaken and the nature of the tasks involved. They shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' sex.

Amendment

3. The tools or methodologies shall allow assessing, in regard to the value of work, whether workers are in a comparable situation, on the basis of objective criteria which shall include educational, professional and training requirements, skills, effort and responsibility, work undertaken and the nature of the tasks involved ***and the specific characteristics of the undertaking concerned***. They shall not contain or be based on criteria which

are based, whether directly or indirectly, on workers' sex.

Or. fr

Amendment 569

Sandra Pereira

Proposal for a directive

Article 4.^o – paragraph 3

Text proposed by the Commission

3. The tools or methodologies shall allow assessing, in regard to the value of work, whether workers are in a comparable situation, on the basis of objective criteria which shall include educational, professional and training requirements, skills, effort and responsibility, work undertaken and the nature of the tasks involved. They shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' sex.

Amendment

3. The tools or methodologies shall allow assessing, in regard to the value of work, whether workers are in a comparable situation, on the basis of objective criteria which shall include, ***among others considered relevant***, educational, professional and training requirements, skills, effort and responsibility, work undertaken and the nature of the tasks involved. They shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' sex.

Or. pt

Amendment 570

Christine Schneider, Sabine Verheyen, Ralf Seekatz, Peter Liese, Peter Jahr, Sven Simon, Stefan Berger, Axel Voss, Angelika Niebler, Angelika Winzig, Lukas Mandl, Georgios Kyrtos, Lena Düpont, Jens Gieseke, Markus Pieper, Markus Ferber, Henna Virkkunen

Proposal for a directive

Article 4 – paragraph 3

Text proposed by the Commission

3. The tools or methodologies shall allow assessing, in regard to the value of work, whether workers are in a comparable situation, on the basis of objective criteria which shall include educational, ***professional and training*** requirements,

Amendment

3. The tools or methodologies shall allow assessing, in regard to the value of work, whether workers are in a comparable situation, on the basis of objective criteria ***regarding the requirements of the work*** which shall include educational

skills, *effort and responsibility*, work undertaken *and the nature of the tasks involved*. They shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' sex.

requirements, skills *and* work undertaken. They shall not contain or be based on criteria which are based, whether directly or indirectly, on workers' sex.

Or. en

Amendment 571

Sara Skyttedal, Jessica Polfjärd, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Henna Virkkunen, Radan Kanev, Lukas Mandl, Angelika Winzig, Pernille Weiss, Simone Schmiedtbauer, Barbara Thaler

Proposal for a directive Article 4 – paragraph 4

Text proposed by the Commission

Amendment

4. Whenever differences in pay can be attributed to a single source establishing the pay conditions, the assessment whether workers are carrying out the same work or work of equal value shall not be limited to situations in which female and male workers work for the same employer but may be extended to that single source. The assessment shall also not be limited to workers employed at the same time as the worker concerned. Where no real comparator can be established, a comparison with a hypothetical comparator or the use of other evidence allowing to presume alleged discrimination shall be permitted. *deleted*

Or. en

Amendment 572

Christine Schneider, Sabine Verheyen, Ralf Seekatz, Peter Liese, Peter Jahr, Sven Simon, Stefan Berger, Axel Voss, Angelika Niebler, Angelika Winzig, Lukas Mandl, Pernille Weiss, Georgios Kyrtos, Lena Düpont, Jens Gieseke, Markus Pieper, Markus Ferber

Proposal for a directive Article 4 – paragraph 4

Text proposed by the Commission

Amendment

4. *Whenever differences in pay can be attributed to a single source establishing the pay conditions, the assessment whether workers are carrying out the same work or work of equal value shall not be limited to situations in which female and male workers work for the same employer but may be extended to that single source. The assessment shall also not be limited to workers employed at the same time as the worker concerned. Where no real comparator can be established, a comparison with a hypothetical comparator or the use of other evidence allowing to presume alleged discrimination shall be permitted.* **deleted**

Or. en

Amendment 573

Dennis Radtke, Radan Kanev, Romana Tomc

Proposal for a directive Article 4 – paragraph 4

Text proposed by the Commission

Amendment

4. *Whenever differences in pay can be attributed to a single source establishing the pay conditions, the assessment whether workers are carrying out the same work or work of equal value shall not be limited to situations in which female and male workers work for the same employer but may be extended to that single source. The assessment shall also not be limited to workers employed at the same time as the worker concerned. Where no real comparator can be established, a comparison with a hypothetical comparator or the use of other evidence allowing to presume alleged discrimination shall be permitted.* **deleted**

Amendment 574
Ádám Kósa

Proposal for a directive
Article 4 – paragraph 4

Text proposed by the Commission

(4) Whenever differences in pay can be attributed to a single source establishing the pay conditions, the assessment whether workers are carrying out the same work or work of equal value shall not be limited to situations in which female and male workers work for the same employer but may be extended to that single source. The assessment shall also not be limited to workers employed at the same time as the worker concerned. ***Where no real comparator can be established, a comparison with a hypothetical comparator or the use of other evidence allowing to presume alleged discrimination shall be permitted.***

Amendment

(4) Whenever differences in pay can be attributed to a single source establishing the pay conditions, the assessment whether workers are carrying out the same work or work of equal value shall not be limited to situations in which female and male workers work for the same employer but may be extended to that single source. The assessment shall also not be limited to workers employed at the same time as the worker concerned.

Justification

In our view, such a vague and unclear provision does not meet the requirements of normative clarity or legal certainty, and enlarges the scope of comparison to a virtually unlimited extent. The provision above is particularly contradictory given that, in contrast to this, employers may justify and substantiate the contested discrimination solely on the basis of objective criteria [Article 4(3)].

Amendment 575

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń

Proposal for a directive

Article 4 – paragraph 4

Text proposed by the Commission

4. Whenever differences in pay can be attributed to a single source establishing the pay conditions, the assessment whether workers are carrying out the same work or work of equal value shall not be limited to situations in which **female and male** workers work for the same employer but may be extended to that single source. The assessment shall also not be limited to workers employed at the same time as the worker concerned. Where no real comparator can be established, a comparison with a hypothetical comparator or the use of other evidence allowing to presume alleged discrimination shall be permitted.

Amendment

4. Whenever differences in pay can be attributed to a single source establishing the pay conditions, the assessment whether workers are carrying out the same work or work of equal value shall not be limited to situations in which workers work for the same employer but may be extended to that single source **and cross-sector comparisons based on the data collected by the monitoring body**. The assessment shall also not be limited to workers employed at the same time as the worker concerned **or to the same sector nor to workers in the same company**. Where no real comparator can be established, a comparison with a hypothetical comparator **based on the objective and gender-neutral criteria as per article 4 paragraph 3** or the use of other evidence allowing to presume alleged discrimination shall be permitted. **Employers shall consult with workers representatives on the establishment of the comparator. The comparator shall facilitate cross-sector comparison.**

Or. en

Amendment 576

Anne Sander

Proposal for a directive

Article 4 – paragraph 4

Text proposed by the Commission

4. Whenever differences in pay can be attributed to a single source establishing the pay conditions, the assessment whether workers are carrying out the same work or work of equal value shall not be limited to situations in which female and male workers work for the same employer but may be extended to that single source. The

Amendment

4. Whenever differences in pay can be attributed to a single source establishing the pay conditions, the assessment whether workers are carrying out the same work or work of equal value shall not be limited to situations in which female and male workers work for the same employer but may be extended to that single source. The

assessment shall also not be limited to workers employed at the same time as the worker concerned. Where no real comparator can be established, ***a comparison with a hypothetical comparator or*** the use of other evidence allowing to presume alleged discrimination shall be permitted.

assessment shall also not be limited to workers employed at the same time as the worker concerned. Where no real comparator can be established, the use of other evidence allowing to presume alleged discrimination shall be permitted, ***in particular based on existing collective agreements and taking into account the specific characteristics of the undertaking concerned. The implementation of such a comparison mechanism should not represent an administrative or financial burden for undertakings, in particular for SMEs and VSEs. Existing national indicators should be used.***

Or. fr

Amendment 577

Sirpa Pietikäinen, Maria da Graça Carvalho

Proposal for a directive

Article 4 – paragraph 4

Text proposed by the Commission

4. Whenever differences in pay can be attributed to a single source establishing the pay conditions, the assessment whether workers are carrying out the same work or work of equal value shall not be limited to situations in which female and male workers work for the same employer but ***may*** be extended to that single source. The assessment shall also not be limited to workers employed at the same time as the worker concerned. Where no real comparator can be established, a comparison with a hypothetical comparator or the use of other evidence allowing to presume alleged discrimination shall be permitted.

Amendment

4. Whenever differences in pay can be attributed to a single source establishing the pay conditions, the assessment whether workers are carrying out the same work or work of equal value shall not be limited to situations in which female and male workers work for the same employer but ***shall*** be extended to that single source ***and to cross-sector comparisons***. The assessment shall also not be limited to workers employed at the same time as the worker concerned ***or in the same sector nor to workers performing their work in the same establishment***. Where no real comparator can be established, a comparison with a hypothetical comparator ***based on the criteria referred to in paragraph 3 and agreed in coordination with social partners*** or the use of other evidence allowing to presume alleged discrimination shall be permitted. ***The***

hypothetical comparator shall facilitate cross-sectoral comparisons.

Or. en

Amendment 578

Ernest Urtasun

on behalf of the Greens/EFA Group

Proposal for a directive

Article 4 – paragraph 4

Text proposed by the Commission

4. ***Whenever*** differences in pay can be attributed to a single source establishing the pay conditions, the assessment whether workers are ***carrying out*** the same work or work of equal value shall not be limited to situations in which ***female and male*** workers work for the same employer but may be extended to that single source. The assessment shall ***also*** not be limited to workers employed at the same time as the worker concerned. Where no real comparator can be established, a comparison with a hypothetical comparator or the use of other evidence allowing to presume alleged discrimination shall be permitted.

Amendment

4. ***Where*** differences in pay can be attributed to a single source establishing the pay conditions, the assessment whether workers are ***performing*** the same work or work of equal value shall not be limited to situations in which workers ***of a different gender*** work for the same employer but may be extended to that single source ***and allow cross-sector comparisons***. The assessment shall not be limited to workers employed at the same time, ***in the same sector or by the same employer*** as the worker concerned. Where no real comparator can be established, a comparison with a hypothetical comparator, ***on the basis of the criteria referred to in paragraph 3***, or the use of other evidence allowing to presume alleged discrimination shall be permitted. ***The hypothetical comparator shall facilitate cross-sectoral comparisons.***

Or. en

Amendment 579

Daniela Rondinelli

Proposal for a directive

Article 4 – paragraph 4

Text proposed by the Commission

4. Whenever differences in pay can be attributed to a single source establishing the pay conditions, the assessment whether workers are carrying out the same work or work of equal value shall not be limited to situations in which female and male workers work for the same employer but may be extended to that single source. The assessment shall also not be limited to workers employed at the same time as the worker concerned. Where no real comparator can be established, a comparison with a hypothetical comparator or the use of other evidence allowing to presume alleged discrimination shall be permitted.

Amendment

4. Whenever differences in pay can be attributed to a single source establishing the pay conditions, the assessment whether workers are carrying out the same work or work of equal value shall not be limited to situations in which female and male workers work for the same employer but may be extended to that single source. The assessment shall also not be limited to workers employed at the same time as the worker concerned. Where no real comparator can be established, a comparison with a hypothetical comparator or the use of other evidence allowing to presume alleged discrimination shall be permitted, ***such as the use of the classification identified by the social partners in the relevant collective agreements, signed by the most representative organisations.***

Or. it

Amendment 580

Eugenia Rodríguez Palop, Leila Chaibi, Konstantinos Arvanitis, Marisa Matias, José Gusmão, Marc Botenga, Silvia Modig, Nikolaj Villumsen

Proposal for a directive

Article 4 – paragraph 4

Text proposed by the Commission

4. Whenever differences in pay can be attributed to a single source establishing the pay conditions, the assessment whether workers are carrying out the same work or work of equal value shall not be limited to situations in which female and male workers work for the same employer but may be extended to that single source. The assessment shall also not be limited to workers employed at the same time as the worker concerned. Where no real comparator can be established, a comparison with a hypothetical comparator

Amendment

4. Whenever differences in pay can be attributed to a single source establishing the pay conditions, the assessment whether workers are carrying out the same work or work of equal value shall not be limited to situations in which female and male workers work for the same employer but may be extended to that single source. The assessment shall also not be limited to workers employed at the same time ***or in the same sector*** as the worker concerned. Where no real comparator can be established, a comparison with a

or the use of other evidence allowing to presume alleged discrimination shall be permitted.

hypothetical comparator *on the basis of the criteria referred to in paragraph 3* or the use of other evidence allowing to presume alleged discrimination shall be permitted. *The hypothetical comparator shall facilitate cross-sectoral comparisons.*

Or. en

Amendment 581

Sylvie Brunet, Ilana Cicurel, Dragoş Pîslaru, Irena Joveva, Marie-Pierre Vedrenne, Véronique Trillet-Lenoir, Samira Rafaela, Atidzhe Alieva-Veli, Stéphane Bijoux, Alin Mituţa, Irène Tolleret

Proposal for a directive Article 4 – paragraph 4

Text proposed by the Commission

4. Whenever differences in pay can be attributed to a single source establishing the pay conditions, the assessment whether workers are carrying out the same work or work of equal value shall not be limited to situations in which female and male workers work for the same employer but may be extended to that single source. The assessment shall also not be limited to workers employed at the same time as the worker concerned. Where no real comparator can be established, a comparison with a hypothetical comparator or the use of other evidence allowing to presume alleged discrimination shall be permitted.

Amendment

4. Whenever differences in pay can be attributed to a single source establishing the pay conditions, the assessment whether workers are carrying out the same work or work of equal value shall not be limited to situations in which female and male workers work for the same employer but may be extended to that single source. The assessment shall also not be limited to workers employed at the same time as the worker concerned. Where no real comparator can be established, a comparison with a hypothetical comparator or the use of other evidence allowing to presume alleged discrimination shall be permitted *such as a reference to an existing classification based on social partners' collective agreements at branch or at sector level.*

Or. en

Amendment 582

Elena Lizzi, Stefania Zambelli

Proposal for a directive
Article 4 – paragraph 4

Text proposed by the Commission

4. Whenever differences in pay can be attributed to a single source establishing the pay conditions, the assessment whether workers are carrying out the same work or work of equal value shall not be limited to situations in which female and male workers work for the same employer but may be extended to that single source. The assessment shall also not be limited to workers employed at the same time as the worker concerned. Where no real comparator can be established, a comparison with *a hypothetical comparator* or the use of other evidence allowing to presume alleged discrimination shall be permitted.

Amendment

4. Whenever differences in pay can be attributed to a single source establishing the pay conditions, the assessment whether workers are carrying out the same work or work of equal value shall not be limited to situations in which female and male workers work for the same employer but may be extended to that single source. The assessment shall also not be limited to workers employed at the same time as the worker concerned. Where no real comparator can be established, a comparison with the use of other evidence allowing to presume alleged discrimination shall be permitted, *such as reference to a classification based on the sector-specific collective agreements of the social partners.*

Or. it

Amendment 583
Jadwiga Wiśniewska

Proposal for a directive
Article 4 – paragraph 4

Text proposed by the Commission

4. Whenever differences in pay can be attributed to a single source establishing the pay conditions, the assessment whether workers are carrying out the same work or work of equal value shall not be limited to situations in which female and male workers work for the same employer but may be extended to that single source. The assessment shall also not be limited to workers employed at the same time as the worker concerned. *Where no real comparator can be established, a comparison with a hypothetical*

Amendment

4. Whenever differences in pay can be attributed to a single source establishing the pay conditions, the assessment whether workers are carrying out the same work or work of equal value shall not be limited to situations in which female and male workers work for the same employer but may be extended to that single source. The assessment shall also not be limited to workers employed at the same time as the worker concerned. *However, in case of comparison of data stemming from different time periods, it must be ensured*

comparator or the use of other evidence allowing to presume alleged discrimination shall be permitted.

that adequate micro- and macroeconomic individual circumstances from specific periods are taken into account.

Or. en

Amendment 584

Maria Walsh, Jarosław Duda, Deirdre Clune, Loucas Furlas

Proposal for a directive Article 4 – paragraph 4

Text proposed by the Commission

4. Whenever differences in pay can be attributed to a single source establishing the pay conditions, the assessment whether workers are carrying out the same work or work of equal value shall not be limited to situations in which female and male workers work for the same employer but may be extended to that single source. The assessment shall also not be limited to workers employed at the same time as the worker concerned. Where no real comparator can be established, a comparison with *a hypothetical comparator* or the use of other evidence allowing to presume alleged discrimination shall be permitted.

Amendment

4. Whenever differences in pay can be attributed to a single source establishing the pay conditions, the assessment whether workers are carrying out the same work or work of equal value shall not be limited to situations in which female and male workers work for the same employer but may be extended to that single source. The assessment shall also not be limited to workers employed at the same time as the worker concerned. Where no real comparator can be established, a comparison with the use of other evidence allowing to presume alleged discrimination shall be permitted.

Or. en

Justification

In micro and small enterprises, employees often perform different tasks and often there is no female or male comparators in the same company for the same tasks. Therefore a comparison of tasks would never be able to mirror the reality and even less an hypothetical comparator.

Amendment 585

Sirpa Pietikäinen, Maria da Graça Carvalho

Proposal for a directive Article 4 – paragraph 4 a (new)

4a. Work shall be deemed of equal value if, based on a comparison of two groups of workers which have not been formed in an arbitrary manner, the work performed is comparable, based on an overall assessment of the requirements and nature of the work, and criteria such as knowledge and skills, responsibility, load and effort. In assessing the nature of the work, particular account is to be taken of working conditions. For the avoidance of doubt, the working hours shall not be a relevant factor. If professional experience is to be taken into account as one factor to determine if work is of equal value, the party claiming that such factor must be regarded shall bear the burden of proof to show that increased professional experience generally – and not only in specific cases – leads to added value for the work actually performed by the workers.

Or. en

Amendment 586

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Marianne Vind, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń

Proposal for a directive

Article 4 – paragraph 5

Text proposed by the Commission

Amendment

5. Where a job evaluation and classification system is used for determining pay, it shall be based on the same criteria for **both men and women** and drawn up so as to exclude any discrimination on grounds of sex.

5. Where a job evaluation and classification system is used for determining pay, it shall be based on the same criteria for **all workers in all their diversity** and drawn up so as to exclude any **form of** discrimination, **especially** on grounds of sex, **and ensure that skills associated with female dominated jobs are**

valued. In this regard, Member States shall ensure employers and social partners are provided with the necessary tools and guidance to introduce gender-neutral job evaluation and classification systems for determining pay.

Or. en

Amendment 587

Eugenia Rodríguez Palop, Leila Chaibi, Konstantinos Arvanitis, Marisa Matias, José Gusmão, Marc Botenga, Silvia Modig, Nikolaj Villumsen

**Proposal for a directive
Article 4 – paragraph 5**

Text proposed by the Commission

5. *Where a* job evaluation and classification ***system is used*** for determining pay, *it* shall be based on ***the same criteria for both men and women and*** drawn up so as to exclude any discrimination on grounds of sex.

Amendment

5. *Member States shall ensure that employers and workers' representatives are provided with the necessary tools and guidance to introduce gender-neutral job evaluation and classification systems for determining pay. Such job evaluation and classification systems shall be based on gender-neutral criteria drawn up so as to exclude any discrimination on grounds of sex and ensure that skills associated with female dominated jobs are not undervalued.*

Or. en

Amendment 588

Ernest Urtasun

on behalf of the Greens/EFA Group

**Proposal for a directive
Article 4 – paragraph 5**

Text proposed by the Commission

5. *Where a* job evaluation and classification ***system is used*** for determining pay, *it* shall be based on ***the***

Amendment

5. *Member States shall ensure that employers and the social partners are provided with the necessary tools and*

same criteria for both men and women and drawn up so as to exclude any discrimination on grounds of sex.

guidance to introduce gender-neutral job evaluation and classification systems for determining pay. Such job evaluation and classification systems shall be based on gender-neutral criteria drawn up so as to exclude any form of discrimination, and to ensure that skills associated with female-dominated jobs are not undervalued.

Or. en

Amendment 589

Maria Walsh, Sirpa Pietikäinen, Stelios Kypourououlos, Jarosław Duda, Radan Kanev, Frances Fitzgerald, Loucas Furlas, Deirdre Clune

Proposal for a directive Article 4 – paragraph 5

Text proposed by the Commission

5. Where a job evaluation and classification system is used for determining pay, it shall be based on the same criteria for both men and women and drawn up so as to exclude any discrimination on grounds of sex.

Amendment

5. Where a job evaluation and classification system is used for determining pay, it shall be based on the same **objective** criteria for both men and women and drawn up so as to exclude any discrimination on grounds of sex.

Or. en

Amendment 590

Dennis Radtke, Radan Kanev, Romana Tomc

Proposal for a directive Article 4 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. Remuneration provisions enshrined in collective agreements that are binding upon the employer shall be subject to a presumption of appropriateness. Activities that are assigned to different remuneration brackets, based on these provisions, shall be seen as not being equal work or work

of equal value, as long as the provisions are not in breach of paragraph 5 of this Article.

Or. en

Amendment 591

Jadwiga Wiśniewska

Proposal for a directive

Article 4 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. Pay transparency measures should protect workers' right to equal pay while limiting as much as possible costs and burden for employers, paying specific attention to micro and small enterprises. Where appropriate, measures should be tailored to the size of employers taking into account employers' headcount.

Or. en

Amendment 592

Eugenia Rodríguez Palop, Leila Chaibi, Konstantinos Arvanitis, Marisa Matias, José Gusmão, Marc Botenga, Silvia Modig

Proposal for a directive

Article 5 – paragraph -1 (new)

Text proposed by the Commission

Amendment

-1. Employers shall ensure that vacancy notices, job titles and recruitment processes are gender neutral.

Or. en

Amendment 593

Christine Schneider, Sabine Verheyen, Ralf Seekatz, Peter Liese, Peter Jahr, Sven Simon, Stefan Berger, Axel Voss, Angelika Niebler, Georgios Kyrtos, Pernille Weiss,

Lena Düpont, Jens Gieseke, Markus Pieper, Markus Ferber, Henna Virkkunen

Proposal for a directive

Article 5 – paragraph 1

Text proposed by the Commission

Amendment

1. Applicants for employment shall have the right to receive from the prospective employer information about the initial pay level or its range, based on objective, gender-neutral criteria, to be attributed for the position concerned. Such information shall be indicated in a published job vacancy notice or otherwise provided to the applicant prior to the job interview without the applicant having to request it. **deleted**

Or. en

Amendment 594

Sara Skyttedal, Jessica Polfjärd, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Lukas Mandl, Angelika Winzig, Pernille Weiss, Simone Schmiedtbauer, Barbara Thaler

Proposal for a directive

Article 5 – paragraph 1

Text proposed by the Commission

Amendment

1. Applicants for employment shall have the right to receive from the prospective employer information about the initial pay level or its range, based on objective, gender-neutral criteria, to be attributed for the position concerned. Such information shall be indicated in a published job vacancy notice or otherwise provided to the applicant prior to the job interview without the applicant having to request it. **deleted**

Or. en

Amendment 595

Eugenia Rodríguez Palop, Leila Chaibi, Konstantinos Arvanitis, Marisa Matias, José Gusmão, Marc Botenga, Silvia Modig, Nikolaj Villumsen, Sandra Pereira

Proposal for a directive

Article 5 – paragraph 1

Text proposed by the Commission

1. Applicants for employment shall have the right to receive from the prospective employer information about the initial pay level or its range, based on objective, gender-neutral criteria, to be attributed for the position concerned. Such information shall be indicated in a published job vacancy notice or otherwise provided to the applicant prior to the job interview without the applicant having to request it.

Amendment

1. Applicants for employment shall have the right to receive from the prospective employer information about the initial pay level or its range, based on objective, gender-neutral criteria, to be attributed for the position concerned. Such information shall be indicated in a published job vacancy notice or otherwise provided to the applicant prior to the job interview without the applicant having to request it. ***In addition, and also prior to the job interview, the applicant for employment shall receive upon request information on the average pay level for categories of workers performing the same work as the advertised position or work of equal value to that position and the objective, gender-neutral criteria on which the average pay level is based.***

Or. en

Amendment 596

Ernest Urtasun

on behalf of the Greens/EFA Group

Proposal for a directive

Article 5 – paragraph 1

Text proposed by the Commission

1. Applicants for employment shall have the right to receive from the prospective employer information about the initial pay level or ***its*** range, based on objective, gender-neutral criteria, ***to be attributed for the position concerned.*** Such information shall be indicated in a

Amendment

1. Applicants for employment shall have the right to receive from the prospective employer information about the initial pay level or range ***of an advertised position***, based on objective, gender-neutral criteria. Such information shall be indicated in a published job

published job vacancy notice or otherwise provided to the applicant prior to the job interview without the applicant having to request it.

vacancy notice or otherwise provided to the applicant prior to the job interview without the applicant having to request it.
The applicant for employment shall, upon request, receive information on the average pay level for categories of workers performing the same work as the advertised position or work of equal value to that position and the objective, gender-neutral criteria on which the average pay level is based, prior to the job interview.

Or. en

Amendment 597

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń

Proposal for a directive Article 5 – paragraph 1

Text proposed by the Commission

1. Applicants for employment shall ***have the right to*** receive from the prospective employer information about the initial pay level or its range, based on objective, gender-neutral criteria, to be attributed for the position concerned. Such information shall be indicated in a published job vacancy notice or otherwise provided to the applicant prior to the job interview without the applicant having to request it.

Amendment

1. Applicants for employment shall receive ***automatically*** from the prospective employer information about the ***collective agreement applied by the company in relation to the job, where applicable, the initial pay level or its range as well as the average pay level of the job or of work of equal value for which the applicant applied***, based on ***the also stated*** objective, gender-neutral criteria ***used to determine pay levels***, to be attributed for the position concerned. Such information shall be indicated in a published job vacancy notice or otherwise provided to the applicant prior to the job interview without the applicant having to request it.

Or. en

Amendment 598

Sylvie Brunet, Ilana Cicurel, Dragoş Pîslaru, Hilde Vautmans, Irena Joveva, Marie-Pierre Vedrenne, Véronique Trillet-Lenoir, Stéphane Bijoux, Alin Mituţa

Proposal for a directive

Article 5 – paragraph 1

Text proposed by the Commission

1. Applicants for employment shall have the right to receive from the prospective employer information about the ***initial pay level or its*** range, based on objective, gender-neutral criteria, to be attributed for the position concerned. ***Such information shall be indicated in a published job vacancy notice or otherwise provided to the applicant prior to the job interview without the applicant having to request it.***

Amendment

1. Applicants for employment ***who enter the final stage of recruitment*** shall have the right to receive from the prospective employer information about the ***pay*** range, based on objective, gender-neutral criteria, to be attributed for the position concerned.

Or. en

Amendment 599

Christine Schneider, Sabine Verheyen, Ralf Seekatz, Peter Liese, Peter Jahr, Sven Simon, Stefan Berger, Axel Voss, Angelika Niebler, Angelika Winzig, Lukas Mandl, Georgios Kyrtos, Lena Düpont, Jens Gieseke, Markus Pieper, Markus Ferber, Henna Virkkunen

Proposal for a directive

Article 5 – paragraph 1

Text proposed by the Commission

1. Applicants for employment shall have the right to receive from the prospective employer information about the initial pay level or its range, based on objective, gender-neutral criteria, to be attributed for the position concerned. Such information shall be ***indicated in a published job vacancy notice or otherwise provided to the applicant prior to the job interview without the applicant having to request it.***

Amendment

1. Applicants for employment shall have the right to receive from the prospective employer information about the initial pay level or its range, based on objective, gender-neutral criteria, to be attributed for the position concerned. Such information shall be provided ***upon*** request.

Or. en

Amendment 600
Margarita de la Pisa Carrión

Proposal for a directive
Article 5 – paragraph 1

Text proposed by the Commission

1. Applicants for employment shall have the right to receive from the prospective employer information about the initial pay level or its range, based on objective, ***gender-neutral*** criteria, to be attributed for the position concerned. Such information shall be indicated in a published job vacancy notice or otherwise provided to the applicant prior to the job interview without the applicant having to request it.

Amendment

1. Applicants for employment shall have the right to receive from the prospective employer information about the initial pay level or its range, based on objective criteria ***that do not discriminate between men and women***, to be attributed for the position concerned. Such information shall be indicated in a published job vacancy notice or otherwise provided to the applicant prior to the job interview ***or at the start of the interview*** without the applicant having to request it.

Or. es

Amendment 601
Jadwiga Wiśniewska

Proposal for a directive
Article 5 – paragraph 1

Text proposed by the Commission

1. Applicants for employment shall have the right to receive from the prospective employer information about the initial pay level or its range, based on objective, ***gender-neutral*** criteria, to be attributed for the position concerned. Such information shall be indicated in a published job vacancy notice or otherwise provided to the applicant prior to the job interview without the applicant having to request it.

Amendment

1. Applicants for employment shall have the right to receive from the prospective employer information about the initial pay level or its range, based on objective, ***sex-neutral*** criteria, to be attributed for the position concerned. Such information shall be indicated in a published job vacancy notice or otherwise provided to the applicant prior to the job interview without the applicant having to request it.

Or. en

Amendment 602
Elena Lizzi, Stefania Zambelli

Proposal for a directive
Article 5 – paragraph 1

Text proposed by the Commission

1. Applicants for employment shall have the right to receive from the prospective employer information about the initial pay level or its range, ***based on objective, gender-neutral criteria***, to be attributed for the position concerned. Such information shall be ***indicated in a published job vacancy notice or otherwise*** provided to the applicant prior to the job interview without the applicant having to request it.

Amendment

1. Applicants for employment shall have the right to receive from the prospective employer information about the initial pay level or its range to be attributed for the position concerned, ***such as reference to a classification based on the sector-specific collective agreements of the social partners***. Such information shall be provided to the applicant prior to the job interview without the applicant having to request it.

Or. it

Amendment 603
Margarita de la Pisa Carrión

Proposal for a directive
Article 5 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. The information on the pay range initially provided under paragraph 1 shall not limit the capacity of business owners, workers and social partners to negotiate a salary outside the pay range on which information was initially provided.

Or. es

Amendment 604
Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Marianne Vind, Aurore Lalucq, Brando Benifei,

Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń

Proposal for a directive

Article 5 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Employers shall ensure that vacancy notices, job titles and recruitment processes are gender neutral.

Or. en

Amendment 605

Sara Skyttedal, Jessica Polfjärd, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Lukas Mandl, Angelika Winzig, Pernille Weiss, Simone Schmiedtbauer, Barbara Thaler

Proposal for a directive

Article 5 – paragraph 2

Text proposed by the Commission

Amendment

2. An employer shall not, orally or in writing, personally or through a representative, ask applicants about their pay history during their previous employment relationships. ***deleted***

Or. en

Amendment 606

Christine Schneider, Sabine Verheyen, Ralf Seekatz, Peter Liese, Peter Jahr, Sven Simon, Stefan Berger, Axel Voss, Angelika Niebler, Angelika Winzig, Lukas Mandl, Pernille Weiss, Georgios Kyrtos, Lena Düpont, Jens Gieseke, Markus Pieper, Markus Ferber, Henna Virkkunen

Proposal for a directive

Article 5 – paragraph 2

Text proposed by the Commission

Amendment

2. An employer shall not, orally or in writing, personally or through a ***deleted***

representative, ask applicants about their pay history during their previous employment relationships.

Or. en

Amendment 607
Jessica Stegrud

Proposal for a directive
Article 5 – paragraph 2

Text proposed by the Commission

Amendment

2. *An employer shall not, orally or in writing, personally or through a representative, ask applicants about their pay history during their previous employment relationships.* **deleted**

Or. en

Amendment 608
Margarita de la Pisa Carrión

Proposal for a directive
Article 5 – paragraph 2

Text proposed by the Commission

Amendment

2. An employer shall not, orally or in writing, personally or through a representative, ask applicants about their pay history during their previous employment relationships.

2. An employer shall not, orally or in writing, personally or through a representative, ask applicants about their pay history during their previous employment relationships, ***unless the applicant freely states that he or she has no difficulty with providing that information.***

Or. es

Amendment 609
Elena Lizzi, Stefania Zambelli

Proposal for a directive
Article 5 – paragraph 2

Text proposed by the Commission

2. An employer shall not, ***orally or in writing***, personally or through a representative, ask applicants about their pay history during their previous employment relationships.

Amendment

2. An employer shall not, personally or through a representative, ask applicants about their pay history during their previous employment relationships.

Or. it

Amendment 610
Silvia Modig

Proposal for a directive
Article 5 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Employers shall ensure that vacancy notices, job titles and recruitment processes are gender neutral and that the information is provided in accessible formats for workers with disabilities upon request, in accordance with Union law, in particular with Directives (EU) 2016/2102 and (EU)2019/882 of the European Parliament and of the Council.

Or. en

Amendment 611
Ernest Urtasun
on behalf of the Greens/EFA Group

Proposal for a directive
Article 5 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Employers shall ensure that vacancy notices, job titles and recruitment

processes are gender neutral.

Or. en

Amendment 612

Silvia Modig

Proposal for a directive

Article 6 – paragraph 1

Text proposed by the Commission

The employer shall make easily accessible to its workers a description of the criteria used to determine pay levels and career progression for workers. These criteria shall be gender-neutral.

Amendment

The employer shall make easily accessible to its workers ***and workers' representatives, including trade unions (workers' representatives)***, a description of the criteria used to determine pay levels and career progression for workers, ***including all elements of pay that comprise wages or salary and all other benefits paid directly or indirectly in cash or in kind by the employer to the worker.*** These criteria shall be gender-neutral ***and in line with the criteria laid down in Article 4. The information shall be provided in accessible formats for workers with disabilities upon their request, in accordance with Union law, in particular with Directives (EU)2016/2102 and (EU) 2019/882 of the European Parliament and of the Council.***

Or. en

Amendment 613

Margarita de la Pisa Carrión

Proposal for a directive

Article 6 – paragraph 1

Text proposed by the Commission

The employer shall make easily accessible to its workers a description of the criteria used to determine pay levels and career

Amendment

The employer shall make easily accessible to its workers a description of the criteria used to determine pay levels and career

progression for workers. *These* criteria shall be *gender-neutral*.

progression for workers, *if it has such a description. If the description is provided through collective bargaining the obligation laid down in this Article shall not be applicable. Similarly, the obligation shall not be applicable in cases where pay levels and career progression are set on the basis of achieving mutually agreed targets.*

The criteria referred to in the paragraph above shall be objective and shall not discriminate between men and women.

Or. es

Amendment 614

Radan Kanev, Romana Tomc

Proposal for a directive

Article 6 – paragraph 1

Text proposed by the Commission

The employer shall make easily accessible to its workers a description of the criteria used to determine pay levels and career progression for workers. These criteria shall be gender-neutral.

Amendment

The employer shall make easily accessible to its workers *and workers' representatives, including trade unions(workers' representatives)*, a description of the criteria used to determine pay levels and career progression for workers, *including all elements of pay that comprise wages or salary and all other benefits paid directly or indirectly in cash or in kind by the employer to the worker.* These criteria shall be gender-neutral *and in line with the criteria laid down in Article 4..*

Or. en

Amendment 615

Ernest Urtasun

on behalf of the Greens/EFA Group

Proposal for a directive

Article 6 – paragraph 1

Text proposed by the Commission

The employer shall make easily accessible to its workers a description of the criteria used to determine pay levels and career progression for workers. These criteria shall be gender-neutral.

Amendment

The employer shall make easily accessible to its workers ***and workers' representatives***, a description of the criteria used to determine pay levels and career progression for workers, ***including all elements of pay that comprise wages or salary and all other benefits paid directly or indirectly in cash or in kind by the employer to the worker***. These criteria shall be gender-neutral ***and in line with the criteria laid down in Article 4***.

Or. en

Amendment 616

Sandra Pereira, Eugenia Rodríguez Palop

Proposal for a directive

Article 6.º – paragraph 1

Text proposed by the Commission

The employer shall make easily accessible to its workers a description of the criteria used to determine pay levels and career progression for workers. These criteria shall be gender-neutral.

Amendment

The employer shall make easily accessible to its workers a description of the criteria used to determine pay levels and career progression for workers. These criteria shall be gender-neutral ***and associated with the identification of direct and indirect discrimination underlying pay discrimination between men and women***.

Or. pt

Amendment 617

Christine Schneider, Sabine Verheyen, Ralf Seekatz, Peter Liese, Peter Jahr, Sven Simon, Stefan Berger, Axel Voss, Angelika Niebler, Angelika Winzig, Lukas Mandl, Pernille Weiss, Georgios Kyrtos, Lena Düpont, Jens Gieseke, Markus Pieper, Markus Ferber, Henna Virkkunen

Proposal for a directive

Article 6 – paragraph 1

Text proposed by the Commission

The employer shall make easily accessible to its workers a description of the criteria used to determine pay levels and career progression for **workers**. These criteria shall be gender-neutral.

Amendment

The employer shall make easily accessible to its workers a description of the criteria used to determine pay levels and career progression for **worker, whereby Member States shall give specific attention to micro-enterprises and SMEs**. These criteria shall be gender-neutral.

Or. en

Amendment 618

Eugenia Rodríguez Palop, Leila Chaibi, Konstantinos Arvanitis, Marisa Matias, José Gusmão, Marc Botenga, Silvia Modig, Nikolaj Villumsen

**Proposal for a directive
Article 6 – paragraph 1**

Text proposed by the Commission

The employer shall make easily accessible to its workers a description of the criteria used to determine pay levels and career progression for workers. These criteria shall be gender-neutral.

Amendment

The employer shall make easily accessible to its workers **and workers' representatives** a description of the criteria used to determine pay levels and career progression for workers. These criteria shall be gender-neutral **in line with the ones laid down in Article 4**.

Or. en

Amendment 619

Elena Lizzi, Stefania Zambelli

**Proposal for a directive
Article 6 – paragraph 1**

Text proposed by the Commission

The employer shall make easily accessible to its workers **a description of the criteria used to determine pay levels and career progression for workers**. These criteria shall be gender-neutral.

Amendment

The employer shall make easily accessible to its workers **the classification of the minimum pay level based on the sector-specific collective agreements of the social partners, as well as fixed bonuses and/or**

higher bonuses linked to personal and/or company results.

Or. it

Amendment 620

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Marianne Vind, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

**Proposal for a directive
Article 6 – paragraph 1**

Text proposed by the Commission

The employer shall make easily accessible to its workers a description of the criteria used to determine pay levels and career progression for workers. These criteria shall be gender-neutral.

Amendment

The employer shall make easily accessible to its workers ***and workers representatives*** a description of the criteria used to determine pay levels and career progression for workers. These criteria shall be gender-neutral.

Or. en

Amendment 621

Sara Skyttedal, Jessica Polfjärd, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Radan Kanev, Lukas Mandl, Angelika Winzig, Pernille Weiss, Simone Schmiedtbauer, Barbara Thaler

**Proposal for a directive
Article 6 – paragraph 1**

Text proposed by the Commission

The employer shall make easily accessible to its workers a description of the criteria used to determine pay levels ***and career progression*** for workers. These criteria shall be gender-neutral.

Amendment

The employer shall make easily accessible to its workers a description of the criteria used to determine pay levels for workers. These criteria shall be gender-neutral ***and in accordance with national law and practices.***

Or. en

Amendment 622

Ádám Kósa

Proposal for a directive

Article 6 – paragraph 1

Text proposed by the Commission

The employer shall make easily accessible to its workers a description of the criteria used to determine pay levels and career progression for workers. These criteria shall be gender-neutral.

Amendment

The employer shall make easily accessible to its workers ***in a convenient format*** a description of the criteria used to determine pay levels and career progression for workers. These criteria shall be gender-neutral.

Or. hu

Amendment 623

Jadwiga Wiśniewska

Proposal for a directive

Article 6 – paragraph 1

Text proposed by the Commission

The employer shall make easily accessible to its workers a description of the criteria used to determine pay levels and career progression for workers. These criteria shall be ***gender-neutral***.

Amendment

The employer shall make easily accessible to its workers a description of the criteria used to determine pay levels and career progression for workers. These criteria shall be ***sex-neutral***.

Or. en

Amendment 624

Abir Al-Sahlani, Dragoş Pişlaru, Atidzhe Alieva-Veli, Linea Søgaard-Lidell, Alin Mituţa

Proposal for a directive

Article 6 – paragraph 1

Text proposed by the Commission

The employer shall make easily accessible to its workers a description of the criteria used to determine pay levels ***and career***

Amendment

The employer shall make easily accessible to its workers a description of the criteria used to determine pay levels for workers.

progression for workers. These criteria shall be gender-neutral.

These criteria shall be gender-neutral.

Or. en

Amendment 625

Maria Walsh, Sirpa Pietikäinen, Jarosław Duda, Frances Fitzgerald, Deirdre Clune, Stelios Kympouropoulos, Loucas Fourlas

Proposal for a directive Article 6 – paragraph 1

Text proposed by the Commission

The employer shall ***make easily accessible to*** its workers a description of the criteria used to determine pay levels and career progression for workers. These criteria shall be gender-neutral.

Amendment

The employer shall ***provide for*** its workers a description of the criteria used to determine pay levels and career progression for workers. These criteria shall be gender-neutral.

Or. en

Amendment 626

Silvia Modig

Proposal for a directive Article 6 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Member states shall ensure that workers and their trade unions can request from the employer clear and complete information on pay levels, broken down by gender, for categories of workers doing the same work or work of equal value. This information shall include complementary or variable components beyond the fixed basic salary, such as payments in kind, performance-related payments and bonuses. It shall include information on the job evaluation criteria used to determine pay for categories of workers doing the same work or work of equal value.

Amendment 627

Ernest Urtasun, Kira Marie Peter-Hansen
on behalf of the Greens/EFA Group

Proposal for a directive

Article 6 a (new)

Text proposed by the Commission

Amendment

Article 6 a

Prohibition of pay secrecy clauses

Member States shall put in place measures to prohibit contractual terms which aim to restrict a worker from disclosing information about their pay or to seek information from the same or other categories of workers' pay.

Or. en

Amendment 628

Ernest Urtasun
on behalf of the Greens/EFA Group

Proposal for a directive

Article 7 – paragraph 1

Text proposed by the Commission

Amendment

1. Workers shall have the right to receive information on their individual pay level and the average pay levels, broken down by **sex**, for categories of workers **doing** the same work as them or work of equal value to theirs, in accordance with paragraphs 3 and 4.

1. Workers shall have the right to receive **clear and complete** information on their individual pay level and the average pay levels, broken down by **gender**, for categories of workers **performing** the same work as them or work of equal value to theirs, **as well as the gender pay gap and median gender pay gap between workers employed by the same employer** in accordance with paragraphs 3 and 4. **Employers shall provide workers, on request, with information on the methodology used for determining pay levels and pay for each**

category of worker, including any job evaluation or classification system, as well as the gender pay gap of the employer as a whole.

Or. en

Amendment 629

Eugenia Rodríguez Palop, Leila Chaibi, Konstantinos Arvanitis, Marisa Matias, José Gusmão, Marc Botenga, Silvia Modig, Nikolaj Villumsen, Sandra Pereira

Proposal for a directive

Article 7 – paragraph 1

Text proposed by the Commission

1. Workers shall have the right to receive information on their individual pay level and the average pay levels, broken down by sex, for categories of workers doing the same work as them or work of equal value to theirs, in accordance with paragraphs 3 and 4.

Amendment

1. Workers shall have the right to receive ***clear and complete*** information on their individual pay level and the average pay levels, broken down by sex, for categories of workers doing the same work as them or work of equal value to theirs, in accordance with paragraphs 3 and 4. ***This information shall include also how pay levels were determined, including through an existing job evaluation or job classification scheme. Workers' representatives shall also have the right to receive information on how pay for each category of worker is laid down.***

Or. en

Amendment 630

Radan Kanev, Romana Tomc

Proposal for a directive

Article 7 – paragraph 1

Text proposed by the Commission

1. Workers shall have the right to receive information on their individual pay level and the average pay levels, broken down by sex, for categories of workers

Amendment

1. Workers ***in companies with more than 200 employees*** shall have the right to receive information on their individual pay level and the average pay levels, broken

doing the same work as them or work of equal value to theirs, in accordance with paragraphs 3 and 4.

down by sex, for categories of workers doing the same work as them or work of equal value to theirs, in accordance with paragraphs 3 and 4. *In the case of companies that are bound by and/or apply collective bargaining agreements, a reference to the applicable collective bargaining agreement shall suffice as information.*

Or. en

Amendment 631

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Marianne Vind, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

Proposal for a directive Article 7 – paragraph 1

Text proposed by the Commission

1. Workers shall ***have the right to*** receive information on their individual pay level and the average pay levels, broken down by sex, for categories of workers doing the same work as them or work of equal value to theirs, in accordance with paragraphs ***3 and 4***.

Amendment

1. Workers shall receive ***annually clear and complete*** information on ***the mean and median pay gap between all workers in the company as well as*** their individual pay level and the average pay levels, broken down by sex, for categories of workers doing the same work as them or work of equal value to theirs, in accordance with paragraphs ***4 and 5***. ***This shall include information on how pay levels were determined, including through an existing job evaluation and/or job classification scheme.***

Or. en

Amendment 632

Christine Schneider, Sabine Verheyen, Ralf Seekatz, Peter Liese, Peter Jahr, Sven Simon, Stefan Berger, Axel Voss, Angelika Niebler, Angelika Winzig, Lukas Mandl, Pernille Weiss, Georgios Kyrtsos, Lena Düpont, Jens Gieseke, Markus Pieper, Markus

Ferber, Henna Virkkunen

Proposal for a directive
Article 7 – paragraph 1

Text proposed by the Commission

1. Workers shall have the right to receive information on their individual pay level and the average pay levels, broken down by sex, for categories of workers doing the same work as them or work of equal value to theirs, in accordance with paragraphs 3 and 4.

Amendment

1. Workers ***in companies with more than 200 employees*** shall have the right to receive information on their individual pay level and the average pay levels, broken down by sex, for categories of workers doing the same work as them or work of equal value to theirs, in accordance with paragraphs 3 and 4. ***In the case of companies that are bound by and/or apply collective bargaining agreements, a reference to the applicable collective bargaining agreement shall suffice as information.***

Or. en

Amendment 633

Maria Walsh, Jarosław Duda, Radan Kanev, Frances Fitzgerald, Deirdre Clune, Stelios Kypourouopoulos, Loucas Fourlas

Proposal for a directive
Article 7 – paragraph 1

Text proposed by the Commission

1. Workers shall have the right to receive information on their individual pay level and the average pay levels, broken down by sex, for categories of workers doing the same work as them or work of equal value to theirs, in accordance with paragraphs 3 and 4.

Amendment

1. Workers shall have the right to receive ***clear and complete*** information on their individual pay level and the average pay levels, broken down by sex, for categories of workers doing the same work as them or work of equal value to theirs, in accordance with paragraphs 3 and 4. ***In the case of companies that are bound by and/or apply collective agreements, it is sufficient to refer to the applicable collective agreement.***

Or. en

Amendment 634
Margarita de la Pisa Carrión

Proposal for a directive
Article 7 – paragraph 1

Text proposed by the Commission

1. Workers shall have the right to receive information on ***their individual pay level and the average*** pay levels, ***broken down by sex***, for categories of workers doing the same work as them or work of equal value to theirs, in accordance with paragraphs 3 and 4.

Amendment

1. Workers shall have the right to receive information on ***the criteria used to set*** pay levels ***and evaluations of targets*** for categories of workers doing the same work as them or work of equal value to theirs, in accordance with paragraphs 3 and 4. ***These criteria shall comply with the principle of equal pay for men and women for the same work or work of equal value.***

Or. es

Amendment 635
Dennis Radtke, Radan Kanev, Romana Tomc

Proposal for a directive
Article 7 – paragraph 1

Text proposed by the Commission

1. Workers shall have the right to receive information on their individual pay level and the average pay levels, broken down by sex, for categories of workers doing the same work as them or work of equal value to theirs, in accordance with paragraphs 3 and 4.

Amendment

1. Workers shall have the right to receive information on their individual pay level and the average pay levels, broken down by sex, for categories of workers doing the same work as them or work of equal value to theirs, in accordance with paragraphs 3 and 4. ***In the case of employers who are bound by collective wage agreements, a reference to the applicable collective wage agreement shall suffice as information.***

Or. en

Amendment 636
Sylvie Brunet, Ilana Cicurel, Dragoş Pîslaru, Hilde Vautmans, Marie-Pierre Vedrenne, Véronique Trillet-Lenoir, Stéphane Bijoux, Alin Mituţa, Irène Tolleret

Proposal for a directive
Article 7 – paragraph 1

Text proposed by the Commission

1. Workers shall have the right to receive information on their individual pay level and the average pay levels, broken down by sex, for categories of workers doing the same work as them or work of equal value to theirs, in accordance with paragraphs 3 and 4.

Amendment

1. ***Workers whose employer employs at least 50*** workers shall have the right to receive information on their individual pay level and the average pay levels, broken down by sex, for categories of workers doing the same work as them or work of equal value to theirs, in accordance with paragraphs 3 and 4 ***provided that this information has not already been communicated to the workers' representatives.***

Or. en

Amendment 637
Atidzhe Alieva-Veli

Proposal for a directive
Article 7 – paragraph 1

Text proposed by the Commission

1. Workers shall have the right to receive information on their individual pay level and the average pay levels, broken down by sex, for categories of workers doing the same work as them or work of equal value to theirs, in accordance with paragraphs 3 and 4.

Amendment

1. Workers shall have the right to receive information on their individual pay level and the average pay levels, broken down by sex, for categories of workers doing the same work as them or work of equal value to theirs, in accordance with paragraphs 3 and 4. ***Such a request cannot be submitted more than two times per year.***

Or. en

Amendment 638
Anne Sander

Proposal for a directive
Article 7 – paragraph 1

Text proposed by the Commission

1. Workers shall have the right to receive information on their individual pay level and the average pay levels, broken down by sex, for categories of workers doing the same work as them or work of equal value to theirs, in accordance with paragraphs 3 and 4.

Amendment

1. Workers ***of undertakings with more than 50 people*** shall have the right to receive information on their individual pay level and the average pay levels, broken down by sex, for categories of workers doing the same work as them or work of equal value to theirs, in accordance with paragraphs 3 and 4.

Or. fr

Amendment 639

Elena Lizzi, Stefania Zambelli

Proposal for a directive

Article 7 – paragraph 1

Text proposed by the Commission

1. Workers shall have the right to receive information on their individual pay level and the average pay levels, broken down by sex, for categories of workers doing the same work as them or work of equal value to theirs, in accordance with paragraphs 3 and 4.

Amendment

1. Workers ***in undertakings with more than 250 employees*** shall have the right to receive information on their individual pay level and the average pay levels, broken down by sex, for categories of workers doing the same work as them or work of equal value to theirs, in accordance with paragraphs 3 and 4.

Or. it

Amendment 640

Sara Skyttedal, Jessica Polfjärd, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Radan Kanev, Lukas Mandl, Angelika Winzig, Pernille Weiss, Simone Schmiedtbauer, Barbara Thaler

Proposal for a directive

Article 7 – paragraph 1

Text proposed by the Commission

1. Workers shall have the right to receive information on ***their individual pay***

Amendment

1. Workers shall have the right to receive information on ***pay differences and***

level and the average pay levels, broken down by sex, for categories of workers doing the same work as them or work of equal value to theirs, in accordance with paragraphs 3 and 4.

differences in median pay, broken down by sex *in the pay statistics*, for categories of workers doing the same work as them or work of equal value to theirs *for the same employer*, in accordance with paragraphs 3 and 4.

Or. en

Amendment 641

Abir Al-Sahlan, Dragoş Pîslaru, Linea Søggaard-Lidell, Alin Mituţa

Proposal for a directive

Article 7 – paragraph 1

Text proposed by the Commission

1. Workers shall have the right to receive information on *their individual pay level and the average pay levels*, broken down by sex, for categories of workers doing the same work as them or work of equal value *to theirs*, in accordance with paragraphs 3 and 4.

Amendment

1. Workers shall have the right to receive information on *pay gap and median pay gap*, broken down by sex, for categories of workers doing the same work as them or work of equal value *in the employer's operations*, in accordance with paragraphs 3 and 4.

Or. en

Amendment 642

Margarita de la Pisa Carrión

Proposal for a directive

Article 7 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. With the aim of safeguarding the right to personal data protection, the information referred to in paragraph 1 may only be requested in those cases where there is no risk of disclosure of the personal data of third parties and when the worker provides prima facie evidence of salary discrimination on the grounds of sex. In the event of doubt, the business owner and the worker, or where relevant

their trade union representative, shall consult the national personal data protection authority.

Or. es

Amendment 643

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Marianne Vind, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

Proposal for a directive

Article 7 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Workers' representatives shall have the right to receive information on how pay for each category of worker is determined and average pay levels.

Or. en

Amendment 644

Pernille Weiss, Lukas Mandl, Christine Schneider, Angelika Winzig

Proposal for a directive

Article 7 – paragraph 2

Text proposed by the Commission

Amendment

2. Employers shall inform all workers, on an annual basis, of their right to receive the information referred to in paragraph 1. ***deleted***

Or. en

Amendment 645

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria

Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

Proposal for a directive
Article 7 – paragraph 2

Text proposed by the Commission

Amendment

2. Employers shall inform all workers, on an annual basis, of their right to receive the information referred to in paragraph 1. *deleted*

Or. en

Amendment 646

Christine Schneider, Sabine Verheyen, Ralf Seekatz, Peter Liese, Peter Jahr, Sven Simon, Stefan Berger, Axel Voss, Angelika Niebler, Angelika Winzig, Lukas Mandl, Georgios Kyrtos, Jessica Polfjärd, Sara Skytvedal, Lena Düpont, Jens Gieseke, Markus Pieper, Markus Ferber, Henna Virkkunen

Proposal for a directive
Article 7 – paragraph 2

Text proposed by the Commission

Amendment

2. Employers shall inform all workers, *on an annual basis*, of their right to receive the information referred to in paragraph 1.

2. Employers shall inform all workers, *within a reasonable time frame*, of their right to receive the information referred to in paragraph 1.

Or. en

Amendment 647

Maria Walsh, Sirpa Pietikäinen, Jarosław Duda, Frances Fitzgerald, Stelios Kympouropoulos, Loucas Foulas, Deirdre Clune

Proposal for a directive
Article 7 – paragraph 2

Text proposed by the Commission

Amendment

2. Employers shall inform all workers,

2. Employers shall inform all workers,

on an annual basis, of their right to receive the information referred to in paragraph 1.

on an annual basis, of their right to receive the information referred to in paragraph 1 ***and on the steps the worker should undertake to make use of their right.***

Or. en

Amendment 648

Eugenia Rodríguez Palop, Leila Chaibi, Konstantinos Arvanitis, Marisa Matias, José Gusmão, Marc Botenga, Silvia Modig, Nikolaj Villumsen

Proposal for a directive

Article 7 – paragraph 2

Text proposed by the Commission

2. Employers shall inform all workers, on an annual basis, of their right to receive the information referred to in paragraph 1.

Amendment

2. Employers shall inform all workers, on an annual basis, of their right to receive the information referred to in paragraph 1, ***and on the steps the worker should undertake to make use of their right.***

Or. en

Amendment 649

Jadwiga Wiśniewska

Proposal for a directive

Article 7 – paragraph 2

Text proposed by the Commission

2. Employers shall inform all workers, on an annual basis, of their right to receive the information referred to in paragraph 1.

Amendment

2. Employers shall inform all workers, on an annual basis, of their right to ***request and be able to*** receive the information referred to in paragraph 1.

Or. en

Amendment 650

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Marianne Vind, Aurore Lalucq, Brando Benifei,

Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

Proposal for a directive
Article 7 – paragraph 3

Text proposed by the Commission

3. Employers shall provide the information referred to in paragraph 1 within a reasonable period of time upon a worker's request. The information shall be provided in ***accessible formats for workers with disabilities upon their request***.

Amendment

3. ***Workers shall have the right to receive information as referred to in paragraph 1 whenever they request it.*** Employers shall provide the information referred to in paragraph 1 within a reasonable period of time ***and at the latest 2 months*** upon a worker's request. The information shall be provided in ***writing and the employer shall retain proof of transmission or receipt, in electronic form***.

Or. en

Amendment 651

Eugenia Rodríguez Palop, Leila Chaibi, Konstantinos Arvanitis, Marisa Matias, José Gusmão, Marc Botenga, Nikolaj Villumsen, Sandra Pereira

Proposal for a directive
Article 7 – paragraph 3

Text proposed by the Commission

3. Employers shall provide the information referred to in paragraph 1 within ***a reasonable period of time*** upon a worker's request. The information shall be provided in accessible formats for workers with disabilities upon their request.

Amendment

3. Employers shall provide the information referred to in paragraph 1 within ***one month*** upon a worker's request. ***The information shall be provided in writing and the employer shall retain proof of transmission or receipt, in electronic form***. The information shall be provided in accessible formats for workers with disabilities upon their request.

Or. en

Amendment 652

Radan Kanev, Romana Tomc

**Proposal for a directive
Article 7 – paragraph 3**

Text proposed by the Commission

3. Employers shall provide the information referred to in paragraph 1 within ***a reasonable period of time*** upon a worker's request. The information shall be provided in accessible formats for workers with disabilities upon their request.

Amendment

3. Employers shall provide the information referred to in paragraph 1 within ***two months*** upon a worker's request. The information shall be provided in accessible formats for workers with disabilities upon their request.

Or. en

**Amendment 653
Jadwiga Wiśniewska**

**Proposal for a directive
Article 7 – paragraph 3**

Text proposed by the Commission

3. Employers shall provide the information referred to in paragraph 1 within a ***reasonable*** period of time upon a worker's request. The information shall be provided in accessible formats for workers with disabilities upon their request.

Amendment

3. Employers shall provide the information referred to in paragraph 1 within a ***three month*** period of time upon a worker's request. ***In case of failure to meet the time limit, due justification should be provided for the worker.*** The information shall be provided in accessible formats for workers with disabilities upon their request.

Or. en

**Amendment 654
Maria Walsh, Sirpa Pietikäinen, Jarosław Duda, Frances Fitzgerald, Deirdre Clune,
Stelios Kympouropoulos, Loucas Fourlas**

**Proposal for a directive
Article 7 – paragraph 3**

Text proposed by the Commission

Amendment

3. Employers shall provide the information referred to in paragraph 1 within a reasonable period of *time upon* a worker's request. The information shall be provided in accessible formats for workers with disabilities upon their request.

3. Employers shall provide the information referred to in paragraph 1 *in writing* within a reasonable period of *no longer than 2 months after receiving* a worker's request. The information shall be provided in accessible formats for workers with disabilities upon their request.

Or. en

Amendment 655

Abir Al-Sahlani, Dragoş Pîslaru, Hilde Vautmans, Linea Søgaaard-Lidell, Alin Mituţa

Proposal for a directive Article 7 – paragraph 3

Text proposed by the Commission

3. Employers shall provide the information referred to in paragraph 1 within a reasonable period of time upon a worker's request. The information shall be provided in accessible formats for workers with disabilities upon their request.

Amendment

3. Employers shall provide the information referred to in paragraph 1 within a reasonable period of time upon a worker's request. The information shall be provided *only if it does not reveal information about wage levels of an individual worker and* in accessible formats for workers with disabilities upon their request.

Or. en

Amendment 656

Eugenia Rodríguez Palop, Leila Chaibi, Konstantinos Arvanitis, Marisa Matias, José Gusmão, Marc Botenga, Silvia Modig, Nikolaj Villumsen

Proposal for a directive Article 7 – paragraph 4

Text proposed by the Commission

4. Workers shall have the *possibility* to request the information referred to in paragraph 1 through their representatives or an equality body.

Amendment

4. Workers shall have the *right* to request the information referred to in paragraph 1 through their representatives or an equality body, *in order to guarantee confidentiality and anonymity. Workers shall, personally or through their*

workers' representatives, have the right to request additional clarifications and details regarding any of the data provided, and receive a substantiated reply. Workers' representatives, including trade unions, shall have the possibility to request information on pay level on behalf of a worker, broken down by sex and categories of workers.

Or. en

Amendment 657

Maria Walsh, Sirpa Pietikäinen, Jarosław Duda, Radan Kanev, Frances Fitzgerald, Deirdre Clune, Loucas Foulas, Stelios Kympouropoulos

Proposal for a directive Article 7 – paragraph 4

Text proposed by the Commission

4. Workers shall have the **possibility** to request the information referred to in paragraph 1 through their representatives **or an** equality body.

Amendment

4. Workers shall have the **right** to request the information referred to in paragraph 1 through their representatives **and** equality body **or competent authority**.

Or. en

Amendment 658 Sandra Pereira

Proposal for a directive Article 7.º – paragraph 4

Text proposed by the Commission

4. Workers shall have the possibility to request the information referred to in paragraph 1 through their **representatives** or an equality body.

Amendment

4. Workers shall have the possibility to request the information referred to in paragraph 1 through their **representative organisations** or an equality body.

Or. pt

Amendment 659

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Marianne Vind, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

Proposal for a directive Article 7 – paragraph 4

Text proposed by the Commission

4. Workers shall have the **possibility** to request the information referred to in paragraph 1 through **their** representatives or an equality body.

Amendment

4. Workers shall have the **right** to request the information referred to in paragraph 1 through **the workers** representatives or an equality body.

Or. en

Amendment 660

Margarita de la Pisa Carrión

Proposal for a directive Article 7 – paragraph 4

Text proposed by the Commission

4. Workers shall have the possibility to request the information referred to in paragraph 1 through their representatives **or an equality body**.

Amendment

4. Workers shall have the possibility to request the information referred to in paragraph 1 through their representatives.

Or. es

Justification

In general terms, intervention by an official body for access to company information is disproportionate and runs counter to promoting the work of social partners.

Amendment 661

Christine Schneider, Sabine Verheyen, Ralf Seekatz, Peter Liese, Peter Jahr, Sven Simon, Stefan Berger, Axel Voss, Angelika Niebler, Angelika Winzig, Lukas Mandl, Pernille Weiss, Georgios Kyrtos, Jessica Polfjärd, Sara Skyttdal, Lena Düpont, Jens Gieseke, Markus Pieper, Markus Ferber, Henna Virkkunen

Proposal for a directive
Article 7 – paragraph 4

Text proposed by the Commission

4. Workers shall have the possibility to request the information referred to in paragraph 1 through their representatives ***or an equality body.***

Amendment

4. Workers shall have the possibility to request the information referred to in paragraph 1 through their representatives.

Or. en

Amendment 662
Ernest Urtasun, Kira Marie Peter-Hansen
on behalf of the Greens/EFA Group

Proposal for a directive
Article 7 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Workers' representatives shall have the possibility to request information on pay level on behalf of a worker, broken down by gender and category of workers. Workers shall be entitled to be informed on which persons are included in the category of workers used by the employer in the calculation of the median wage levels pursuant to paragraph 1.

Or. en

Amendment 663
Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Marianne Vind, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

Proposal for a directive
Article 7 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The information shall be provided in accessible formats for workers with disabilities

Or. en

Amendment 664

Elena Lizzi, Stefania Zambelli

**Proposal for a directive
Article 7 – paragraph 5**

Text proposed by the Commission

Amendment

5. Workers shall not be prevented from disclosing their pay for the purpose of enforcing the principle of equal pay between men and women for equal work or work of equal value.

deleted

Or. it

Amendment 665

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Marianne Vind, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

**Proposal for a directive
Article 7 – paragraph 5**

Text proposed by the Commission

Amendment

5. Workers shall *not* be prevented from disclosing their pay *for the purpose of enforcing the principle of equal pay between men and women for equal work or work of equal value.*

5. Workers shall *under no circumstances* be prevented from disclosing their pay *inside and outside the company they are in employment relationship with. Contractual terms and measures aiming at limiting or prohibiting workers from disclosing their pay or average pay levels, especially to*

their colleagues or trade union, shall be prohibited.

Or. en

Amendment 666

Eugenia Rodríguez Palop, Leila Chaibi, Konstantinos Arvanitis, Marisa Matias, José Gusmão, Marc Botenga, Silvia Modig, Nikolaj Villumsen, Sandra Pereira

Proposal for a directive Article 7 – paragraph 5

Text proposed by the Commission

5. Workers shall not be prevented from disclosing their pay for the *purpose of enforcing the principle of equal pay between men and women for equal work or work of equal value.*

Amendment

5. Workers shall not be prevented, *under any circumstances*, from disclosing their pay *to other workers and communicating it to their trade union.* *Member States shall thus put in place measures to prohibit contractual terms aiming to restrict workers from disclosing that information for the purposes of this Directive.*

Or. en

Amendment 667

Margarita de la Pisa Carrión

Proposal for a directive Article 7 – paragraph 5

Text proposed by the Commission

5. Workers shall not be prevented from disclosing their pay for the purpose of *enforcing* the principle of equal pay between men and women for equal work or work of equal value.

Amendment

5. Workers shall not be prevented from disclosing their pay for the purpose of *verifying, in their specific case, the application of the criteria laid down in paragraph 1 and, as a result, compliance with* the principle of equal pay between men and women for equal work or work of equal value.

Or. es

Amendment 668

Eugenia Rodríguez Palop, Leila Chaibi, Konstantinos Arvanitis, Marisa Matias, José Gusmão, Marc Botenga, Silvia Modig, Nikolaj Villumsen, Sandra Pereira

Proposal for a directive

Article 7 – paragraph 6

Text proposed by the Commission

Amendment

6. *Employers may require that any worker having obtained information pursuant to this Article shall not use that information for any other purpose than to defend their right to equal pay for the same work or work of equal value and not disseminate the information otherwise.* **deleted**

Or. en

Amendment 669

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Marianne Vind, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

Proposal for a directive

Article 7 – paragraph 6

Text proposed by the Commission

Amendment

6. *Employers may require that any worker having obtained information pursuant to this Article shall not use that information for any other purpose than to defend their right to equal pay for the same work or work of equal value and not disseminate the information otherwise.*

6. *Workers having obtained information pursuant to this Article may use that information for any purpose, especially to defend their right to equal pay for the same work or work of equal value. Workers may share such information with their workers representatives and trade unions.*

Or. en

Amendment 670
Radan Kanev, Romana Tomc

Proposal for a directive
Article 7 – paragraph 6

Text proposed by the Commission

6. ***Employers may require that any worker*** having obtained information pursuant to this Article ***shall not*** use that information for any ***other*** purpose ***than to defend*** their right to equal pay for ***the same*** work or work of equal value ***and not disseminate the*** information ***otherwise***.

Amendment

6. ***Workers*** having obtained information pursuant to this Article ***may*** use that information for any purpose ***including that of defending*** their right to equal pay for ***equal*** work or work of equal value. ***Workers may share the obtained*** information ***with their workers' representatives***.

Or. en

Amendment 671
Margarita de la Pisa Carrión

Proposal for a directive
Article 7 – paragraph 6

Text proposed by the Commission

6. Employers may require that any worker having obtained information pursuant to this Article shall not use that information for any other purpose than to defend their right to equal pay for the same work or work of equal value and not disseminate the information otherwise.

Amendment

6. Employers may require that any worker having obtained information pursuant to this Article shall not use that information for any other purpose than to defend their right to equal pay for the same work or work of equal value ***with regard to the opposite sex*** and not disseminate the information otherwise.

Or. es

Amendment 672
Jeroen Lenaers

Proposal for a directive
Article 7 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6a. *In order to limit as much as possible the costs and administrative burden for employers, Member States shall consider drawing up tools and guidelines for micro, small and medium-sized enterprises in order to facilitate the implementation of the obligations set out in this article.*

Or. en

Amendment 673

Sandra Pereira

Proposal for a directive

Article 7.^o – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6 a. *Workers' representative organisations also enjoy the right to information described in paragraph 1 in relation to all workers.*

Or. pt

Amendment 674

Sara Skyttedal, Jessica Polfjärd, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Lukas Mandl, Angelika Winzig, Pernille Weiss, Simone Schmiedtbauer, Barbara Thaler

Proposal for a directive

Article 8 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. Employers with at least **250** workers *shall provide the following information concerning their organisation, in accordance with paragraphs 2, 3, and 5:*

1. *Member States shall, with regard to their respective labour market models and traditions, take appropriate measures to ensure that employers with at least 500 workers map the pay gap between men and women in the different categories of workers.*

Amendment 675
Jens Gieseke, Ralf Seekatz

Proposal for a directive
Article 8 – paragraph 1 – introductory part

Text proposed by the Commission

(1) Employers with at least **250** workers shall provide the following information concerning their organisation, in accordance with paragraphs 2, 3, and 5:

Amendment

(1) Employers with at least **1 000** workers shall provide the following information concerning their organisation, in accordance with paragraphs 2, 3, and 5:

Or. de

Amendment 676
Christine Schneider, Sabine Verheyen, Ralf Seekatz, Peter Liese, Peter Jahr, Sven Simon, Stefan Berger, Axel Voss, Angelika Niebler, Angelika Winzig, Lukas Mandl, Pernille Weiss, Georgios Kyrtos, Lena Düpont, Jens Gieseke, Markus Pieper, Markus Ferber, Henna Virkkunen

Proposal for a directive
Article 8 – paragraph 1 – introductory part

Text proposed by the Commission

1. Employers with at least **250** workers shall provide the following information concerning their organisation, in accordance with paragraphs 2, 3, and 5:

Amendment

1. Employers with at least **500** workers shall provide the following information concerning their organisation, in accordance with paragraphs 2, 3, and 5:

Or. en

Amendment 677
Maria Walsh, Frances Fitzgerald, Deirdre Clune, Stelios Kypouropoulos, Loucas Foulas, Dennis Radtke

Proposal for a directive
Article 8 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. Employers with at least **250** workers shall provide the following information concerning their organisation, in accordance with paragraphs 2, 3, and 5:

1. Employers with at least **200** workers ***or lower if defined at a national level***, shall provide the following information concerning their organisation, in accordance with paragraphs 2, 3, and 5: ***For employers bound by applicable agreements at sectoral level a presumption of appropriateness shall apply with regard to the implementation of reporting requirements in this article***

Or. en

Amendment 678

Abir Al-Sahlani, Dragoş Pîslaru, Linea Søgaard-Lidell, Alin Mituţa

Proposal for a directive

Article 8 – paragraph 1 – introductory part

Text proposed by the Commission

1. Employers with at least 250 workers shall provide ***the following*** information concerning ***their organisation, in accordance with paragraphs 2, 3, and 5:***

Amendment

1. ***Member States shall introduce adequate measures, with regard to national labour market traditions, to ensure that*** employers with at least 250 workers shall ***monitor and*** provide information concerning ***pay gap between female and male workers for different categories of workers that conducts the same work as them or work of equal value for the same employer.***

Or. en

Amendment 679

Margarita de la Pisa Carrión

Proposal for a directive

Article 8 – paragraph 1 – introductory part

Text proposed by the Commission

1. Employers with ***at least*** 250 workers ***shall*** provide the following information concerning their organisation,

Amendment

1. Employers ***falling within the scope of this Directive shall, subject to the condition that this Article shall under no***

in accordance with paragraphs 2, 3, and 5:

circumstances impose an obligation on employers with fewer than 250 workers, provide the following information concerning their organisation, in accordance with paragraphs 2, 3, and 5:

Or. es

Justification

For the sake of proportionality it is recommended that this measure be applied to undertakings with 250 workers or more, in accordance with the Commission's Impact Assessment. Likewise, personal data protection considerations make it advisable not to extend this obligation to small and medium-sized enterprises.

Amendment 680

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Marianne Vind, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

Proposal for a directive

Article 8 – paragraph 1 – introductory part

Text proposed by the Commission

1. Employers **with at least 250 workers** shall provide the following information concerning their organisation, in accordance with paragraphs 2, 3, and 5:

Amendment

1. Employers **without exceptions** shall provide **to their workers** the following information concerning their organisation, in accordance with paragraphs 2, 3, and 5:

Or. en

Amendment 681

Lucia Ďuriš Nicholsonová

Proposal for a directive

Article 8 – paragraph 1 – introductory part

Text proposed by the Commission

1. Employers with at least **250** workers shall provide the following

Amendment

1. Employers with at least **100** workers shall provide the following

information concerning their organisation,
in accordance with paragraphs 2, 3, and 5:

information concerning their organisation,
in accordance with paragraphs 2, 3, and 5:

Or. en

Amendment 682

Sirpa Pietikäinen

Proposal for a directive

Article 8 – paragraph 1 – introductory part

Text proposed by the Commission

1. Employers with at least **250** workers shall provide the following information concerning their organisation, in accordance with paragraphs 2, 3, and 5:

Amendment

1. Employers with at least **30** workers shall provide the following information concerning their organisation, in accordance with paragraphs 2, 3, and 5:

Or. en

Amendment 683

Sylvie Brunet, Ilana Cicurel, Dragoş Pîslaru, Hilde Vautmans, Irena Joveva, Marie-Pierre Vedrenne, Véronique Trillet-Lenoir, Atidzhe Alieva-Veli, Stéphane Bijoux, Alin Mituța, Irène Tolleret

Proposal for a directive

Article 8 – paragraph 1 – introductory part

Text proposed by the Commission

1. Employers with at least **250** workers shall provide the following information concerning their organisation, in accordance with paragraphs 2, 3, and 5:

Amendment

1. Employers with at least **50** workers shall provide the following information concerning their organisation, in accordance with paragraphs 2, 3, and 5:

Or. en

Amendment 684

Daniela Rondinelli

Proposal for a directive

Article 8 – paragraph 1 – introductory part

Text proposed by the Commission

1. Employers with at least **250** workers shall provide the following information concerning their organisation, in accordance with paragraphs 2, 3, and 5:

Amendment

1. Employers with at least **10** workers shall provide the following information concerning their organisation, in accordance with paragraphs 2, 3, and 5:

Or. it

Amendment 685

Eugenia Rodríguez Palop, Leila Chaibi, Konstantinos Arvanitis, Marisa Matias, José Gusmão, Marc Botenga, Sandra Pereira

Proposal for a directive

Article 8 – paragraph 1 – introductory part

Text proposed by the Commission

1. Employers **with at least 250 workers** shall provide the following information concerning their organisation, in accordance with paragraphs 2, 3, and 5:

Amendment

1. Employers shall provide the following information concerning their organisation, in accordance with paragraphs 2, 3, and 5:

Or. en

Amendment 686

Ernest Urtasun

on behalf of the Greens/EFA Group

Proposal for a directive

Article 8 – paragraph 1 – introductory part

Text proposed by the Commission

1. Employers **with at least 250 workers** shall provide the following information concerning their organisation, in accordance with paragraphs 2, 3, and 5:

Amendment

1. Employers shall provide the following information concerning their organisation, in accordance with paragraphs 2, 3, and 5:

Or. en

Amendment 687

Heléne Fritzson, Johan Danielsson

Proposal for a directive

Article 8 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. Employers ***with at least 250 workers*** shall provide the following information concerning their organisation, in accordance with paragraphs 2, 3, and 5:

1. Employers shall provide the following information concerning their organisation, in accordance with paragraphs 2, 3, and 5:

Or. en

Amendment 688

Annika Bruna

Proposal for a directive

Article 8 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) the pay gap between all female and male workers; ***deleted***

Or. fr

Justification

The aim is to ensure equal pay between men and women for equal work or work of equal value. This statistic does not meet this aim and adds administrative burdens to undertakings.

Amendment 689

Sara Skyttedal, Jessica Polfjärd, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Lukas Mandl, Angelika Winzig, Pernille Weiss, Simone Schmiedtbauer, Barbara Thaler

Proposal for a directive

Article 8 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) the pay gap between all female and male workers; ***deleted***

Or. en

Amendment 690

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń

Proposal for a directive

Article 8 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) the pay gap *between all female and male workers;*

(a) the pay gap

Or. en

Amendment 691

Elżbieta Rafalska

Proposal for a directive

Article 8 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) the pay gap between *all* female and male workers;

(a) the pay gap between female and male workers *in the same category;*

Or. pl

Amendment 692

Margarita de la Pisa Carrión

Proposal for a directive

Article 8 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) the pay gap between all female and male workers;

(a) the pay gap between all female and male workers, *where it is greater than 5%;*

Or. es

Justification

A pay gap of less than 5% is not considered relevant, but caused by effects unrelated to discrimination.

Amendment 693

Annika Bruna

Proposal for a directive

Article 8 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) the pay gap between all female and male workers in complementary or variable components; ***deleted***

Or. fr

Justification

The aim is to ensure equal pay between men and women for equal work or work of equal value. This statistic does not meet this aim and adds administrative burdens to undertakings.

Amendment 694

Elżbieta Rafalska

Proposal for a directive

Article 8 – paragraph 1 – point b

Text proposed by the Commission

Amendment

b) the pay gap between all female and male workers in complementary or variable components; ***deleted***

Or. pl

Amendment 695

Margarita de la Pisa Carrión

Proposal for a directive

Article 8 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) the pay gap between all female and male workers in complementary or variable components; **deleted**

Or. es

Justification

What is of interest to workers and is laid down in Article 157 of the TFEU is the total level of pay. In addition, requiring detailed information runs counter to proportionality in terms of the quantity of information and the administrative burden imposed on business owners.

Amendment 696

Sara Skyttedal, Jessica Polfjärd, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Lukas Mandl, Angelika Winzig, Pernille Weiss, Simone Schmiedtbauer, Barbara Thaler

Proposal for a directive

Article 8 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) the pay gap between all female and male workers in complementary or variable components; **deleted**

Or. en

Amendment 697

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginell, Pierfrancesco Majorino, Robert Biedroń

Proposal for a directive

Article 8 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) the pay gap *between all female and male workers* in complementary or variable components;

(b) the pay gap in complementary or variable components;

Amendment 698

Sirpa Pietikäinen, Maria Walsh, Maria da Graça Carvalho, Cindy Franssen, Frances Fitzgerald

Proposal for a directive

Article 8 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) the pay gap between female and male workers without disabilities and female and male workers with disabilities, where they have communicated their disability to their employer;

Or. en

Amendment 699

Stelios Kympouropoulos, Jarosław Duda, Loucas Fourlas, Romana Tomc, Radan Kanev

Proposal for a directive

Article 8 – paragraph 1 – point b a (new)

Text proposed by the Commission

Amendment

(ba) the pay gap between non-disabled female and male workers and disabled female and male workers when they have communicated their disability to the employers;

Or. en

Amendment 700

Annika Bruna

Proposal for a directive

Article 8 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) the median pay gap between all female and male workers; *deleted*

Or. fr

Amendment 701

Sara Skyttedal, Jessica Polfjård, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Lukas Mandl, Angelika Winzig, Pernille Weiss, Simone Schmiedtbauer, Barbara Thaler

Proposal for a directive

Article 8 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) the median pay gap between all female and male workers; *deleted*

Or. en

Amendment 702

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń

Proposal for a directive

Article 8 – paragraph 1 – point c

Text proposed by the Commission

Amendment

*(c) the median pay gap **between all** female and male workers;* *(c) the median pay gap*

Or. en

Amendment 703

Elżbieta Rafalska

Proposal for a directive

Article 8 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) the median pay gap between **all** female and male workers;

(c) the median pay gap between female and male workers **in the same category**;

Or. pl

Amendment 704

Margarita de la Pisa Carrión

Proposal for a directive

Article 8 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) the median pay gap between all female and male workers;

(c) the median pay gap between all female and male workers, **where it is greater than 5%**;

Or. es

Justification

A pay gap of less than 5% is not considered relevant, but caused by effects unrelated to discrimination.

Amendment 705

Annika Bruna

Proposal for a directive

Article 8 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) **the median pay gap between all female and male workers in complementary or variable components;**

deleted

Or. fr

Justification

The aim is to ensure equal pay between men and women for equal work or work of equal value. This statistic does not meet this aim and adds administrative burdens to undertakings.

Amendment 706
Elżbieta Rafalska

Proposal for a directive
Article 8 – paragraph 1 – point d

Text proposed by the Commission

Amendment

d) the median pay gap between all female and male workers in complementary or variable components; **deleted**

Or. pl

Amendment 707
Margarita de la Pisa Carrión

Proposal for a directive
Article 8 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) the median pay gap between all female and male workers in complementary or variable components; **deleted**

Or. es

Justification

What is of interest to workers and is laid down in Article 157 of the TFEU is the total level of pay. In addition, requiring detailed information runs counter to proportionality in terms of the quantity of information and the administrative burden imposed on business owners.

Amendment 708
Sara Skyttedal, Jessica Polfjärd, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Lukas Mandl, Angelika Winzig, Pernille Weiss, Simone Schmiedtbauer, Barbara Thaler

Proposal for a directive
Article 8 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) the median pay gap between all female and male workers in **deleted**

complementary or variable components;

Or. en

Amendment 709

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń

Proposal for a directive

Article 8 – paragraph 1 – point d

Text proposed by the Commission

(d) the median pay gap *between all female and male workers* in complementary or variable components;

Amendment

(d) the median pay gap in complementary or variable components;

Or. en

Amendment 710

Heléne Fritzon, Johan Danielsson

Proposal for a directive

Article 8 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) the pay differences between groups of workers performing work that is, or is generally considered to be, dominated by women and groups of workers performing work that is of equal value to such work, or less demanding than such work, but that is not, or is not generally considered to be, dominated by women;

Or. en

Amendment 711

Elżbieta Rafalska

Proposal for a directive
Article 8 – paragraph 1 – point e

Text proposed by the Commission

Amendment

e) the proportion of female and male workers receiving complementary or variable components; **deleted**

Or. pl

Amendment 712

Sara Skyttedal, Jessica Polfjärd, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Lukas Mandl, Angelika Winzig, Pernille Weiss, Simone Schmiedtbauer, Barbara Thaler

Proposal for a directive
Article 8 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) the proportion of female and male workers receiving complementary or variable components; **deleted**

Or. en

Amendment 713

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginell, Pierfrancesco Majorino, Robert Biedroń

Proposal for a directive
Article 8 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) the proportion of female and male workers receiving complementary or variable components;

(e) the proportion of workers *broken down by sex* receiving complementary or variable components;

Or. en

Amendment 714

Sara Skyttedal, Jessica Polfjård, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Lukas Mandl, Angelika Winzig, Pernille Weiss, Simone Schmiedtbauer, Barbara Thaler

Proposal for a directive

Article 8 – paragraph 1 – point f

Text proposed by the Commission

Amendment

**(f) the proportion of female and male
workers in each quartile pay band;** **deleted**

Or. en

Amendment 715

Sylvie Brunet, Ilana Cicurel, Dragoş Pîslaru, Hilde Vautmans, Irena Joveva, Marie-Pierre Vedrenne, Véronique Trillet-Lenoir, Atidzhe Alieva-Veli, Stéphane Bijoux, Alin Mituţa

Proposal for a directive

Article 8 – paragraph 1 – point f

Text proposed by the Commission

Amendment

**(f) the proportion of female and male
workers in each quartile pay band;** **deleted**

Or. en

Amendment 716

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń

Proposal for a directive

Article 8 – paragraph 1 – point f

Text proposed by the Commission

Amendment

(f) the proportion of *female and male* **(f) the proportion of workers *broken***

workers in each quartile pay band;

down by sex in each quartile pay band;

Or. en

Amendment 717

Sara Skyttedal, Jessica Polfjärd, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Lukas Mandl, Angelika Winzig, Pernille Weiss, Simone Schmiedtbauer, Barbara Thaler

Proposal for a directive

Article 8 – paragraph 1 – point g

Text proposed by the Commission

Amendment

(g) the pay gap between female and male workers by categories of workers broken down by ordinary basic salary and complementary or variable components.

deleted

Or. en

Amendment 718

Margarita de la Pisa Carrión

Proposal for a directive

Article 8 – paragraph 1 – point g

Text proposed by the Commission

Amendment

(g) the pay gap between female and male workers by categories of workers broken down by ordinary basic salary and complementary or variable components.

(g) the pay gap between female and male workers by categories of workers, where it is greater than 5%.

Or. es

Justification

What is of interest to workers and is laid down in Article 157 of the TFEU is the total level of pay. In addition, requiring detailed information runs counter to proportionality in terms of the quantity of information and the administrative burden imposed on business owners.

Amendment 719

Elżbieta Rafalska

Proposal for a directive

Article 8 – paragraph 1 – point g

Text proposed by the Commission

g) the pay gap between female and male workers by categories of workers broken down by ordinary basic salary ***and complementary or variable components.***

Amendment

(g) the pay gap between female and male workers by categories of workers broken down by ordinary basic salary.

Or. pl

Amendment 720

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń

Proposal for a directive

Article 8 – paragraph 1 – point g

Text proposed by the Commission

(g) the pay gap ***between female and male workers*** by categories of workers broken down by ordinary basic salary and complementary or variable components.

Amendment

(g) the pay gap by categories of workers broken down by ordinary basic salary and complementary or variable components.

Or. en

Amendment 721

Christine Schneider, Sabine Verheyen, Ralf Seekatz, Peter Liese, Peter Jahr, Sven Simon, Stefan Berger, Axel Voss, Angelika Niebler, Angelika Winzig, Lukas Mandl, Pernille Weiss, Georgios Kyrtos, Lena Düpont, Jens Gieseke, Markus Pieper, Markus Ferber, Henna Virkkunen

Proposal for a directive

Article 8 – paragraph 1 – point g

Text proposed by the Commission

(g) the pay gap between female and

Amendment

(g) the pay gap between female and

male workers by categories of workers broken down by ordinary basic salary and complementary or variable components.

male workers by categories of workers broken down by ordinary basic salary and complementary or variable components. ***In the case of companies that are bound by and/or apply collective bargaining agreements, reference to the relevant collective bargaining agreement shall suffice.***

Or. en

Amendment 722

Sylvie Brunet, Ilana Cicurel, Dragoş Pîslaru, Irena Joveva, Marie-Pierre Vedrenne, Véronique Trillet-Lenoir, Samira Rafaela, Stéphane Bijoux, Alin Mituţa, Irène Tolleret

Proposal for a directive

Article 8 – paragraph 1 – point g a (new)

Text proposed by the Commission

Amendment

(ga) the proportion of female workers who benefited from a pay rise following their return from maternity leave.

Or. en

Amendment 723

Eugenia Rodríguez Palop, Leila Chaibi, Konstantinos Arvanitis, Marisa Matias, José Gusmão, Marc Botenga, Silvia Modig, Nikolaj Villumsen

Proposal for a directive

Article 8 – paragraph 1 – point g a (new)

Text proposed by the Commission

Amendment

(ga) the average pay levels by category of workers broken down by gender.

Or. en

Amendment 724

Ernest Urtasun

on behalf of the Greens/EFA Group

Proposal for a directive

Article 8 – paragraph 1 – point g a (new)

Text proposed by the Commission

Amendment

(ga) the average pay levels by category of workers broken down by gender.

Or. en

Amendment 725

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Marianne Vind, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

Proposal for a directive

Article 8 – paragraph 1 – point g a (new)

Text proposed by the Commission

Amendment

(ga) information on the criteria used to determine pay.

Or. en

Amendment 726

Radan Kanev, Romana Tomc

Proposal for a directive

Article 8 – paragraph 1 – point g a (new)

Text proposed by the Commission

Amendment

(ga) information on the criteria used to determine pay.

Or. en

Amendment 727

Eugenia Rodríguez Palop, Leila Chaibi, Konstantinos Arvanitis, Marisa Matias, José Gusmão, Marc Botenga, Silvia Modig, Nikolaj Villumsen

Proposal for a directive

Article 8 – paragraph 1 – point g b (new)

Text proposed by the Commission

Amendment

(gb) information on the criteria used to determine pay.

Or. en

Amendment 728

Ernest Urtasun

on behalf of the Greens/EFA Group

Proposal for a directive

Article 8 – paragraph 1 – point g b (new)

Text proposed by the Commission

Amendment

(gb) information on the criteria used to determine pay.

Or. en

Amendment 729

Silvia Modig

Proposal for a directive

Article 8 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Employers shall provide the information referred to in paragraph 1 by ... [2 years after the entry into force of this Directive] and thereafter as follows:

(i) for employers with 10 to 50 workers, every three years;

(ii) for employers with 50 to 250 workers, every two years;

(iii) for employers with at least 250

workers, every year.

Employers shall provide the information published in a user-friendly way on their website or shall otherwise make it publicly available, and upon request. The information shall be published in a way accessible to persons with disabilities, in accordance with Union law, in particular with Directives (EU) 2016/2102 and (EU) 2019/882 of the European Parliament and of the Council.

Or. en

Amendment 730

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Marianne Vind, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

Proposal for a directive

Article 8 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Employers shall provide the information referred to in paragraph 1 by... [2 years after the entry into force of this Directive] and thereafter as follows:

(i) for employers with 1 to 10 workers, at least once every four years;

(ii) for employers with 10 to 50 workers, at least once every three years;

(iii) for employers with 50 to 250 workers, at least once every two years;

(iv) for employers with at least 250 workers, every year.

Or. en

Amendment 731

Sylvie Brunet, Ilana Cicurel, Dragoş Pîslaru, Irena Joveva, Marie-Pierre Vedrenne, Véronique Trillet-Lenoir, Atidzhe Alieva-Veli, Stéphane Bijoux, Alin Mituţa, Irène Tolleret

Proposal for a directive
Article 8 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Employers shall provide the information referred to in paragraph 1 by ... [2 years after the entry into force of this Directive] and thereafter as follows:

(i) for employers with 50 to 250 workers, every two years;

(ii) for employers with at least 250 workers, every year.

Or. en

Amendment 732
Daniela Rondinelli

Proposal for a directive
Article 8 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. Depending on the size of the undertaking, employers shall provide the information referred to in paragraph 1 within the following time frames.

- undertakings with 10 to 50 employees: every three years;

- undertakings with 50 to 250 employees: every two years.

- undertakings with more than 250 employees: every year.

Or. it

Amendment 733
Agnes Jongerius, Maria Noichl

Proposal for a directive
Article 8 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. Employers without exceptions shall provide the information referred to in paragraph 1 by ... [2 years after the entry into force of this Directive] and thereafter every year.

Or. en

Amendment 734
Dennis Radtke, Radan Kanev, Romana Tomc

Proposal for a directive
Article 8 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1a. In the case of employers who are bound by collective wage agreements, a reference to the relevant collective wage agreement shall suffice.

Or. en

Amendment 735
Sara Skyttedal, Jessica Polfjärd, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Pernille Weiss

Proposal for a directive
Article 8 – paragraph 2

Text proposed by the Commission

Amendment

2. The accuracy of the information shall be confirmed by the employer's management.

deleted

Or. en

Amendment 736

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Marianne Vind, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

Proposal for a directive Article 8 – paragraph 2

Text proposed by the Commission

2. The accuracy of the information shall be confirmed by the employer's management.

Amendment

2. The accuracy of the information shall be confirmed by the employer's management ***and workers' representatives. Employers shall establish in consultation with workers' representatives on the methods used to calculate the pay gap, median pay gap and average pay levels.***

Or. en

Amendment 737

Eugenia Rodríguez Palop, Leila Chaibi, Konstantinos Arvanitis, Marisa Matias, José Gusmão, Marc Botenga, Silvia Modig, Nikolaj Villumsen, Sandra Pereira

Proposal for a directive Article 8 – paragraph 2

Text proposed by the Commission

2. The accuracy of the information shall be confirmed by the employer's management.

Amendment

2. The accuracy of the information shall be confirmed by the employer's management ***and workers' representatives. Employers shall consult with workers' representatives on the methods used to calculate the pay gap, median pay gap and average pay levels.***

Or. en

Amendment 738 Annika Bruna

Proposal for a directive
Article 8 – paragraph 3

Text proposed by the Commission

Amendment

3. The employer shall publish the information referred to in paragraph 1, points (a) to (f) on an annual basis in a user-friendly way on its website or shall otherwise make it publicly available. The information from the previous four years, if available, shall also be accessible upon request. In addition, the employer shall share this information with the monitoring body referred to in paragraph 6. *deleted*

Or. fr

Amendment 739

Sara Skyttedal, Jessica Polfjärd, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Radan Kanev, Lukas Mandl, Angelika Winzig, Pernille Weiss, Simone Schmiedtbauer, Barbara Thaler

Proposal for a directive
Article 8 – paragraph 3

Text proposed by the Commission

Amendment

3. The employer shall publish the information referred to in paragraph 1, points (a) to (f) on an annual basis in a user-friendly way on its website or shall otherwise make it publicly available. The information from the previous four years, if available, shall also be accessible upon request. In addition, the employer shall share this information with the monitoring body referred to in paragraph 6. *deleted*

Or. en

Amendment 740

Eugenia Rodríguez Palop, Leila Chaibi, Konstantinos Arvanitis, Marisa Matias, José

Proposal for a directive
Article 8 – paragraph 3

Text proposed by the Commission

3. ***The employer shall publish*** the information referred to in paragraph 1, ***points (a) to (f) on an annual basis*** in a user-friendly way on its website or shall otherwise ***make it*** publicly available. The information from the previous four years, if available, shall also be accessible upon request. In addition, the employer shall share this information with the monitoring body referred to in paragraph 6.

Amendment

3. The information referred to in paragraph 1 ***shall be published by the employer*** in a user-friendly way on its website or shall otherwise ***be made*** publicly available ***and accessible to persons with disabilities in accordance with Directive (EU) 2019/882 of the European Parliament and of the Council.*** ***This information shall be published:***

a) on an annual basis, by employers with at least 50 workers;

b) at least every two years, by employers with fewer than 50 but at least 10 workers;

c) at least every three years, by employers with fewer than 10 workers.

The information from the previous four years, if available, shall also be accessible upon request. In addition, the employer shall share this information with the monitoring body referred to in paragraph 6, ***and shall include that information in their management report where they are required to draw up such a report pursuant to Directive 2013/34/EU.***

Or. en

Amendment 741

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Marianne Vind, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

Proposal for a directive

Article 8 – paragraph 3

Text proposed by the Commission

3. The employer shall publish the information referred to in paragraph 1, points (a) to **(f) on an annual basis** in a user-friendly way on its website or shall **otherwise make it** publicly available. The information from the previous four years, if available, shall also be accessible upon request. In addition, the employer shall share this information with the monitoring body referred to in paragraph 6.

Amendment

3. The employer shall publish the information referred to in paragraph 1, points (a) to **(h)** in a user-friendly way on its website or shall **be made** publicly available **by the employer. The information referred to in paragraph 1 shall be accessible to persons with disabilities in accordance with Directive (EU) 2019/882 of the European Parliament and of the Council. Employers shall include that information in their management report where they are required to draw up such a report pursuant to Directive 2013/34/EU.** The information from the previous four years, if available, shall also be accessible upon request. In addition, the employer shall share this information with the monitoring body referred to in paragraph 6.

Or. en

Amendment 742

Ernest Urtasun

on behalf of the Greens/EFA Group

Proposal for a directive

Article 8 – paragraph 3

Text proposed by the Commission

3. The employer shall publish the information referred to in paragraph 1, **points (a) to (f)** on an annual basis in a user-friendly way on its website or shall otherwise make it publicly available. The information from the previous four years, if available, shall also be accessible upon request. In addition, the employer shall share this information with the monitoring body referred to in paragraph 6.

Amendment

3. The employer shall publish the information referred to in paragraph 1 on an annual basis in a user-friendly way on its website or shall otherwise make it publicly available **and accessible to persons with disabilities in accordance with Directive (EU) 2019/882 of the European Parliament and of the Council^{1a}. Employers shall include that information in their management report where they are required to draw up such a report pursuant to Directive 2013/34/EU.**

The information from the previous four years, if available, shall also be accessible upon request. In addition, the employer shall share this information with the monitoring body referred to in paragraph 6.

1^a Directive (EU) 2019/882 of the European Parliament and of the Council of 17 April 2019 on the accessibility requirements for products and services (OJ L 151, 7.6.2019, p. 70).

Or. en

Amendment 743

Sirpa Pietikäinen, Maria da Graça Carvalho, Cindy Franssen, Frances Fitzgerald

Proposal for a directive

Article 8 – paragraph 3

Text proposed by the Commission

3. The employer shall publish the information referred to in paragraph 1, points (a) to (f) on an annual basis in a user-friendly way on its website or shall otherwise make it publicly available. The information from the previous four years, if available, shall also be accessible upon request. In addition, the employer shall share this information with the monitoring body referred to in paragraph 6.

Amendment

3. The employer shall publish the information referred to in paragraph 1, points (a) to (f) on an annual basis in a user-friendly way on its website or shall otherwise make it publicly available. The information ***shall be published in accessible formats for persons with disabilities in accordance with the harmonised legal acts of the Union on accessibility. The information*** from the previous four years, if available, shall also be accessible upon request. In addition, the employer shall share this information with the monitoring body referred to in paragraph 6.

Or. en

Amendment 744

Sandra Pereira

Proposal for a directive

Article 8.º – paragraph 3

Text proposed by the Commission

3. The employer shall **publish** the information referred to in paragraph 1, **points (a) to (f)** on an annual basis **in a user-friendly way** on its website or shall otherwise make it publicly available. The information from the previous four years, if available, shall also be accessible upon request. In addition, the employer shall share this information with the monitoring body referred to in paragraph 6.

Amendment

3. The employer shall **make public** the information referred to in paragraph 1 on an annual basis on its website, **if it has one**, or shall otherwise make it publicly available. **The information in question shall be posted inside the workplace in such a way as to be easily accessible to all workers and their representatives.** The information from the previous four years, if available, shall also be accessible upon request. In addition, the employer shall share this information with the monitoring body referred to in paragraph 6.

Or. pt

Amendment 745

Maria Walsh, Sirpa Pietikäinen, Jarosław Duda, Radan Kanev, Frances Fitzgerald, Deirdre Clune, Stelios Kympouropoulos, Loucas Furlas

Proposal for a directive

Article 8 – paragraph 3

Text proposed by the Commission

3. The employer shall publish the information referred to in paragraph 1, points (a) to (f) on an annual basis in a user-friendly way on its website or shall otherwise make it publicly available. The information from the previous four years, if available, shall also be accessible upon request. In addition, the employer shall share this information with the monitoring body referred to in paragraph 6.

Amendment

3. The employer shall publish the information referred to in paragraph 1, points (a) to (f) on an annual basis in a user-friendly way on its website or shall otherwise make it publicly available. The information **shall be published in accessible formats for persons with disabilities in line with EU harmonised accessibility legislation.** The information from the previous four years, if available, shall also be accessible upon request. In addition, the employer shall share this information with the monitoring body referred to in paragraph 6.

Or. en

Amendment 746

Dennis Radtke, Radan Kanev, Romana Tomec

Proposal for a directive

Article 8 – paragraph 3

Text proposed by the Commission

3. The employer shall publish the information referred to in paragraph 1, points (a) to (f) on an annual basis in a user-friendly way on its website or shall otherwise make it publicly available. The information from the previous four years, if available, shall also be accessible upon request. In addition, the employer shall share this information with the monitoring body referred to in paragraph 6.

Amendment

3. The employer shall publish the information referred to in paragraph 1, points (a) to (f) on an annual basis in a user-friendly way on its website or shall otherwise make it publicly available. The information from the previous four years, if available, shall also be accessible upon request. In addition, the employer shall share this information with the monitoring body referred to in paragraph 6. ***In the case of employers who are bound by collective wage agreements, the obligations in this paragraph shall apply only every five years.***

Or. en

Amendment 747

Christine Schneider, Sabine Verheyen, Ralf Seekatz, Peter Liese, Peter Jahr, Sven Simon, Stefan Berger, Axel Voss, Angelika Niebler, Angelika Winzig, Lukas Mandl, Georgios Kyrtzos, Lena Düpont, Jens Gieseke, Markus Pieper, Markus Ferber, Henna Virkkunen

Proposal for a directive

Article 8 – paragraph 3

Text proposed by the Commission

3. The employer shall publish the information referred to in paragraph 1, points (a) to (f) ***on an annual basis*** in a user-friendly way on its website or shall otherwise make it publicly available. The information from the previous four years, if available, shall also be accessible upon request. ***In addition, the employer shall share this information with the monitoring body referred to in paragraph 6.***

Amendment

3. The employer shall publish the information referred to in paragraph 1, points (a) to (f) ***every three years, collectively bargained companies every five years*** in a user-friendly way on its website or shall otherwise make it publicly available. The information from the previous four years, if available, shall also be accessible upon request.

Amendment 748
Hilde Vautmans

Proposal for a directive
Article 8 – paragraph 3

Text proposed by the Commission

3. The employer shall **publish** the information referred to in paragraph 1, points (a) to (f) **on an annual basis in a user-friendly way on its website or shall otherwise make it publicly available**. The information from the previous four years, if available, shall also be accessible upon request. In addition, the employer shall share this information with the monitoring body referred to in paragraph 6.

Amendment

3. The employer shall **communicate** the information referred to in paragraph 1, points (a) to (f) **to the trade union or the workers' representatives at the works council**. The information from the previous four years, if available, shall also be accessible **to the trade union or workers' representatives** upon request. In addition, the employer shall share this information with the monitoring body referred to in paragraph 6.

Amendment 749

Sylvie Brunet, Ilana Cicurel, Dragoş Pîslaru, Irena Joveva, Marie-Pierre Vedrenne, Véronique Trillet-Lenoir, Atidzhe Alieva-Veli, Stéphane Bijoux, Alin Mituţa

Proposal for a directive
Article 8 – paragraph 3

Text proposed by the Commission

3. The employer shall publish the information referred to in paragraph 1, points (a) to **(f)** on an annual basis in a user-friendly way on its website or shall otherwise make it publicly available. The information from the previous four years, if available, shall also be accessible upon request. In addition, the employer shall share this information with the monitoring body referred to in paragraph 6.

Amendment

3. The employer shall publish the information referred to in paragraph 1, points (a) to **(e)** on an annual basis in a user-friendly way on its website or shall otherwise make it publicly available. The information from the previous four years, if available, shall also be accessible upon request. In addition, the employer shall share this information with the monitoring body referred to in paragraph 6.

Amendment 750

Jadwiga Wiśniewska

Proposal for a directive

Article 8 – paragraph 3

Text proposed by the Commission

3. The employer shall publish the information referred to in paragraph 1, points (a) to (f) ***on an annual basis*** in a user-friendly way on its website or shall otherwise make it publicly available. The information from the previous four years, if available, shall also be accessible upon request. In addition, the employer shall share this information with the monitoring body referred to in paragraph 6.

Amendment

3. The employer shall publish the information referred to in paragraph 1, points (a) to (f) ***annually*** in a user-friendly way on its website or shall otherwise make it publicly available. The information from the previous four years, if available, shall also be accessible upon request. In addition, the employer shall share this information with the monitoring body referred to in paragraph 6.

Or. en

Amendment 751

Margarita de la Pisa Carrión

Proposal for a directive

Article 8 – paragraph 3

Text proposed by the Commission

3. The employer shall publish the information referred to in paragraph 1, ***points (a) to (f)*** on an annual basis in a user-friendly way on its website or shall otherwise make it publicly available. The information from the previous four years, if available, shall also be accessible upon request. In addition, the employer shall share this information with the monitoring body referred to in paragraph 6.

Amendment

3. The employer shall publish the information referred to in paragraph 1 on an annual basis in a user-friendly way on its website or shall otherwise make it publicly available. The information from the previous four years, if available, shall also be accessible upon request. In addition, the employer shall share this information with the monitoring body referred to in paragraph 6.

Or. es

Amendment 752

Sara Skyttedal, Jessica Polfjärd, Stefan Berger, Tomas Tobé, David Lega, Jörgen Warborn, Arba Kokalari, Lukas Mandl, Angelika Winzig, Pernille Weiss, Simone Schmiedtbauer, Barbara Thaler

Proposal for a directive
Article 8 – paragraph 4

Text proposed by the Commission

Amendment

4. *Member States may decide to compile the information set out in paragraph 1, points (a) to (f) themselves, on the basis of administrative data such as data provided by employers to the tax or social security authorities. This information shall be made public in accordance with paragraph 6.*

deleted

Or. en

Amendment 753
Margarita de la Pisa Carrión

Proposal for a directive
Article 8 – paragraph 4

Text proposed by the Commission

Amendment

4. Member States *may decide to compile* the information set out in paragraph 1, *points (a) to (f) themselves, on the basis of* administrative data such as data provided by employers to the tax or social security authorities. *This information shall be made public* in accordance with paragraph 6.

4. *In cases where the* Member States *have* the information, *in full or in part*, set out in paragraph 1, *from* administrative data such as data provided by employers to the tax or social security authorities, *publication shall be the responsibility of the corresponding official body of the Member State* in accordance with paragraph 6 *and, as a result, employers shall be exempt from that obligation to the same extent, in full or in part.*

Or. es

Amendment 754
Sandra Pereira

Proposal for a directive
Article 8.^o – paragraph 4

Text proposed by the Commission

4. Member States *may decide to* compile the information set out in paragraph 1, *points (a) to (f)* themselves, on the basis of administrative data such as data provided by employers to the tax or social security authorities. This information shall be made public in accordance with paragraph 6.

Amendment

4. ***Member States shall provide support, technical assistance and training, in particular for micro-, small and medium-sized enterprises and their organisations, and for workers' representative organisations, in relation to the obligations arising from this Article.*** Member States ***shall*** compile the information set out in paragraph 1 themselves, on the basis of administrative data such as data provided by employers to the tax or social security authorities. This information shall be made public in accordance with paragraph 6.

Or. pt

Amendment 755

Marc Angel, Evelyn Regner, Monika Beňová, Manuel Pizarro, Milan Brglez, Maria Noichl, Gabriele Bischoff, Agnes Jongerius, Vilija Blinkevičiūtė, Maria-Manuel Leitão-Marques, Alex Agius Saliba, Vera Tax, Marianne Vind, Aurore Lalucq, Brando Benifei, Alessandra Moretti, Elisabetta Gualmini, Pina Picierno, Estrella Durá Ferrandis, Lina Gálvez Muñoz, Alicia Homs Ginel, Pierfrancesco Majorino, Robert Biedroń, Rovana Plumb

Proposal for a directive
Article 8 – paragraph 4

Text proposed by the Commission

4. Member States may decide to compile the information set out in paragraph 1, points (a) to ***(f)*** themselves, on the basis of administrative data such as data provided by employers to the tax or social security authorities. This information shall be made public in accordance with paragraph 6.

Amendment

4. Member States may decide to compile the information set out in paragraph 1, points (a) to ***(h)*** themselves, on the basis of administrative data such as data provided by employers to the tax or social security authorities. This information shall be made public in accordance with paragraph 6.

Or. en

Amendment 756

Sirpa Pietikäinen, Maria Walsh, Maria da Graça Carvalho, Cindy Franssen, Frances Fitzgerald

Proposal for a directive

Article 8 – paragraph 4

Text proposed by the Commission

4. Member States may decide to compile the information set out in paragraph 1, points (a) to (f) themselves, on the basis of administrative data such as data provided by employers to the tax or social security authorities. This information shall be made public in accordance with paragraph 6.

Amendment

4. Member States may decide to compile the information set out in paragraph 1, points (a) to (f) themselves, on the basis of administrative data such as data provided by employers to the tax or social security authorities. This information shall be made public in accordance with paragraph 6. ***Member States shall provide support, technical assistance and training, in particular for microenterprises and small and medium-sized enterprises, to comply with the obligations pursuant to this Article.***

Or. en

Amendment 757

Maria Walsh, Sirpa Pietikäinen, Jarosław Duda, Radan Kanev, Deirdre Clune, Frances Fitzgerald, Stelios Kypourouopoulos, Loucas Fourlas

Proposal for a directive

Article 8 – paragraph 4

Text proposed by the Commission

4. Member States may decide to compile the information set out in paragraph 1, points (a) to (f) themselves, on the basis of administrative data such as data provided by employers to the tax or social security authorities. This information shall be made public in accordance with paragraph 6.

Amendment

4. Member States may decide to compile the information set out in paragraph 1, points (a) to (f) themselves, on the basis of administrative data such as data provided by employers to the tax or social security authorities. This information shall be made public in accordance with paragraph 6. ***Member States shall provide support, technical assistance and training, in particular for microenterprises and small and medium-sized enterprises, to comply with the obligations pursuant to this Article.***

Amendment 758

Eugenia Rodríguez Palop, Leila Chaibi, Konstantinos Arvanitis, Marisa Matias, José Gusmão, Marc Botenga, Silvia Modig, Nikolaj Villumsen

Proposal for a directive

Article 8 – paragraph 4

Text proposed by the Commission

4. Member States may decide to compile the information set out in paragraph 1, points (a) to (f) themselves, on the basis of administrative data such as data provided by employers to the tax or social security authorities. This information shall be made public in accordance with paragraph 6.

Amendment

4. ***Member States shall provide support, technical assistance and training, in particular for microenterprises and small and medium-sized enterprises, to comply with the obligations pursuant to this Article.*** Member States may decide to compile the information set out in paragraph 1, points (a) to (f) themselves, on the basis of administrative data such as data provided by employers to the tax or social security authorities. This information shall be made public in accordance with paragraph 6.

Amendment 759

Daniela Rondinelli

Proposal for a directive

Article 8 – paragraph 4

Text proposed by the Commission

4. Member States may decide to compile the information set out in paragraph 1, points (a) to (f) themselves, on the basis of administrative data such as data provided by employers to the tax or social security authorities. This information shall be made public in accordance with paragraph 6.

Amendment

4. Member States, ***with the support of the social partners,*** may decide to compile the information set out in paragraph 1, points (a) to (f) themselves, on the basis of administrative data such as data provided by employers to the tax or social security authorities. This information shall be made public in accordance with paragraph 6.

