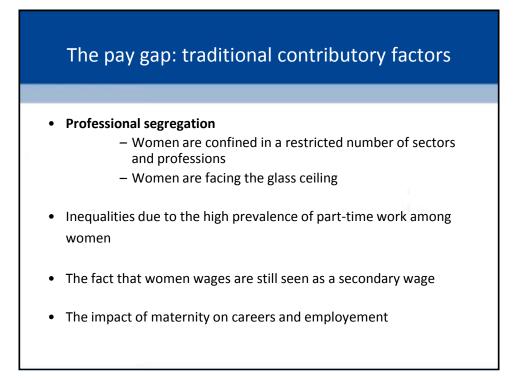


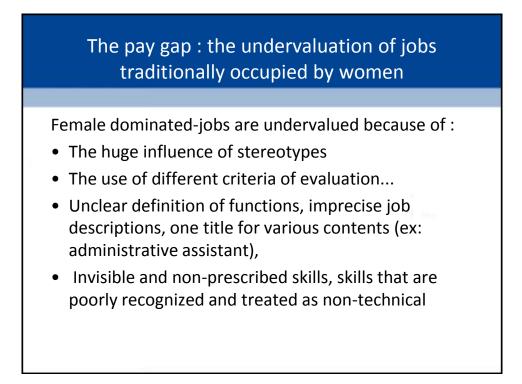
The content of the Guide

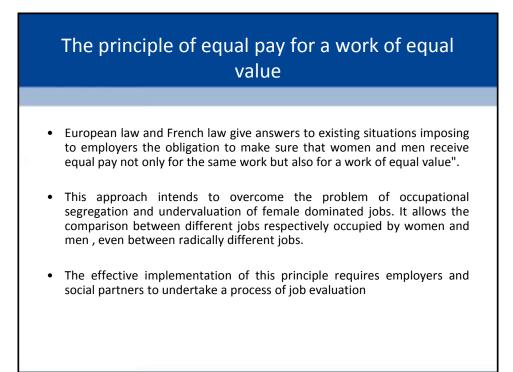
The guide is composed of three parts:

- The first part : "understanding"
- The second part : "questioning"

- The third part : "moving to action"





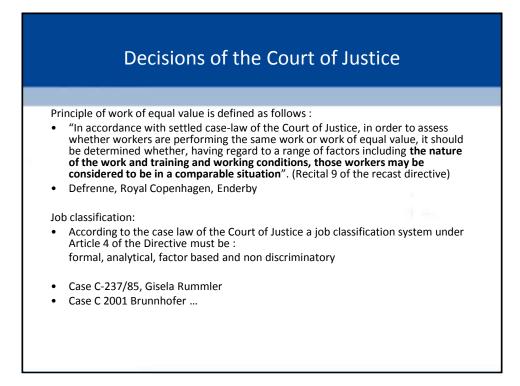


The legal framework

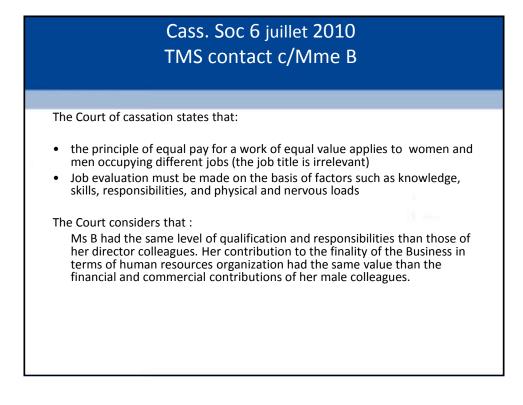
- Article 157 of the Treaty (ex article 141)
- Article 4 of Directive 2006/54 of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast) provides that:

"For the same work or for work to which equal value is attributed, direct and indirect discrimination on grounds of sex with regard to all aspects and conditions of remuneration shall be eliminated.

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



	The legal framework in France
•	The Labour code provides that :
	<u>Article L. 3221-2:</u> "The employer shall ensure that the principle of equality for men and female workers for equal work or a work of equal value is applied"
	<u>Article L.3221-4</u> : "Are deemed of equal value, jobs that require a comparable set of professional knowledge, skills resulting from experience, responsibilities and types of physical or nervous loads ".
•	At a more collective level, the social partners signed in 2004 an inter professional collective agreement on equality between women and men which provides that social partners have to proceed to :
	"a review of the classification system and the evaluation criteria used to define the different jobs in order to find and correct those that could generate gender discrimination and to take into account the range of skills implemented to carry out jobs".



The job classification systems

The global methods:

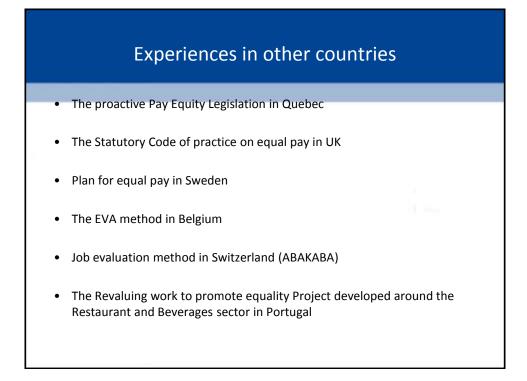
- the ranking and classification methods compare jobs and classify them according to basic job requirements, without carrying out a detailed analysis of their content.
- A major disadvantage (no analysis of the requirements of the job reproduction of stereotypes)
- However, this method is still in place in certain sectors

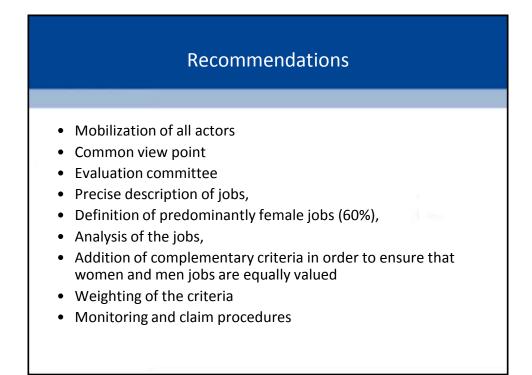
The analytical methods: the point method

- In theory, these methods, which is frequently used today, make it possible to take in consideration all the requirements of all existing jobs in an enterprise and allow their evaluation and comparison, using common, precise and detailed criteria.
- An analytical method based on points and factors is currently recognized as the most appropriate job evaluation method.
- However, this method was not designed to meet the pay equity requirements.

The analysis of existing job classification systems using the point method

- The selection and assessment of evaluation factors could generate indirect discrimination if the criteria (problem solving, anticipation of problems, responsibility, finality, autonomy) are assessed in a restrictive way concerning the administrative/functional jobs /service job and if the criteria are not well defined (knowledge, relationships)
- The exclusion or omission of certain factors in particular those relating to physical and nervous loads
- The overvaluation and redundancy of factors giving higher value to predominantly male jobs (responsibility, finality, contribution)
- The various levels of factors and the weighting of factors to be taken into account
- The lack of transparency of the evaluation process
- The lack of progression of jobs in the classification system particularly in jobs predominantly occupied by women





Specific recommendations on the criteria

- Concerning the "qualification"
- the diploma and training required need to be more precise,
- The reference to the "professional experience" needs to be objectively measured.
- Concerning the "complexity"
- The different forms of technicality need to be taken into account
- The criterion of "problem solving" must be interpreted on a wider scale
- The multidimensional nature of jobs must be taken into account
- Concerning the "responsibility" criterion
- The functional responsibilities must be taken into account, as well as the supervision and coordination responsibilities of women's jobs
- Concerning the "organizational requirements" criterion
- Three types of requirements need to be taken into account: the physical, emotional and stringent time requirements

