

## European Union's Gender Policies applied to Transition Countries

Phd candidate Theranda Beqiri,  
Senior lecturer

### Abstract

New members of the EU and the prospective ones are adapting gender equality EU legislation as part of the enlargement process. Application of equal opportunity law such as, equal pay for men and women for work of equal value, law on labour protection and directives on equal treatment in social security have made important progress in transition countries (although some are lagging behind). This has been attained by providing a structure of gender mainstreaming through the policy making in order of adopting only policies which has an equal treatment of females and males. From our findings for the transition countries the Job creation should be one of the main focuses of the policy makers, where the higher share of the new jobs created should be intended for females. And the Experience from the EU shows that highest share of females are in part – time employment, therefore in job creation part time employment should be considered too, this will help females to earn income and manage family responsibilities.

Key words: gender, transition, economies, employment, unemployment, policy implications

### European Union's Gender Policies applied to Transition Countries

As part of the enlargement process of the EU the new members and the prospective ones are adapting gender equality EU legislation. However there is a difference between gender labour market indicators within EU and transition economies. In many of the transition countries, women's participation in labour market used to be high prior to transition, and dropped noticeably in the early years of transition. These days both males and females have high unemployment rates in most of transition economies and especially in SEE countries, with the highest unemployment rates in Republic of Kosovo. Additionally, male participation in transition economies is often narrower than in EU labour markets and thus gender gaps are often narrower than in EU (European commission, 2003). As in the EU labour markets in transition economies are gender segregated while gender gaps on wages are wider. However according to the European Commission in the field of equal opportunities there has been a significant achievement in most of the new and prospective members of EU, although some of the members are lagging behind.

In 2009, 14 Member States had a female employment rate at, or above, the Lisbon target of 60% However, most of the remaining Member States were still a long way from reaching the target, with four more than 10 percentage points short, namely Malta (37.7%), Italy (46.4%), Greece

Here it should also be noted that the different sectoral concentration of male and female employment has generated a more pronounced decline in male employees than in female employees Morley (2010). Nevertheless, it is

(48.9%) and Hungary (49.9). In four Member States (Estonia, Ireland, Spain and Latvia) the labour market situation deteriorated significantly in 2009, with a decrease in their female employment rates of more than 2 percentage points compared to the previous year.

The overall objective of EU labour market policies is not to return to the modest employment levels of the pre-crisis period, when the overall average employment rate peaked at a moderate 66%, with only 59% of women of working age, and 46% of older workers (55-64) in work. Rather the objective is to attain the high levels of employment and social cohesion that characterize a smart, sustainable and inclusive economy (European Commission 2010)

### Employment rate developments between 2008q2 and 2010q2

		ER in 2008q2	ER in 2010q2	Total ER change
Total	Total	66.0	64.3	-1.7
Gender	Men	73.0	70.2	-2.7
	Women	59.1	58.4	-0.7
Gender and age group	Men 15-24	40.3	36.1	-4.2
	Men 25-54	87.2	84.1	-3.1
	Men 55-64	55.1	54.6	-0.4
	Women 15-24	34.5	31.8	-2.6
	Women 25-54	72.4	71.6	-0.8
	Women 55-64	37.0	38.6	1.6
	Nationals	66.2	64.7	-1.6
	Other EU nationals	69.9	67.8	-2.1
Nationality	Non-EU nationals	59.8	55.3	-4.5
	Low	48.1	45.1	-3.0
	Medium	71.0	68.7	-2.3
Skill level	High	84.1	82.8	-1.4

Source: Eurostat, EU LFS. Data non-seasonally adjusted.

to be expected that, when the economy recovers, growth in the male dominated sectors, such as construction and manufacturing, will outstrip growth in female dominated sectors such as public sector, health, education and the

social sector, as these sectors will be more affected by the upcoming fiscal tightening.

Hence, application of equal opportunity law such as, equal pay for men and women for work of equal value, law on labour protection and directives on equal treatment in social security have made important progress in transition countries. This has been attained by providing a structure of gender mainstreaming through the policy making in order of adopting only policies which has an equal treatment of females and males as well helping the implementation of legislation with supporting mechanisms such as: equality bodies, active and well informed sources for independent advice. Looking in to Bulgaria the unemployment of females is still a concern as well as gender wage gaps. There have been some advancements in equal opportunity policies, some of the main prospective such as: equal pay for women and men and there is also a legislation on special protection of pregnant women and women with children, but the progress still is not as should be in enforcing 'equal opportunity' policies while cooperation with EU and applying new legislation is still ongoing (European commission). According to the European Commission strengthening job creation is crucial challenge for Bulgaria; wage setting mechanism should be reshaped while reforms on education and training should be more rapid. However among the other issues of gender gaps two areas in which Bulgaria cannot boast compliance with EU Directives are in part-time work and the burden of proof in cases of discrimination based on gender, although discrimination is apparent also in the large gender pay gaps (open society institute, 2002). Therefore, the lack of legislation about part time work might explain the very low share of females in part time work.

#### Policy Implications for Kosovo and Recommendations for Action

From our assessment of the gender labour market in Kosovo and from the (Labour force Survey-Kosovo Agency for Statistics-first half of 2012) we noted that there is a very low participation rate of females in active labour market participants (only 18.6 %), and together with a very low share of females in employment (only 10.3 %) and high with unemployment rate (44.4 %). Inequality by gender is significant in the labour market, unemployment rates for females are highest for those at the low educational qualifications and for unskilled, which is consistent with other transition countries. This might come from the low enrolment rate of females compared to males in the secondary education, which is not consistent with other transition countries. Long term unemployment is also a problem faced by females and males, although females are

again disadvantaged with a higher rate of unemployment. While employment offices in Kosovo appear to provide a promising and important link for potential job seekers, and employers seeking employees. Ministry of labour and social welfare has set up seven regional and twenty-two municipal employment office.

The essential Labour law of R. of Kosovo ( **Law No.03/L – 212 Law on Labour** ) is a document that provides for well known standards such as prohibition of compulsory labour, working hours not exceeding 40 hours per week, minimum age for work. Nondiscrimination and equal opportunities are also included such as exclusion of preferences made on; race, color sex, religion, pregnancy, equal pay for equal work and maternity leave. Taking into account Conventions of the International Labour Organization, European Union Legislation and the fundamental principles of free labour market and economy; With the aim of establishing a comprehensive, functional and sustainable legal basis on employment relationship. Nevertheless from the above findings it is suggested that the compliance and enforcement should be further addressed.

#### Conclusions

Some findings and recommendations for the future actions are as follows:

- Gender – disaggregated data are vital for providing an accurate representation of the conditions of women and men. Such data are appropriate for ensuring equal opportunity access and for the competent design of policies for addressing gender gaps in Kosovo. The LFS surveys of SOK should address additional issues on gender such as adding information about wages that gender wage gaps can be investigated.
- Job creation should be one of the main focuses of the policy makers in Kosovo where the higher share of the new jobs created should be intended for females especially females from the rural areas.
- Experience from the EU shows that highest share of females are in part – time employment, therefore in job creation part time employment should be considered too, this will help females to earn income and manage family responsibilities.
- The introduction and implementation of the unemployment benefits should be also focus for policy makers, this will again help in increasing low activity rates of females, since many of females have withdrawn from the labour market would probably re enter the labour market.

**References:**

(Labour Force Survey 2012 ) Kosovo Agency of Statistics

Social Statistics Department Labour Market Sector

[www.esk.rks-gov.ne](http://www.esk.rks-gov.ne)

Morley (2010). Morley, J. (2010), 'Fourth European Working Conditions Survey:

Contribution to policy Development', *Eurofound*, available at

<http://www.eurofound.europa.eu/pubdocs/>

2010/04/en/1/EF1004EN.pdf

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doi:10.2767/72770

**European Commission**

(2003) Employment in Candidate Countries,

Commission reports on data and challenges, Brussels 20/02/2003

**Kuvendi I Kosoves – Ligjet ; Labour Law Law No.03/L –212**

<http://www.kuvendikosoves.org/common/docs/ligjet/2010-212-eng.pdf>

**Morley, J. (2010)**, 'Fourth European Working Conditions Survey: Contribution to Policy Development',

*Eurofound*, available at

<http://www.eurofound.europa.eu/pubdocs/>

2010/04/en/1/EF1004EN.pdf

**Smith, M. (2009)**, 'Analysis Note:

Gender Equality and Recession', available

at [www.ec.europa.eu/social/BlobServlet?docId=2839&langId=en](http://www.ec.europa.eu/social/BlobServlet?docId=2839&langId=en)

**OECD (2009)**, *OECD*, Economic Outlook

85 (June).

**Löfström, A. (2009)**, 'Gender equality, economic growth and employment',

study financed by the Swedish Ministry of Integration and Gender Equality

available at [http://www.se2009.eu/policy\\_fs/1.17994!menu/standard/file/EUstudie\\_sidvis.pdf](http://www.se2009.eu/policy_fs/1.17994!menu/standard/file/EUstudie_sidvis.pdf)

**International Labour Organization (ILO) (2009)**, 'Recovering from theCrisis: A Global Jobs Pact', available at

[http://www.ilo.org/public/libdoc/ilo/2009/109B09\\_101\\_engl.pdf](http://www.ilo.org/public/libdoc/ilo/2009/109B09_101_engl.pdf)