

Contribution by the Federal Republic of Germany to the reporting on “Women’s economic empowerment in the changing world of work” of March 2017

1. Strengthening normative and legal frameworks (paragraphs 40 (a) to (j))

- *What specific actions have been taken to enact, strengthen and enforce laws and regulatory frameworks that ensure gender equality and prohibit discrimination against women in the world of work?*

The **General Act on Equal Treatment** (*Allgemeines Gleichbehandlungsgesetz, AGG*), which came into force on 18 August 2006, prohibits discrimination in employment on the grounds of, inter alia, gender or sexual orientation. According to section 7 (1) in conjunction with section 1 of the Act, employees may not be discriminated against on the grounds of their gender or sexual orientation. For further information on the General Act on Equal Treatment, please see the relevant explanations in this regard below.

Since the introduction of the **general statutory minimum wage** of 8.50 euro gross per hour on 1 January 2015, the minimum wage has been gradually increased. The gross minimum wage has been set at 9.60 euro per hour since 1 July 2021. Further increases will be made on 1 January 2022 to 9.82 euro gross and to 10.45 euro gross on 1 July 2022. As previously, the majority of those benefiting from this cross-sector statutory minimum wage are women (around 57 percent), which means that a further contribution has been made to reducing the gender pay gap.

- *What specific actions have been taken to enact, strengthen and enforce laws and regulations that uphold the principle of equal pay for equal work or work of equal value in both the public and private sectors?*

The Act to Promote Transparency in Wage Structures among Women and Men

(*Entgelttransparenzgesetz, EntgTranspG*) entered into force on 6 July 2017. The Act seeks to help women (and men) to more effectively enforce their right to equal pay for equal work or work of equal value. The Act comprises three instruments:

First, an individual right to information for employees working at companies with more than 200 employees. Secondly, the Act requires private employers with more than 500 employees to implement binding company procedures to review and establish equal pay. Thirdly, the Act requires employers with a workforce that usually counts more than 500 employees, who are obliged to file a management report pursuant to the German Commercial Code, to report on measures to promote equality and create equal pay.

According to the results of the first evaluation of the Act to Promote Transparency in Wage Structures among Women and Men in 2019, the right to information had not been invoked frequently until that date. Four percent of the surveyed employees in companies numbering more than 200 employees requested information. The evaluation also showed that 45 percent of the surveyed companies (with more than 500 employees) had complied with the request to conduct company evaluation procedures and 44 percent of the surveyed companies required to file a management report had complied with this obligation. As a follow-up to this first evaluation, the Federal Government agreed to provide intensive support for the legal application of the Act to Promote Transparency in Wage Structures among Women and Men and the implementation of the principle of equal pay. This initially included raising awareness of the Act within the context of public relations work. In addition, the programme “Promoting equal pay – advising, supporting,

strengthening companies” was launched at the end of 2020 to help companies to implement the Act to Promote Transparency in Wage Structures among Women and Men and the principle of equal pay. It also raises awareness of the benefits of gender-equitable HR and remuneration policies.

- *What measures have been taken to enact, strengthen and enforce laws and policies to eliminate all forms of violence and harassment against women in the world of work and provide means of effective redress in cases of noncompliance?*

The **General Act on Equal Treatment** (*Allgemeines Gleichbehandlungsgesetz, AGG*), which came into force on 18 August 2006, prohibits discrimination in employment on the grounds of, inter alia, gender or sexual orientation. According to section 7 (1) in conjunction with section 1 of the Act, employees may not be discriminated against on the grounds of their gender or sexual orientation. Harassment and sexual harassment are also deemed to be discrimination within the meaning of this Act pursuant to section 3 (3) and (4) of the General Act on Equal Treatment and are therefore prohibited. In the event of a violation of the prohibition of discrimination, the employer is obliged to compensate the female employee concerned for the material and non-material damage caused (cf. section 15 of the General Act on Equal Treatment).

In addition, female employees also have a right to lodge a complaint with the competent department in the firm, company or authority (section 13 of the General Act on Equal Treatment) and, under certain conditions, a right to refuse performance (section 14 of the General Act on Equal Treatment). These rights are also flanked by a special prohibition of victimisation (section 16 of the General Act on Equal Treatment).

The **Stronger than Violence initiative** was launched in November 2019. It is part of the Federal Government action programme Ending Violence against Women Together and works to ensure that more women and men have the courage to defend themselves when they experience physical, sexual or psychological violence, and that more people around those affected take notice and provide support. Sexual harassment in the workplace is one form of violence against women, but men can also be victims. That is why the initiative will focus on this problem in the coming months and call on employers and companies to take responsibility.

The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth is funding the four-year project “**make it work! – for a workplace free from sexual discrimination, harassment and violence**” of bff e.V. (federal association of rape crisis centres and women’s counselling centres in Germany) to strengthen the rights of victims of sexual discrimination, harassment and violence in the workplace. The project aims to use two model regions to show how the societal, political and legal right to a workplace free from sexual discrimination, harassment and violence can be structured and systematically implemented in practice.

2. Strengthening education, training, and skills development (paragraphs 40 (k) to (n))

- *What measures have been taken to mainstream a gender perspective into education and training programmes in order to facilitate the effective transition from education or unemployment to work?*

The scope for **promoting vocational and further training** has been expanded considerably in recent years. This includes those seeking training courses as well as unemployed people and people in employment. For example, low-skilled workers now have a legal right to funding for the purpose of

catching up on their vocational qualifications. All labour market policy instruments also strengthen opportunities for women's career development.

Measures to improve the education and employability of girls and women include technical cooperation projects supporting ministries and other authorities in partner countries in improving education policies, curricula, teacher training and the learning environment at all educational levels. In 2020, Germany made new commitments for investments in the education sector as well as in **technical and vocational education and training (TVET)**, benefiting 661,000 girls and 78,000 women respectively. In addition, in 2020, more than 90 percent of vocational education and training projects funded by the Federal Ministry for Economic Cooperation and Development received an OECD-DAC gender equality policy marker.

At the initiative of the German G7 Presidency, the G7 adopted an **initiative on the economic empowerment of women and girls** in Elmau (2015). Its objective is to increase the number of women and girls in developing countries receiving vocational education through G7 measures by one third by 2030. With the G7 Gender at the Centre Initiative (2019), the Federal Ministry for Economic Cooperation and Development is supporting eight pilot countries in sub-Saharan Africa to make education sector strategies, programmes and budget planning gender-sensitive. The initiative of the Federal Ministry for Economic Cooperation and Development SHE – Support Her Education (2021), implemented via the Global Partnership for Education, aims to ensure that girls return to school and complete their education after school closures owing to the pandemic.

3. Implementing economic and social policies for women's economic empowerment (paragraphs 40 (o) to (mm))

- *What steps have been taken to promote decent paid care and domestic work in the public and private sectors?*

The **Act to improve wages in the care sector (Pflegelöhneverbesserungsgesetz)**, which came into force on 29 November 2019 and amended the existing Posted Workers Act (*Arbeitnehmer-Entsendegesetz*), also provides a statutory basis for setting binding minimum wage levels for the care sector by extending collective agreements by way of a statutory instrument. Moreover, it is also possible to set sectoral minimum wages for the care of the elderly on the basis of a recommendation by the Standing Commission. The Commission is a body consisting of an equal number of representatives from church and secular employer and employee representatives that draws up recommendations for minimum working conditions in the care sector. These recommendations can then be implemented via a statutory instrument and thus made binding.

On the basis of the Posted Workers Act, an ordinance was issued in the second quarter of 2020 that, for the first time, stipulates minimum pay rates differentiated according to qualification groups. The ordinance will, for the first time, achieve uniform pay rates across Germany.

In addition, as a result of the healthcare advancement act, from 1 September 2022, care facilities will only be eligible for care under the long-term care insurance scheme if they remunerate their care and support staff at least at the level of a collective care agreement.

The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth is working in a targeted manner to **raise the profile of social professions**. In the 19th legislative period, it launched many initiatives and implemented them with numerous partners to bring about improvements and lay the

groundwork for safeguarding the supply of skilled labour. For the care professions, the new **Healthcare Professions Act** (*Pflegeberufegesetz*) has put in place a nationwide, generalist, appropriately remunerated care training programme since 2020, which has got off to a successful start. The **concerted action for long-term care** is setting new milestones for the future of care work. Nursery school teacher training is now offered in all Länder as a paid training programme subject to compulsory social insurance contributions, and a total of 580 million euro is being invested in skilled workers with the Act on Good Early Childhood Education and Care and the federal qualified-professionals programme for nursery school teachers.

The Federal Ministry for Family Affairs, Senior Citizens, Women and Youth is currently examining ways to provide financial support to working parents, single parents, the elderly and family caregivers for the use of **household services** under certain conditions. This support is to be available only from certified service agencies that employ their staff on a basis subject to social insurance contributions. Funded by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth, the competence centre for the “Professionalization and Quality Assurance of Household Services” is developing a concept for certifying service providers according to quality criteria and labour standards.

- *What actions and investments have been made to support gender-responsive social protection and care infrastructure and services?*

The benefit system of the **basic income support for jobseekers** (Book II of the German Social Code) is completely gender-neutral in its design. Entitlement to and the duration and amount of the benefits to be provided are not contingent on the gender of the person applying for them.

The **Act on Good Early Childhood Education and Care** (*Gute-KiTa-Gesetz*) entered into force on 1 January 2019. This means that the Federal Government is, for the first time, contributing a total of around 5.5 billion euro to the further development of quality and improved participation in daycare for children. With a view to improving participation in daycare for children, the Act envisages a nationwide obligation to stagger parental contributions as well as fee exemptions for low-income families, subject to application.

The **special childcare-expansion fund** provides a total of more than 5.4 billion euro in five childcare funding investment programmes (2008-2021), thus driving forward the expansion of daycare facilities. The first three programmes were specifically aimed at expanding childcare places for children under the age of three, while the fourth and fifth investment programmes intend to create a further 190,000 childcare places for children from birth to school entry. The fifth investment programme for childcare funding will also promote conversion measures to implement hygiene concepts in the wake of the COVID-19 pandemic, as well as investments in equipment and digitalisation measures.

The German Bundestag and Bundesrat approved the **full-time care act** (*Ganztagsförderungsgesetz, GaFöG*) in September 2021. This legislation is a milestone for families in Germany as it will gradually introduce a legal entitlement to full-time care for primary school children from 1 August 2026.

The **Second Act Amending the Federal Parental Allowance and Parental Leave Act** entered into force on 1 September 2021. With more options for working part time, less red tape and more parental allowance for premature babies, parents will receive even better support in balancing family life and work. For parents who work part time in addition to receiving parental allowance, the permissible working hours while receiving parental allowance and during parental leave are now 32 hours per week (previously 30 hours per week). The partnership bonus, which supports both parents working part time simultaneously, has been made more flexible. This gives parents up to four additional months of joint time, during which they can explore ways to achieve a work-life balance. During the reporting period, the introduction of pandemic-related **special measures in parental allowance** further strengthened the economic stability of families. For example, special regulations were introduced to support parents with respect to offsetting income replacement benefits, the calculation of parental allowance despite loss of income, and with regard to the partnership bonus.

At the global level, Germany joined **USP2030**, a global alliance that advocates for universal social protection for all. Germany is thus supporting social protection systems across the world that are gender-sensitive and effectively address the specific life-cycle risks that women and girls face. Germany is also represented in the Gender working group of the Social Protection Inter-Agency Cooperation Board (SPIAC-B).

At bilateral level, Germany supports the **expansion of gender-responsive social protection coverage** for all. Currently, Germany's development bank, KfW, finances social protection projects that have gender equality as their main objective with a cumulative volume of over 64 million euro, e.g. in Yemen on access to antenatal and postnatal care.

At multilateral level, Germany supports gender-sensitive social protection approaches where national government capacities are exceeded, e.g. in the Sahel through a multi-donor trust fund managed by the World Bank. It also supports efforts to close the evidence gap on what works and why.

• *What specific measures have been implemented to promote women's entry, re-entry and advancement in the labour market?*

Since the introduction of **employment promotion** in Book III of the German Social Code, improving the occupational situation of women has been enshrined as an objective by ensuring that employment promotion benefits are focused on eliminating existing disadvantages and overcoming a training and labour market characterised by gender bias, and that women are promoted as a minimum in line with their share of the unemployed and their relative exposure to unemployment. The promotion of gender equality is also addressed in the framework agreement on objectives between the Federal Employment Agency and the Federal Ministry of Labour and Social Affairs on a regular basis and is thus a focus of cooperation. In fulfilling the objectives of gender equality and the special promotion of women, equal employment opportunity officers support the respective agency management at all institutional levels (in the employment agencies, the job centres, the regional offices and at the Federal Employment Agency's headquarters).

The promotion of women in management positions is pursued at various levels in Germany. The **Act on the Equal Participation of Women and Men in Executive Positions in the Private Sector and Public Service** has already introduced a fixed gender quota of 30 percent for the supervisory boards

of major listed companies. Women now account for around 35 percent of the supervisory boards of the companies in question. The new Act on the Equal Participation of Women and Men in Executive Positions in the Private Sector and Public Service has also created a binding regulation for the proportion of women on executive boards. Fully co-determined companies, i.e. companies that usually count more than 2000 employees, are listed on the stock exchange and also have a management board with more than three members, will no longer be able to appoint all-male teams in the future. For these companies, it is mandatory that at least one woman be appointed to the executive board.

To help women return to work after a prolonged family-related career break, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth is implementing the ESF programme **Perspective Re-entry – developing potential** in cooperation with the Federal Employment Agency. Participants receive coaching and training. To date, around 65 percent of the almost 17,000 programme participants have joined the labour market or have been activated for it.

German development cooperation fosters women's participation and advancement in the labour market by promoting training and decent jobs in female-dominated sectors such as care and education (cf. ECONOWIN Jordan), by promoting women in traditionally male-dominated sectors (e.g. ATVET in Skills Initiative for Africa, further developed as ATVET for Women (TVET4W)), by providing more childcare facilities that enable women to pursue paid employment (e.g. SI Ethiopia), and by addressing specific societal barriers that prevent women from starting businesses or taking up jobs (e.g. the Indian HER & NOW project supporting women entrepreneurs in rural areas).

With regard to women in civil partnerships, in order to **strengthen the incentives to work for female second earners in particular**, the conditions for striking a balance between work and family life and the reduction of the gender pay gap have been improved. From 2017-2021, the burden arising from taxes and duties on low and medium incomes in particular was reduced, from which women and second earners in particular also benefit. For example, the Federal Government has reduced social security contributions for low-wage earners, restored parity in the payment of contributions to statutory health insurance funds, adjusted the basic abatement, reduced cold progression and increased family benefits. In addition, the solidarity surcharge for lower and middle incomes will be abolished completely from 2021.

In the area of tax class combinations possible in Germany for married couples, the additional factor procedure (tax class IV/IV factor), among other things, ensures that income tax relief is distributed even more precisely to both earners.

4. Addressing the growing informality of work and mobility of women workers (paragraphs 40 (nn) to (qq))

- *What measures have been implemented to promote the transition from informal to formal paid employment for women?*

See also answer to question 3, first bullet point

Germany promotes the formalisation of women's employment by

- implementing formal and informal TVET and other qualification measures that aim to get women into formal employment (e.g. “Employment promotion and technical vocational education and training” Togo)
- advocating the recognition of informal training to integrate informally trained women into the formal labour market (e.g. “Promotion of vocational training in Honduras”)
- supporting short- and long-term cash-for-work measures (e.g. “Green jobs – increase of the waste recycling rate”)
- supporting women-led businesses in starting a business and/or in formalising their business (e.g. “Promotion of MSMEs in MENA region”, “EcoEcomploi” in Rwanda)

5. Managing technological and digital change for women’s economic empowerment (paragraphs 40 (rr) to (ss))

- *What specific actions have been taken to support women’s access to skills development and decent work in emerging fields, including science, technology, engineering, and mathematics?*

Since 2017, the Federal Government has continued its commitment to increasing the number of women in **STEM fields** in education, science and when making career choices, underscoring this commitment in its Third Gender Equality Report of 10 June 2021.¹ Attracting more women to the STEM sector is vital to Germany’s innovative strength. For this reason, additional funds are being invested in the STEM action plan, among other things to expand extracurricular STEM courses for children and young people, especially for girls, via what are known as STEM clusters.

In addition, girls and women need gender-sensitive courses that specifically target them and get them enthusiastic about STEM issues. The Federal Ministry of Education and Research supports this process via the new nationwide STEM networking office and the funding guidelines Success with STEM – new opportunities for women and MissionSTEM – women shape the future (*Erfolg mit MINT – Neue Chancen für Frauen* and *MissionMINT – Frauen gestalten Zukunft*). The increase in the proportion of women in STEM courses of study, the facilitation of women’s entry into academic careers and the assumption of management positions by women in STEM businesses and companies are to be promoted. Professorships with STEM (partial) denominations in the federal and Land programmes for female professors also contribute to this.

The Federal Government wants to inspire girls and young women to become more involved in the digital transformation in addition to STEM subjects. The new **YouCodeGirls project** funded by the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth works to counter gender stereotypes in the teaching of digital skills. The objective is to arouse a sustainable “honest interest” in programming among girls and young women, free from stereotypes, and to foster and strengthen this unlocked potential in a professional context. An increase in female employees in software programming, for example, contributes to a change in the hitherto strongly male-dominated games industry.

By supporting the **Cliché Free Initiative** and the **Girls’ Day and Boys’ Day**, the Federal Ministry for Family Affairs, Senior Citizens, Women and Youth supports career and study choices free from

¹ Cf. Third Equality Report of the Federal Government: <https://www.bmfsfj.de/resource/blob/184436/a8af6c4a20b849626c1f735c49928bf0/20210727-dritter-gleichstellungsbericht-data.pdf>, p. 13 et seqq.

gender clichés. As of August 2021, some 370 partner organisations from the worlds of education, politics, business and research have joined the Cliché Free Initiative, including companies from the IT sector. The initiative offers, among other things, suggestions and best practice examples for stereotype-free career and study guidance; practical assistance for daily work with children and young people; and advice on designing and supporting gender-sensitive career and study guidance.

Companies in the IT and tech industries play a key role in the digital transformation. However, although they are playing a significant role in shaping the digital transformation, women are clearly under-represented and their employment relationships are less stable. A new module in the support programme **unternehmensWert:Mensch – Women in Tech** – aims to make it easier for women to gain access to the IT industry and to keep them in their jobs in the long term. Small and medium-sized businesses are advised on how they can guarantee more equal opportunities and make their personnel management diversity-oriented. The aim is to establish a diverse corporate culture – as a part of a joint process with the workforce.

Projects funded by the Federal Ministry for Economic Cooperation and Development to overcome the gender digital divide and societal barriers that prevent women from taking jobs in the STEM area range from promoting role models and creating networking opportunities (e.g. **#eSkills4Girls-Initiative**) to career guidance at a young age (secondary school), as well as mentoring and targeted career development at later stages. Moreover, women are supported to study STEM courses (e.g. “Academic Center for Digital Innovation in East Africa”). In addition, the Federal Ministry for Economic Cooperation and Development promotes the entrepreneurial skills and activities of young women (e.g. **ICT – Perspectives for the Modern Youth in Iraq**).

6. Strengthening women’s collective voice, leadership, and decision-making (paragraphs 40 (tt) to (aaa))

- *What specific efforts have been implemented to support women’s participation and leadership in trade unions, workers’ organizations and employers’ organizations?*

7. Strengthening the role of the private sector in women’s economic empowerment (paragraphs 40 (bbb) to (eee))

- *What efforts have been undertaken to encourage private firms and institutions to mainstream gender equality considerations in policies and practices?*
- *What action has been taken to increase investment and support for women entrepreneurs?*

Germany is a founding member of the **Women Entrepreneurs Finance Initiative (We-Fi)**, which was launched in 2017 under the German G20 Presidency. The Federal Ministry for Economic Cooperation and Development provides 75 million euro to We-Fi and its support for women entrepreneurs in the Global South. Germany also supports the promotion of women entrepreneurs in Africa through the Affirmative Finance Action for Women in Africa (AFAWA), a programme of the African Development Bank, with 30 million euro. Since 2018, Germany has promoted gender-lens investing through its development finance institution in the 2XChallenge. Funding of up to 490 million US dollars was contributed via the German Investment and Development Company (DEG) for empowering women as entrepreneurs and others.