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## Information on the French gender equality context

### Section 1: Relevant national and local legislation and policies in France

Concerning gender equality in France, one can start by retracing the historical roots of this principle in the country's legislation. Gender Equality (GE) was first introduced in the Preamble to the 1946 Constitution, which, like the 1958 Constitution, references the 1789 Declaration of the Rights of Man and the Citizen. France's approach to promoting gender equality has essentially relied on the mechanisms of gender mainstreaming<sup>1</sup>. These intend to foster gender equality through the institutionalisation of dedicated structures and inter-ministerial cooperation. For example, the Service for Women's Rights and Gender Equality (*SDFE*) was instated in 2000 as responsible for mainstreaming gender policies at national and local levels. Although there is a legal basis for gender mainstreaming, mainstreaming is in practice increasingly reliant on goodwill and the ability to obtain inter-ministerial cooperation, with dedicated structures and methodologies frequently being discontinued. However, President Macron expressed his intention to put gender equality at the heart of his five-year mandate.

### Section 2 – Gender Equality in the field of employment

In line with France's longstanding tradition of gender equality legislation in the fields of employment and professional life, current president Macron's programme focused especially on equality in the workplace<sup>2</sup>. Beginning with the 1972 Equal Pay Law (22 December), at least 12 significant laws had already adopted on the topic. In addition, in February 2019, Macron's Ministry of Labour launched a **Professional Gender Equality Index**<sup>3</sup> (*Indice d'Égalité de Genre Pro*) to measure and fight the gender pay gap and other gender-related inequalities at work. This stemmed from the observation that, decades after the establishment of the "equal pay for equal work" principle between women and men, there is still a 9% pay gap, across all jobs.

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<sup>1</sup> European Institute for Gender Equality, Gender Mainstreaming, Country Report on France (2018)

<sup>2</sup> Government Action Plan and Gender Equality Index, report published on 17<sup>th</sup> September, 2019

<sup>3</sup> For further information, see <https://travail-emploi.gouv.fr/droit-du-travail/egalite-professionnelle-discrimination-et-harcelement/index-egalite-professionnelle-femmes-hommes>

This gap rises to 25% towards the end of careers, and to 37% when calculating retirement pensions.

The index is designed as a corrective tool for companies with over 250 employees, calculated on measurable outputs. Companies must reach equality on the 5 following indicators: pay for comparable jobs and age groups, raise and promotion opportunities, raise on returning from maternity leave, where raises have been granted in their absence, and at least four women in the top ten pay grades. Companies that do not have satisfactory results to show by 1 March 2022 will be liable to a financial penalty of up to 1% of their wage bill. For companies with 50 to 250 employees, this financial penalty will be enforceable from 1 March 2023. However, the latter are still obliged by law to assess and publish the results of their GE.

### Section 3 – Current national policies on professional gender equality

At present, there are two additional major National Action Plans intended to support the index in favour of equality. The first Inter-ministerial Plan for gender equality at work 2016-2020 (*Plan interministériel en faveur de l'égalité professionnelle entre les femmes et les hommes, PIEP*) aims to combat structural inequalities between women and men in employment. The plan relies on a gender mainstreaming approach that involves the SDFE, other departments of the Ministry of Social Affairs, Health and Women's Rights, and some other Ministries, in supporting social partners' involvement and negotiation at the level of occupational branches. Secondly, the SDFE initiated gender equality plans within various ministries. The Ministry of Culture is particularly active, developing a roadmap for gender equality 2018-2022, with the Minister and labour unions signing a Memorandum of Understanding for gender equality at work. These are important resources to understand the current landscape on gender equality in France.

In all, this strategy has allowed France to show the sharpest progression in giving women and men equal rights in the last decade, according to the World Bank's report on *Women, Business and the Law 2019: a Decade of Reform*<sup>4</sup>, which makes the country an ideal context for continued and advanced reforms in the field of gender equality.

### Section 4 – Gender assessment tools at the national level

Based on the Index and national legislation, it is a legal requirement in France since 2010 for companies with over 300 employees to implement a Gender Equality Plan (*Accord Égalité Femmes Hommes*). In 2014, 7 domains were listed by the government as potential areas of focus for these gender plans, along with implementable actions and progress indicators. As part of this requirement, businesses' Gender Plans must be committed to targeting the

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<sup>4</sup> Full report <http://documents1.worldbank.org/curated/en/101301551208346052/pdf/Women-Business-and-the-Law-2019-A-Decade-of-Reform.pdf>

following domains: Recruiting, Training, Classification, Qualification, Promotion, Work environment, Work family balance. Again, it is important for researchers and project managers in the field of GE to be aware of France's strategic priorities on the matter.