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**The role of European social dialogue to
reduce gender inequalities, for a Union of
equality.**

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1. Introduction.

In this third part of the research, the focus is on the role of European social dialogue in promoting gender equality.

The analysis begins with an overview of continental social dialogue within the context of the European social model (§2), as conceived by Jacques Delors, the main initiator and architect of this process. It starts from the origins of social dialogue (tripartite, cross-sectoral, and sectoral) in the 1980s, and the role of social partners, tracing its evolution, crises, and transformations over recent decades.

The central paragraph of this section of the research (§3) focuses on the role of social partners and European social dialogue concerning gender equality policies. It presents some attempts at joint programs on gender equality initiated by social partners within the framework of cross-sectoral dialogue over the past twenty years. This is followed by an analysis of experiences and best practices related to gender equality within sectoral social dialogue. The section concludes with a reflection on the diversity of analysis and intervention among European social partners in the implementation of gender equality policies, also considering the changing role of these partners within the intra-institutional dynamics of the European Union.

The final paragraph (§4) of this research section offers a forward-looking reflection, aiming to contribute to the potential improvement of social dialogue for the effective promotion of gender equality within the framework of EU policies, in relation to Member States and the ongoing social changes in Europe.

In this regard, the necessity to relaunch and integrate the processes and stakeholders of European social dialogue is emphasized, opening it up to social, professional, and labour-related demands, beyond the traditional forms of mediation within the wage-based society. In this sense, there is a reflection on recognizing a new subjectivity of the working condition, which allows for overcoming the dichotomy between salaried and self-employed work, affirming protections and social guarantees in favor of the “working person”. This refers to the plural and concrete subject engaged in “personal work,” regardless of the type of contract or work arrangement, as reconstructed by a part of labour law literature. This perspective also aims to avoid underestimating the risks associated with increasingly precarious, insecure, and impoverished self-employment, which affects a large segment of less protected female workers, vulnerable groups (youth, intermittent and flexible workers, etc.), and emerging professions.

These considerations highlight the need to intervene in the agenda of the current European Commission, which speaks of a genuine *Union of Equality*. In this context, it is possible to envision a new strategy to promote gender equality, adopting an intersectional approach to combat discrimination. There

is also an awareness of the need to engage with the evolving feminist thought and feminist movements, to establish a new pact on gender policies in Europe.

2. Social Dialogue in the European Social Model: Origins and Evolution.

The concept of social dialogue has a broad scope in the evolution of relationships between social partners representing labour and business, as well as between these partners and the public institutions of the constitutional states in the second half of 20th-century Europe. The process of continental integration has contributed to establishing a diverse and pluralistic European social dialogue, which is in constant evolution.

This paragraph aims to present the origins and perspectives of social dialogue within the framework of the European social model, starting from an initial broad and inclusive operational definition. It then moves on to the latest insights regarding the transformations in relationships between social partners, public institutions, and the changing forms of production and labour in the European and global context.

2.1. European Social Dialogue: A Preliminary Operational Definition.

In a general sense, the term social dialogue refers to all the various procedures of meeting, debate, consultation, negotiation, concertation, and shared and joint actions that can engage and empower the representatives of workers and employers, both in public and private enterprises of dependent employment. In the EU context, social dialogue aims to involve a plurality of subjects and social actors—those social partners that mediate and balance the interests of workers and employers—contributing to the improvement of both free economic competitiveness and social cohesion, inclusion, and promotion.

In any case, social dialogue can be understood in terms of the multiple relationships that may exist between the social partners in the world of labour and business, as well as between them and public governing institutions at the local-regional, national, supranational, and global levels.

As noted by the International Labour Organization (ILO), there is no universal model of social dialogue. In the Convention on Tripartite Consultations to Promote the Implementation of International Labour Standards (ILO Convention C144, 1976), reference is made to the establishment of tripartite mechanisms responsible for promoting the implementation of international labour standards.

For a broad and general **definition, social dialogue** includes all forms of **discussion, consultation, negotiation, and exchange of information between the representatives of employers, workers, and government institutions** on matters of common interest related to **economic and social policy**. It is therefore referred to as **tripartite** or **trilateral**, due to the active involvement of **public authorities**, which are required to ensure regular consultations with and between social partners representing the world of labour and business.

In this sense, social dialogue holds a dual value. On the one hand, it is regarded as a means to improve the economic and social conditions of a given society. On the other, it is considered an instrumental objective, an end in itself, as it allows individuals—and particularly workers—to have a voice and take an active role in the workplace and society as a whole.

(<https://www.ilo.org/topics-and-sectors/social-dialogue-and-tripartism>)

Even within the complex process of continental integration, no single, universally accepted definition exists. However, there is broad agreement on a common basic description of the mechanisms and procedures that underpin European social dialogue.

European social dialogue is regarded as a key component of the **European social model**, as it enables **social partners** (representatives of employers and workers) to actively contribute—through negotiations, concertation, and agreements—to the shaping of European social and employment policy.

In the **1996 European Commission Communication** concerning the Development of the Social dialogue at Community level [COM(96) 448 final], a broad initial definition of European social dialogue was provided. It was noted that it could take various forms, ranging from debates and discussions between different European social partners to the establishment of joint initiatives and potential negotiations between them, including exchanges of ideas and discussions between social partners and EU institutions (point 3, p. 1b).

European social dialogue is thus understood through a dual dynamic:

- **bilateral social dialogue** (in the context of relations between the collective subjects of social partners, representing the world of labour and business);
- **social dialogue in tripartite or trilateral relations** (between those social partners and EU institutions).

This represents an institutional vision of dialogue and participation involving structured social actors—namely, the representatives of workers and employers—which has accompanied the development of the pluralistic European social model.

2.2. The Origins of European Social Dialogue: Jacques Delors and the Val Duchesse Meeting (1985).

In the post-war period, across Western Europe, all cultural and political forces that had emerged victorious against totalitarianism—including progressive and social-democratic movements as well as liberal, conservative, and moderate groups—established institutions aimed at the protection and promotion of social welfare. These efforts laid the foundation for the development of national *welfare states* (Titmuss, 1950 and 1958), which would later contribute to what became known as the *European social model*. Despite national differences, Western European countries gradually defined a shared set of principles, values, and institutions that enables the coexistence of a free-market economy with broadly universal social provisions—particularly in education, healthcare, and labour rights. Throughout the early post-war decades, social struggles and institutional mediation aimed to reconcile economic freedom with the construction of inclusive and solidaristic societies. Capital-labour relations were framed through institutionalised mechanisms of participation, social concertation, and collective bargaining, distinguishing the European social model from the US model, which was more deregulated and less socially protective (Jepson - Pascual, 2005, Leonardi, 2010). This social and institutional mediation within European welfare states was further reinforced through early labour market regulations, collective bargaining, and social dialogue in industrial relations, primarily benefiting unionised wage workers in large-scale industries and public services.

From the 1950s onwards, the process of continental economic integration began, culminating in the 1957 Treaty of Rome, signed by Belgium, France, West Germany, Italy, Luxembourg, and the Netherlands. The treaty aimed to create a common European market based on free competition and trade liberalisation, while responsibility for social protection policies remained with individual nation-states. In the following decades, tensions emerged between national systems of social solidarity and collective bargaining, and the broader European project of entrepreneurial freedom and market liberalisation, as the four economic freedoms—namely the movement of persons (including labour), goods, capital, and services—were progressively affirmed. This growing divergence gave rise to two opposing, and often irreconcilable, dynamics that repeatedly triggered institutional conflict: on the one hand, the continued defence of social justice within national wage-based societies; on the other, an increasingly idealised belief in the self-regulating power of the market.

With the rise of social movements in the 1960s and 1970s, the expansion of social citizenship rights—particularly for workers, women, and young people—highlighted the absence of social policies at the Community level. Following the first enlargement of the European Community (with the accession of Denmark, Ireland, and the United Kingdom in 1973), the Community's first *Social Action*

Programme was introduced in January 1974. This programme aimed at « the progressive involvement of workers or their representatives in the life of undertakings in the Community; the promotion of the involvement of management and labour in the economic and social decisions of the Community»¹. This marked the first formalisation of a potential European social agenda, centred on the engagement and active involvement of social partners, including at the supranational level. As a result, the late 1970s and early 1980s saw the adoption of key social and labour directives, such as Directive 75/129/EEC on the approximation of the laws of the Member States relating to collective redundancies and Directive 80/987/EEC on the approximation of the laws of the Member States relating to the protection of employees in the event of the insolvency of their employer.

In the following decade, it was Jacques Delors (1925–2023), as President of the European Commission (1985–1994), who initiated the first European social dialogue meetings to promote and strengthen a shared European social model.

Val Duchesse Meeting (31 January 1985).

On 31 January 1985, Jacques Delors himself convened the first European-level social dialogue meeting at Val Duchesse Castle, near Brussels. This meeting marked the beginning of structured discussions and consultations between European social partners. It brought together representatives from the European Trade Union Confederation (ETUC - CES), representing workers; the Union of Industrial and Employers' Confederations of Europe (UNICE), which represented employers from small, medium, and large private-sector enterprises and was renamed BusinessEurope in 2007; and the European Centre of Employers and Enterprises Providing Public Services (CEEP), later rebranded as Services of General Interest (SGI Europe). In the following years, these social partners adopted joint positions on several key topics, including economic development and employment growth (1986) and the impact of new technologies on work organisation (1991).

The Single European Act of 1986 (which came into force on 1 July 1987) provided the legal basis for the development of social dialogue at the level of the European Community². In particular, Article 118B established that the European Commission would take an active role in «develop[ing] the dialogue between management and labour at European level which could, if the two sides consider it desirable, lead to relations based on agreement». This marked the first formal recognition of social dialogue, including its tripartite dimension, with the possibility of concluding collective agreements—all within a framework of concertation between social partners on behalf of salaried workers.

¹ As outlined in points 8 and 9 of the Council Resolution of 21 January 1974 concerning a social action programme (OJ C 013, 12/02/1974, p. 0001 - 0004).

² See also the Single European Act (OJ L 169, 29.6.1987, pp. 1–19).

However, during those same years, one of the most notable moments was Jacques Delors' speech to the European Parliament on 17 January 1989 (see box below), delivered in his capacity as the newly appointed President of the European Commission. On that occasion, he emphasised the need to involve all categories of workers—from employees to professionals—in the process of European economic integration. This marked an expanded vision of recognition and active participation, embracing all forms of work beyond traditional salaried employment in industry and public services, which had historically been the primary focus of institutionalised social dialogue.

«But — as I have often said in recent months — you cannot fall in love with the single market. [...] Europe will never be built if working men and women — white-collar workers, managers, farmers, industrialists, professional people — are not among the first to be involved. [...] On the social front, I gave a personal commitment last year which has been and will continue to be honoured. The Commission has already started work on a charter of fundamental social rights to give concrete form and life to the European model of society».

Jacques Delors, *Statement on the broad lines of Commission policy*, Strasbourg, 17 January 1989.

Jacques Delors was fully aware of the need to make the process of continental integration socially inclusive and engaging. He recognised that this required the active participation of trade unions and employer representatives, the core pillars of the salaried employment relationship, in order to achieve a project of social unification, not merely an economic one, for the old continent. His vision aspired to make all actors across different forms of work and enterprise key players in the “European model of society”, with trade union organisations as the starting point, within a more inclusive perspective. However, this more inclusive approach was not always supported by EU institutions and successive European leaderships over the following decades (Didry & Mias, 2005).

In the passage quoted above, Delors also underlined that, under his presidency, the European Commission had initiated the drafting of a *Community Charter of the Fundamental Social Rights of Workers*. This Charter was adopted by the European Council in Strasbourg on 8-9 December 1989 and was signed by all Member States except the United Kingdom. It laid down the fundamental principles of what would become the European social model in labour law and social policy, covering key areas such as improvement of working conditions, social protection, freedom of association and collective bargaining, vocational training, equality of treatment between men and women, workers' rights to information, consultation, and participation, health and safety protection in the workplace. A reference to this Charter is now enshrined in Article 151 of the Treaty on the Functioning of the European Union (TFEU), the first article dedicated to the regulation of European social dialogue (see the box in the following section), precisely because the recitals of this article assign a central role to collective bargaining within the framework of

social dialogue, particularly in implementing the social rights prescribed by the Charter itself (Nunin, 2001, 28).

In July 1994, the European Commission, still under Delors' presidency, adopted the White Paper on Social Policy (COM(94) 333 final), where the "European social model" was described as being based on the conviction that social protections and guarantees must accompany economic progress. The principles and values promoted by the European social model were thus articulated around the protection of fundamental rights and democratic participation, free collective bargaining, social dialogue within the market economy, the promotion of equal opportunities for all, the provision of social protection and solidarity mechanisms.

2.3. Evolution and Crisis of European Social Dialogue: Intersectoral, Sectoral, and Tripartite Dimensions.

The 1990s marked a pivotal moment in the affirmation and evolution of European social dialogue, aimed at further implementing both the provisions set out in the Single European Act and the principles enshrined in the Community Charter of the Fundamental Social Rights of Workers. In this context, the social partners, representing workers and employers, who had been actively engaged since 1985, signed a Common Declaration on 31 October 1991. In this declaration, they claimed a decisive role for themselves in shaping EU social policy, making two key proposals that would mark the course of European social dialogue.

On the one hand, they proposed that they should be mandatorily consulted in the EU legislative process on social policy matters, thus institutionalising a form of cooperative relationship between the European Commission and the social partners, within the tripartite framework already outlined.

On the other hand, they aimed to enhance the regulatory autonomy of collective bargaining at the European-level, allowing institutionalised social partners to negotiate and sign framework agreements at the EU level.

These two proposals became the central pillars of the definitive affirmation of European social dialogue. They were incorporated into the Agreement on Social Policy (ASP), annexed to the Protocol on Social Policy of the Maastricht Treaty (1992), further integrated into the Treaty of Amsterdam (1997), and later enshrined in Articles 151-156 of the Treaty on the Functioning of the European Union (TFEU) following the Lisbon Treaty (2009).

This period is often regarded as a golden decade for European social dialogue, further reinforced by the European Commission's Communication [COM(1998) 322 final of 20 May 1998], adapting and promoting social dialogue at Community level. In this document, the Commission explicitly stated that «social partners have a different nature from other organisations, such as pressure or interest groups, as they participate in collective bargaining» (p. 3).

Well aware that these organisations were evolving in the European context, the Commission acknowledged that the number of national and EU-level organisations was expanding, and that new groups and committees for dialogue and consultation were being created. The Commission emphasised the importance of structured processes for consultation, joint action, and negotiation between social partners, both at the intersectoral and sectoral levels.

Indeed, Annex II of this Communication includes the Commission Decision of 20 May 1998, which established sectoral dialogue committees to promote dialogue between social partners at the European level (98/500/EC). Article 1 of this Decision stipulates that sectoral dialogue committees may be established in «those sectors where the social partners make a joint request to take part in a dialogue at European level, and where the organisations representing both sides of industry fulfil the following criteria: a) They shall relate to specific sectors or categories and be organised at European level; b) They shall consist of organisations which are themselves an integral and recognised part of Member States' social partner structures and have the capacity to negotiate agreements, and which are representative of several Member States; c) They shall have adequate structures to ensure their effective participation in the work of the committees».

The definition of a shared regulatory framework for social dialogue at the EU level enables social partners to perform a dual function:

- a two-stage consultative function regarding Commission policies (Article 154 TFEU);
- the management of autonomous bilateral processes between social partners, which can lead to the adoption of framework agreements, autonomous agreements, action frameworks, and multiannual work programmes. These collective agreements between social partners take on a pre-regulatory function, as the social partners themselves can request the Council to transpose these agreements through directives, based on a proposal from the Commission, with the European Parliament being informed (Article 155 TFEU).

This results in an integrated procedure that begins with a two-phase consultative process initiated by the Commission (Article 154 TFEU, paragraphs 2-3). The first phase precedes the decision to “submit proposals in the field of social policy” (paragraph 2), while the second takes place when the Commission itself deems it appropriate to initiate EU-level action, i.e. to put forward its own proposal (paragraph 3). Paragraph 4 of Article 154 TFEU further establishes that during these two consultations, social partners can express their willingness to open negotiations for an agreement between themselves, following the procedure set out in Article 155 TFEU, while ensuring the Commission is informed.

Under Article 155 TFEU (first paragraph), it is established that social partners may open a fully-fledged negotiation procedure for the conclusion of an agreement. The agreements reached between social partners at the EU level may then be implemented through procedures and practices specific to the social partners themselves and the Member States (first part of the second paragraph of Article 155 TFEU).

At the joint request of the social partners themselves (and in any case, within the sectors covered by Article 153 TFEU), the agreements signed may be implemented through a Council decision, based on a proposal from the Commission, while informing the European Parliament.

These provisions of Article 155 TFEU allow social partners, on their own initiative and by mutual agreement, to initiate a voluntary negotiation process, aimed at reaching an agreement. This process represents a form of collective bargaining at the EU level, which may then be transposed in accordance with the procedures provided for by the social partners themselves and the Member States. These autonomous agreements are defined at the EU level by social partners and subsequently implemented by the national-level organisations affiliated with the social partners, in accordance with the procedures and regulatory competences established by each Member State. The social partners also retain the possibility of requesting the Council to adopt a decision, which typically results in the adoption of directives transposing the agreements reached by the social partners. This leads to the mandatory implementation of the agreement by Member States, with erga omnes effect, in accordance with the legislative procedures and regulatory frameworks of each country.

This mechanism serves as a key instrument through which social dialogue operates as a space for the contractual autonomy of social partners, enabling them to actively shape the EU's social and labour policy agenda. It grants them a pre-normative and co-regulatory role, as the agreements they conclude can either be implemented directly by social partners at the national level or transposed through Council directives.

Through these procedures, social partners can adopt framework agreements, autonomous agreements, frameworks of action, and multi-annual work programmes, which are the various acts that give substance to European social dialogue practices. These practices of European social dialogue are structured across three levels:

1) European Intersectoral (or Interprofessional) Social Dialogue

The main body through which bilateral social dialogue takes place is the Social Dialogue Committee. It consists of a maximum of 64 representatives of social partners, equally divided between trade union organisations and employer organisations. The committee also includes the participation of the European secretaries of the intersectoral social partner organisations, as well as representatives of national organisations of workers and employers. It meets three to four times a year to exchange views, discuss, engage in negotiations, adopt shared texts, programmes, and agreements, and plan future activities.

Intersectoral European Social Dialogue Organisations:

Worker Representatives:

- European Trade Union Confederation (ETUC - CES; <https://etuc.org/en>) - Founded in 1973, ETUC today comprises 94 national trade union confederations in 42 countries and 10 European trade union federations.

In coordination with ETUC, the following organisations also play a role:

- CEC - European Managers (<https://www.cec-managers.org/>) - Founded in 1951, it independently represents around one million managers across Europe through national and sectoral federations, also engaging in dialogue between employers and employees.
- Eurocadres - Council of European Professional and Managerial Staff (<https://www.eurocadres.eu/>), - Represents intersectoral interests of professionals and managers, advocating policies and working in collaboration with other affiliated organisations.

Employer Representatives:

- BusinessEurope (<https://www.buinesseurope.eu/>) - Represents private sector employers (small, medium, and large enterprises) across 36 European countries. Formerly known as Union des confédérations de l'industrie et des employeurs d'Europe (UNICE) until 2007.
- Services of General Interest (SGI Europe; <https://sgieurope.org/>) - Founded in 1961 as the European Centre of Employers and Enterprises providing Public Services and Services of General Interest (CEEP), it represents employers and providers of public interest services at the EU level.
- SMEunited (<https://www.smeunited.eu/>) - Formerly known as UEAPME (European Association of Craft, Small and Medium-Sized Enterprises), it is the European association representing SMEs and the craft sector. It comprises approximately 70 member organisations from over 30 European countries and represents national cross-sectoral associations of crafts and around 22.5 million SMEs, which together employ nearly 82.4 million people.

2) European Sectoral Social Dialogue.

Sectoral social dialogue takes place at the sectoral level between European organisations representing workers and employers in a specific economic sector. This dialogue is conducted through Sectoral Social Dialogue Committees, which were established by the Commission Decision of 20 May 1998 to promote dialogue between social partners at the European level (98/500/EC). This type of social dialogue focuses on issues specific to each labour and industrial sector, enabling the adoption of joint declarations and opinions, guidelines, joint actions and codes of conduct, up to and including charters and framework agreements.

From the initial 19 committees established in 1998, the number has now grown to 44 sectoral social dialogue committees, ranging from agriculture to textiles, social services, insurance, banking, and more. These committees include the participation of 65 European employer organisations and 15 European trade union federations, representing approximately 185 million workers and over 6 million companies across all EU countries.

3) Dialogue within the Tripartite Social Summit for Growth and Employment

With Council Decision 2003/174/EC of 6 March 2003, the Tripartite Social Summit for Growth and Employment was established to give institutional form to the informal meetings foreseen by the Lisbon Agenda 2020 for employment and growth.

The current **Article 152 of the TFEU** states:

“The Union recognises and promotes the role of the social partners at its level, taking into account the diversity of national systems. It shall facilitate dialogue between the social partners, respecting their autonomy.

The Tripartite Social Summit for Growth and Employment shall contribute to social dialogue.”

The Tripartite Summit takes place within the framework of European intersectoral social dialogue and convenes twice a year, ahead of the Spring and Autumn European Councils. For EU institutions, the European Commission, the current Council Presidency, and the two subsequent Presidencies participate in the summit. On the side of European social partners, the participants are always BusinessEurope, SGI Europe, SMEunited, and CES-ETUC, presenting two delegations: one composed of 10 representatives from workers' associations and another of 10 representatives from employers' organisations. The aim of the Tripartite Social Summit is to establish a common framework for dialogue and exchange of views between EU institutions and social partners, enabling social partners to participate effectively in defining and implementing social and employment policies.

As previously mentioned, European social dialogue experienced a significant period of prominence in its early years, during the 1990s, as promoted and championed by its main architect, Jacques Delors. During this time, social dialogue played a significant active role, effectively normative in nature, in the representation of labour and business interests within the emerging European social policies, which had been largely absent in the first phase of the integration process.

Starting with the signing in 1995 of the first-ever Framework Agreement, on parental leave, which was subsequently incorporated into Directive 96/34/EC³ (this agreement was later revised through another Framework Agreement, leading to Directive 2010/18/EU, as detailed in Part II, Section 5.4 of this research). This was followed, two years later, by the second Framework Agreement on part-time work (1997), which was implemented through Directive 97/81/EC (see Part II, Section 5.3)⁴. This was followed by the third Framework Agreement on fixed-term work, leading to Directive 1999/70/EC⁵.

From the early 2000s, intersectoral autonomous agreements began to emerge. These are agreements voluntarily signed by social partners at the EU - level and subsequently implemented by their national branches. Six such agreements have been adopted: telework (2002), workplace stress (2004), harassment and violence at work (2007), inclusive labour markets (2010), active ageing and intergenerational approach (2017), digitalisation (2020).

From the initial phase of intersectoral framework agreements, which were later transposed into Council directives, there has been a transition to the adoption of autonomous agreements, which are directly signed and

³ Council Directive 96/34/EC of 3 June 1996 on the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC, OJ L 145, 19.6.1996, pp. 4–9.

⁴ Council Directive 97/81/EC of 15 December 1997 concerning the Framework Agreement on part-time work concluded by UNICE, CEEP and the ETUC – Annex: Framework agreement on part-time work, OJ L 14, 20.1.1998, pp. 9–14.

⁵ Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by ETUC, UNICE and CEEP, OJ L 175, 10.7.1999, pp. 43–48.

implemented by the social partners at the intersectoral level. However, over the last twenty years, social dialogue has lost its political and institutional centrality and has effectively been marginalised within EU institutional relations. Within this context, a significant case was the 2015 agreement reached between social partners, following a consultation launched by the European Commission regarding the possible extension of certain directives on workers' rights to information and consultation to include civil servants and public sector employees in the Member States. In 2018, the signatory social partners formally requested that the Commission initiate the procedure required for the agreement to be transposed through a Council decision. However, the Commission refused to take this initiative. In response, the European Public Service Union (EPSU)—the association that brings together European trade unions of public service workers—brought an action before the EU General Court seeking the annulment of the Commission's refusal. The case was ultimately dismissed, first by the General Court and then, in a final ruling, by the Court of Justice of the European Union (CJEU) on 2 September 2021. This legal process has seemingly frozen both the present and future of social dialogue (Guarriello, 2021, 715 et seq.; Borelli & Dorssemont, 2020).

At first glance, this gradual but relentless devaluation of social dialogue appears to be linked to a generational shift in EU leadership. The political generation that championed the role of social partners, shaped under the Commission Presidency of Jacques Delors, has passed the baton to the next generation, one that has favoured the Commission's role as sole protagonist over the active involvement of social partners. A significant body of scholars and analysts argue that under the two-term presidency of José Manuel Barroso (2004-2014), the EU's policy agenda shifted away from a regulatory agenda for EU policies, including in the social sphere, towards an agenda of deregulation, which gradually sidelined social partners in favour of privileging direct relations between EU institutions (Haar, 2020, 74). This shift occurred even as the Charter of Fundamental Rights of the EU was fully incorporated into the EU Treaties under the Treaty of Lisbon (2007-2009). The Charter's Article 28 explicitly guarantees workers, employers, and their organisations the right to negotiate and conclude collective agreements, in accordance with EU law, national legislation, and established practices.

From the 2010s onwards, the effects of the global economic-financial crisis and of the Eurozone have further reduced not only the room for manoeuvre of social partners but also the adoption of social policies (Hacker, 2023, 74), to the point of putting the European Social Model itself in crisis, according to a significant body of scholars and analysts (Vaughan-Whitehead, 2015).

The trajectory continued up to the Juncker Commission (2014-2019), which adopted an ambiguous stance on the revival of European social policies and the related dialogue with European social partners. In June 2016, social partners

signed a Joint Declaration with the Commission and the Council Presidency of the EU, titled *A New Start for Social Dialogue*. At the same time, however, the Commission's Communication on Better Regulation (COM/2016/0615 final) sought to establish better regulation as a binding constraint for all EU institutional actors—the Commission, the European Parliament, and the Council—without explicitly mentioning the social partners⁶. This represented the long two-decade process of deterioration in the role of social dialogue and the participation of social partners in EU inter-institutional relations, increasingly locked within the triangle of the Commission, the Council, and the European Council. This trend progressively emptied collective bargaining between social partners of its innovative scope, diminishing both its influence on the EU social agenda and its pre-normative and co-legislative function in relation to Council decisions (Tricart, 2019 and Lo Faro, 2020).

Meanwhile, as noted in Part II, Section 2, the European Pillar of Social Rights (EPSR) was formally adopted in 2017 with the objective of defining twenty “principles and rights essential for fair and well-functioning labour markets and welfare systems in 21st century Europe”⁷. These principles arguably reflect a renewed call for a new European Charter of Fundamental Social Rights, interpreted in a more universalistic manner than the 1989 Community Charter of Fundamental Social Rights for Workers, which was conceived within the framework of traditional wage-based society. However, the EPSR effectively remains a soft-law declaration, primarily aimed at fostering convergence across Europe in areas such as social protection, inclusion, and welfare policy. It also seeks to promote and revitalise social dialogue, placing gender equality at the heart of its agenda, seemingly in an effort to counterbalance the two main disintegrative forces affecting European integration: economic austerity and nationalist populism. On the one hand, the persistent imposition of strict macroeconomic constraints on public and social spending—exacerbated by successive crises—has deepened the socio-economic instability in individual countries and across European society as a whole. On the other hand, segments of national political elites have retreated into protectionist intergovernmentalism, fuelling mutual distrust and conflict among frightened, impoverished, and insecure public opinions (Allegri, 2024).

In this sense, the EPSR promotes both social dialogue and worker involvement (Principle 8) and the principle of universal social protection (Principle 12), within a framework of gender equality and equal opportunities,

⁶ Communication from the Commission to the European Parliament, the European Council and the Council, *Better Regulation: Delivering better results for a stronger Union*, COM(2016) 615 final, p. 9.

⁷ As stated in Recital 14 of the Preamble to the solemn interinstitutional proclamation of the Pillar, see: European Parliament, Council, and European Commission, *Interinstitutional Proclamation on the European Pillar of Social Rights*, 2017/C 428/09, OJ C 428, 13.12.2017, pp. 10–15.

as already established in Principles 2 and 3 (as outlined in Section 2 of Part II of this research). For this reason, an examination of its practical implementation will be valuable in the final part of our reflections, as a possible driving force for renewal—both in the conception and in the opening up of social dialogue and in the protection of all forms and conditions of work. So as to reread, finally, the aspiration towards a European Union of equals, one that holds together equal opportunities and an awareness of the intersectional nature of discrimination risks, stemming from various factors such as gender, ethnic origin, social and economic conditions, among others.

3. European Social Dialogue on Gender Equality.

As highlighted in Part I of this research (Sections 1.1. and 2.1.), the active role played by youth and feminist social movements in the 1970s and 1980s also generated the first exchanges and debates at the European Community level regarding the condition of women in society and the (labour) market, anticipating a range of issues that would later become central in subsequent public policies. These included the promotion of greater equal opportunities and equality on issues such as: gender segregation, access to and reintegration into the labour market, social protection and security, work-life balance, gender pay gap, barriers to career progression, harassment and workplace violence, with, once again, the Delors Commission playing a key protagonist role in advancing gender policies between 1986 and 1990 (see Part I, Section 2.1.).

Ultimately, from the perspective of the European institutions—as well as the institutionalised social partners—there has consistently been a clear commitment to promoting women's rights (Ellina, 2003; Rubery, 1992). However, the primary policy objective has been to increase female employment as a means of improving the European economic system, ensuring fair competition within the single market, and enhancing global competitiveness—reflecting the functionalist approach that has shaped the European integration process since its inception (Kantola, 2010, 46; Jacquot & Ledoux, 2021, 26; Olivito, 2022, 94).

The following sections provide an initial overview of some of the pathways undertaken by European social dialogue on gender equality over the past twenty-five years. As previously noted, this period has seen a reduction in the role and influence of social dialogue and social partners within EU policy-making processes—with the focus shifting primarily to the bilateral relations between social partners themselves. To offer a structured analysis, the following aspects will be examined: joint programmes within intersectoral social dialogue (§3.1.), experiences and best practices within sectoral social dialogue (§3.2.), different approaches between trade unions and employer associations

concerning gender equality, based on three case studies from sociological literature (§3.3.).

3.1. Attempts at Joint Programmes on Gender Equality by Social Partners in Intersectoral Social Dialogue.

With the hope of a renewed enhancement of dialogue among European social partners around the various issues that run through the theme of gender equality, this section presents some of the joint work programmes that the structured social partners within the intersectoral social dialogue have drafted, agreed upon, and carried out on these topics over the past twenty years⁸.

As outlined in the previous section, the structured social partners engaged in European cross-sectoral social dialogue include: the European Trade Union Confederation (ETUC-CES), BusinessEurope (formerly UNICE), SGI Europe (formerly CEEP), and SMEunited (formerly UEAPME). The aim is to highlight the longstanding and complex process of social dialogue and joint action in shaping common European policies to reduce gender inequalities and promote greater equality—a process marked by mixed success and significant delays. At the same time, this shared legacy of initiatives may serve as a foundation for the much-needed revitalisation of social dialogue, both more broadly and specifically in the area of gender equality. This ambition is consistent with the European Commission's renewed commitment to strengthening social dialogue in its current mandate, as will be further discussed in the concluding section of this study.

As previously examined in Part II, Section 5.4, since the 1990s, European intersectoral social dialogue has been significant in the signing of **autonomous framework agreements on parental leave**. These agreements have subsequently been incorporated into two successive Council Directives over the course of fifteen years, following the aforementioned procedure established by Article 155(2) of the TFEU. The first was Council Directive 1996/34/EC (3 June 1996), which implemented the framework agreement on parental leave signed by UNICE, CEEP, and ETUC. The second was Council Directive 2010/18/EU (8 March 2010), which implemented the revised framework agreement on parental leave, concluded by BusinessEurope, UEAPME, CEEP, and ETUC, thereby repealing Directive 96/34/EC. This process of discussion, negotiation, mediation, and agreement among European social partners on parental leave brought about a genuine cultural and institutional shift. It helped establish a new individual right to parental and

⁸ All documents are available on the European social partners' website dedicated specifically to intersectoral social dialogue. In particular, they can be accessed through the Employers Resource Centre via the following webpage, which hosts the Database of European Social Dialogue Texts: <http://erc-online.eu/european-social-dialogue/database-european-social-dialogue-texts/>.

paternity leave, complementing the already recognised and regulated maternity leave. In short, social partners became the active promoters of an agreement that required the definition of regulatory conditions aimed at redistributing and balancing care responsibilities within families. This was designed to facilitate mothers' re-entry into the workplace and/or labour market, thus intervening in an evolutionary perspective in both the transformation of family relations and gender relations in the workplace. Furthermore, it assigned parental, paternity, maternity, and later carer's leave⁹ a central role in promoting gender equality in labour relations.

Within this greater leading role of social partners on gender issues, while always orienting their action within the field of economic and employment policies, the **2005 Action Programme** of the institutionalised social partners within the intersectoral social dialogue must be mentioned. This programme was explicitly dedicated to "gender equality", with the goal of promoting the exchange of experiences, knowledge, and tools at national or sectoral level. Within this programme, the European social partners identified four priority action areas for intervention¹⁰:

- Challenging gender roles and combating stereotypes, particularly to address gender inequalities in the labour market. The social partners agreed on various measures to combat discrimination in access to employment, including positive action proposals to encourage a greater leading role for women in the labour market;
- Promoting women's participation in decision-making processes, also through the adoption of innovative measures in specific national contexts. For example, a Gender Mainstreaming Charter was signed by intersectoral trade union organisations in Belgium, while in Austria, social partners planned joint initiatives to identify and remove discriminatory conditions across all workplace settings;
- Supporting the balance between work, private life, and family life, particularly in the context of an ageing European population and with the aim of increasing female participation in the labour market, with the social partners' awareness of their role as promoters of consultations with national government institutions to propose legislative reforms and innovations regarding parental leave (both maternity and paternity), agreements on flexible working hours, and the promotion of greater public infrastructure to support intergenerational relationships;

⁹ As introduced by Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers and repealing Council Directive 2010/18/EU, OJ L 188, 12.7.2019, pp. 79–93.

¹⁰ As detailed in the final evaluation report published in 2009, following four years of joint actions and initiatives carried out by the social partners across various national contexts and at the EU level. The full text of the report can be accessed here: <http://erc-online.eu/wp-content/uploads/2014/04/2010-00883-E.pdf>.

- Addressing the gender pay gap, as social partners noted that, fifty years after the recognition of the principle of equal pay between men and women, established in Article 119 of the Treaty of Rome (now Article 157 TFEU), the objective remains far from being achieved, requiring joint efforts that should be promoted by the social partners, alongside stronger institutional interventions.

In this regard, the report notes that the entire framework of actions promoted by the social partners during those years was recalled in the EU institutions' 2006-2010 Roadmap for Gender Equality. It was also considered in the consultative activities initiated by the European Commission in 2007, to discuss processes of reconciliation between work, family and private life, in the Commission's Communication titled "Tackling the Gender Pay Gap between Women and Men" (COM/2007/0424 final). Within this framework, a practical tool was deployed precisely as a final product of this action programme: the "Toolkit for Gender Equality in Practice", in which one hundred best practice initiatives promoted by social partners in workplaces across various sectors and EU member states were collected and shared, all aimed at promoting gender equality¹¹.

Subsequently, the ***Fifth Multiannual Joint Work Programme between social partners for the years 2015-2017***, presented in July 2015 under the title "Partnership for Inclusive Growth and Employment"¹² took up again the work carefully woven by social partners on the theme of gender equality. This programme was drafted at a time when the European Pillar of Social Rights (2017) was being introduced, and the Juncker Commission (2014-2019) was attempting to revitalise social dialogue and European social action, as previously recalled.

Section 2 of this programme, immediately following the section on promoting active ageing and an intergenerational approach, was explicitly dedicated to promoting better reconciliation between work, private life, and family life and promoting gender equality to reduce the gender pay gap, thus including the need for gender equality as a decisive policy, so that social partners may contribute through their action to an effective economic and employment recovery in the EU. The crucial initial consideration in the macro-systemic contextual analysis consists in making explicit that the availability, quality, and accessibility of adequate social care services and infrastructures remain essential for genuinely fostering gender equality. It seems the social partners wanted to make explicit the need to take seriously the promotion and

¹¹ Further information can be found on the dedicated website: <http://erc-online.eu/gendertoolkit/#/>, along with the presentation publication by ETUC, BusinessEurope, CEEP, and UEAPME (2014), *A Toolkit for Gender Equality in Practice*, Brussels.

¹² The full text of the fifth multiannual joint social dialogue work programme (2015 - 2017) is available at the following link: <https://resourcecentre.etuc.org/sites/default/files/2019-07/Joint%20Social%20Dialogue%20Work%20Programme%202015-2017%20-%20EN.pdf>.

dissemination of high-quality public services through an integrated approach to work-life balance policies. They acknowledged that the gender pay gap is a multifaceted issue driven by multiple factors, including: horizontal and vertical segregation in the labour market; a lack of childcare and early childhood structures; an unequal distribution of family and domestic responsibilities; gender discrimination and gender stereotypes in the workplace.

European social partners seem to highlight a widespread delay across European society in reversing the persistent and structural discrimination affecting women's living and working conditions. Despite their continued efforts as actors in social dialogue, actively promoting the sharing and dissemination of best practices, there appears to be an underlying sense of disillusionment surrounding the overall stagnation of the social dialogue process. From the perspective of the social partners, there is a clear need to identify and promote parental leave schemes, employment agreements, and care infrastructures that benefit both the workforce and employers. This calls for a systemic approach, involving coordinated action from all social and institutional stakeholders. As a result, social partners advocate for the development of common guidelines, along with follow-up and monitoring initiatives, as well as the possibility of issuing direct recommendations to public authorities. What is increasingly missing, however, is a clear link between social dialogue and the institutional, national, and EU-level arenas where decisions on social policy are made. This gap contrasts with earlier periods when social dialogue functioned more effectively and institutional engagement played a key role, particularly in shaping gender equality policies.

Despite this acknowledged difficulty, a positive element can be identified in recognising that the joint efforts undertaken by social partners to combat pay discrimination have remained a consistent driving force throughout the long social and institutional journey that ultimately led to the adoption of Directive (EU) 2023/970 of the European Parliament and of the Council of 10 May 2023. This directive aims to strengthen 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. EU Member States must transpose the directive into national law by 7 June 2026, with various developments expected to support the achievement of genuine pay equality (Izzi, 2024, p. 651 ff.). As analysed in Part II of this research (section 3.4.1.), the directive actively promotes the involvement of social partners to the extent that Member States may entrust them with its implementation. Moreover, it explicitly requires the promotion of social dialogue (Article 13), as well as the facilitation of collective bargaining mechanisms aimed at tackling the gender pay gap, particularly through the introduction of gender-neutral job classification systems.

Finally, another key issue that social partners have been increasingly addressing in the years following the Covid-19 pandemic is the risk that remote work may exacerbate gender gaps and discrimination. Indeed, as highlighted by various studies (starting with Eurofound, 2022), pre-existing gender disparities in unpaid work, care responsibilities, and family duties have not only persisted but have generally increased. This has led to conflicts between work and private life, particularly for mothers of young children working remotely (Hester & Srnicek, 2023, p. 101 ff.), as well as for women employed in the service sector with dependents, and for adult daughters who work while also caring for their elderly parents. This has resulted in heightened stress between professional and family life (Goldin, 2022). This is, in reality, a pressing issue in the evolution of digital society, with broader cultural implications. It stems from an outdated and stereotypical perception of social and professional roles, which is rooted in the prejudice that unpaid reproductive and care work falls predominantly on women. Consequently, many women end up using remote work as a means to balance their professional activities with private and family caregiving obligations that society still expects them to bear. In response, European trade union structures are mobilising to promote a trade union culture that prioritises gender equality, fairness, and inclusion in the negotiation of collective agreements on remote work. A key example of this is the UNI Europa Finance trade union's **ARCO project—Addressing Remote Work through Collective Bargaining and Organising**—which has placed gender issues at the heart of its trade union action on remote work. This initiative also seeks to mitigate other negative effects associated with remote work, such as social isolation and the invisibility of workers (especially among the most vulnerable groups and younger employees), slower career progression, risks of domestic violence, and the lack of enforcement of the right to disconnect¹³. This presents a major challenge for social partners, as it requires them to place a new concept of gender equality at the core of the digital transition in the world of work and life, ensuring that this principle is embedded within labour relations across all sectors.

3.2. Some Experiences and Best Practices on Gender Equality in Sectoral Social Dialogue.

As observed in the literature, since the 2010s, European sectoral social dialogue has also entered a period of stagnation (Papa, 2018), mirroring the general decline experienced across the entire social dialogue process following

¹³ See also the article "*Collective Bargaining Must Address Gender Equality in Remote Work*" (25 June 2024), available at: <https://www.uni-europa.org/news/collective-bargaining-must-address-gender-equality-in-remote-work/>) and the presentation of the ARCO project in "*Organising Remote Workers*" (22 February 2024), available at: <https://www.uni-europa.org/news/organising-remote-workers/>).

the onset of the 2010 financial and economic crisis. However, part of this trend can also be attributed to organisational discrepancies among the stakeholders involved in sectoral social dialogue, which manifest both at the national and EU levels. Employer associations tend to favour more fragmented, limited, and sector-specific organisational structures, as opposed to the broader, more comprehensive frameworks advocated by trade unions (Keller & Weber, 2011, p. 233). This difference in approach risks undermining potential spaces for joint action, as employers typically focus on company or enterprise-level dialogue, whereas trade unions pursue more systemic and overarching solutions.

Furthermore, within the EU framework, these organisational and strategic differences are exacerbated by an imbalance in representation among the social partners consulted by the European Commission (as per Article 154 TFEU) across various industrial sectors. According to the official list of European social partner organisations regularly updated by the EU Commission¹⁴, 15 trade union structures are currently involved in sectoral social dialogue, compared to 65 employer organisations. Moreover, these entities are distributed across 44 sectoral committees, creating a significant numerical disparity between employer representation and the more limited capacity of trade unions, which must divide their presence across multiple committees.

Despite these challenges, some successful attempts at sectoral dialogue on gender equality have been developed and implemented. Almost half of the 44 sectoral social dialogue committees include specific actions on gender equality within their work programmes (EU Commission, 2024, p. 24). One of the most prominent examples is found in the audiovisual sector, where in 2010–2011, a ***Framework of Actions on Gender Equality*** was developed and later updated in May 2023¹⁵. This initiative was led by the Joint Working Group on Gender Equality within the **European Sectoral Social Dialogue Committee for the Audiovisual Industry**, which brings together representatives from commercial and public broadcasters, businesses, producers, journalists' unions, cast and crew associations, and other audiovisual professionals.

The framework's recommendations and proposals are based on recognising that the European audiovisual sector has a high proportion of self-employed workers and small and medium-sized enterprises (SMEs), which make up

¹⁴ The list can be found on this European Commission webpage specifically dedicated to social dialogue, last updated in September 2023: https://employment-social-affairs.ec.europa.eu/policies-and-activities/european-employment-strategy/social-dialogue_en.

¹⁵ See: EU Audiovisual Sectoral Social Dialogue Committee – Framework of Actions on Gender Equality – Updated May 2023, available online on various web pages of different social partners, including: <https://www.fim-musicians.org/wp-content/uploads/european-foa-on-gender-equality-av-updated-may-2023.pdf> (accessed 20 December 2024).

around 96% of the sector. Additionally, 28% of the workforce is employed in companies with fewer than ten employees, while large public sector enterprises also play a significant role in some EU countries.

The Framework of Actions on Gender Equality is structured into six key areas: Gender representation; Consideration of gender roles in the workplace; Equal pay; Equality in decision-making processes; Work-life balance; Combating bullying, harassment, and sexual harassment in the workplace (the latter was added in the 2023 revision).

Each of these areas includes behavioural recommendations, positive action measures, and monitoring pathways, fostering a continuous process of learning and improvement to guarantee greater gender equality in the European audiovisual sector, with further national-level insights. To ensure implementation, it was established that two years after the adoption of the framework, an evaluation report should be commissioned to assess progress in selected countries. Consequently, in 2018, the European social partners initiated a joint project to map advancements in gender equality across EU countries and identify necessary interventions and actions. The results of this ongoing collaborative process were published in March 2020 in the form of a Good Practice Handbook (EU Social Partners of the Audiovisual Sector, 2020).

This handbook serves as a valuable best practice model, providing insights that can be replicated in other sectors. It documents various initiatives undertaken by social partners across different European countries and production stages within the creative value chain, aiming to increase female participation and broader diversity in both the workforce and on-screen representation. Given the influence of the audiovisual sector, these actions also have a wider societal impact, shaping public perceptions and fostering more inclusive cultural narratives.

The handbook also consolidates the most effective measures to tackle the multiple and interwoven dimensions of gender inequality—ranging from structural discrimination in recruitment and career progression to the persistent gender pay gap and imbalanced care responsibilities. These best practices send a crucial message: all social partner organisations, regardless of size or structure, have the potential to drive meaningful change. By adopting multi-level and multi-dimensional strategies, they can enhance gender equality, improve workplace relations, and create safer environments free from sexual harassment. Additionally, they contribute to addressing all forms of discrimination, including those based on disability, age, sexual orientation, ethnic background, and socio-economic conditions, ensuring fair and inclusive policies for all individuals.

It is worth noting that the activities of the Joint Working Group on Gender Equality within the European Audiovisual Sectoral Social Dialogue Committee

are ongoing, with continuous updates published on a dedicated web portal¹⁶. This multi-stakeholder process deserves attention from institutions, social partners, researchers, and activists alike, particularly in terms of disseminating and replicating this multi-level and multi-dimensional approach across other sectors.

Another notable initiative is the **online database** promoted by the European Trade Union Committee for Education (ETUCE), which compiles hundreds of programmes, projects, joint actions, and best practices on gender equality, diversity, inclusion, and integration in education and training. These initiatives have been developed and tested by social partners and ETUCE member organisations in partnership with civil society groups, spanning both EU and non-EU European countries¹⁷. The database's objective is to improve the dissemination and implementation of gender equality measures within trade union organisations affiliated with ETUCE, creating a shared archive of tools and experiences to drive progress at local, national, and European levels.

On 8 March 2022, a ***Joint Declaration of European Insurance Social Partners on Diversity, Inclusion, and Non-Discrimination*** was signed. This declaration, endorsed by Insurance Europe, Bipar (European Federation of Insurance and Financial Intermediaries), Amice (representing the mutual/cooperative insurance sector), and UNI Europa Finance (representing trade unions), commits to promoting: 1. Equal opportunities in the workplace; 2. Diversity and inclusion at work; 3. Combating discrimination.

A similar Joint Declaration on Gender Equality was also signed in 2014 by social partners in the telecommunications sector (ETNO - ConnectEurope, representing connectivity service providers, and UNI Europa, representing trade unions).

From a legislative perspective, autonomous agreements between sectoral social partners—as provided under Article 155 TFEU—have also contributed to promoting gender equality. In June 2021, European social partners in the railway sector signed a provisional autonomous agreement titled "***Women in Railways***"¹⁸, aimed at increasing female employment in the sector. The signatory organisations included the European Transport Workers' Federation (ETF), representing railway workers, and the Community of European Railway and Infrastructure Companies (CER), representing employers. This agreement addresses gender equality by promoting equal treatment, work-life balance, career progression opportunities, and the prevention of sexual harassment and sexist behaviours.

¹⁶ Achieving gender equality and promoting diversity in the European Audiovisual sector: <https://www.equalitydiversityinavsector.eu/>.

¹⁷ <https://goodpractices.csee-etuice.org/en/>.

¹⁸ See: *Women in Rail – Provisional EU Social Partner Agreement*: <https://www.etf-europe.org/women-in-rail-provisional-eu-social-partner-agreement-reached/>.

Since November 2017, the ***Women in Transport - EU Platform for Change*** has been actively working in this sector. This initiative, promoted by the European Commission, aims to increase female employment and ensure equal opportunities for women and men in both public and private transport sectors, where female employment currently stands at just 22%¹⁹. Additionally, DG MOVE (the European Commission's Directorate-General for Mobility and Transport) has recently adopted a Handbook for Equality Mainstreaming at DG MOVE: Training Materials for Equality Mainstreaming in Mobility and Transport (2024)²⁰. This initiative seeks to engage all relevant stakeholders in the public and private transport sectors across EU Member States, encouraging them to promote actions, exchange best practices, discuss challenges, and propose improvements aimed at enhancing female employment and fostering better conditions for equal opportunities.

Similarly, in November 2017, within the framework of the European Sectoral Social Dialogue Committee for Local and Regional Government, the ***Guidelines for Developing Gender Equality Action Plans in Local and Regional Authorities*** were revised and updated. These guidelines, originally adopted a decade earlier by the Council of European Municipalities and Regions (CEMR)—representing local and regional governments across Europe—and the European Public Service Union (EPSU)—representing trade unions in the sector—were reaffirmed as a tool to encourage the active use of gender equality plans by social partners.

In the services sector, the European social dialogue partners developed and signed ***Multisectoral Guidelines to address third-party violence and harassment at work*** (2011). This initiative was a response to the increasing levels of third-party violence in sectors such as education, healthcare, local and regional government, retail, and private security—all of which have high levels of female employment, making intervention essential to improve working conditions for women²¹. As a result, in December 2018, these multisectoral guidelines on preventing third-party violence and harassment at work were also signed by the European Social Dialogue Committee for Central Government Administrations (SDC CGA)²².

¹⁹ This is the webpage specifically dedicated to the Platform by the European Commission: https://transport.ec.europa.eu/transport-themes/social-issues-equality-and-attractiveness-transport-sector/equality/women-transport-eu-platform-change_en.

²⁰ Which can be found here, freely downloadable: <https://op.europa.eu/en/publication-detail/-/publication/e8600d42-31e7-11ef-a61b-01aa75ed71a1>.

²¹ See the documents collected on the dedicated page of the website of the main promoter of the guidelines agreement, the European Public Service Union (EPSU): <https://www.epsu.org/article/multi-sectoral-guidelines-tackle-third-party-violence-and-harassment-related-work>

²² For further details, see the following resource: <https://www.epsu.org/article/guidelines-prevention-third-party-violence-and-harassment-work-signed-central-governments>.

Additionally, from a trade union perspective, the 15 sectoral European Trade Union Federations (ETUFs) frequently take independent and direct positions in the public debate and European social dialogue on gender issues. They actively organise meetings, seminars, and training courses to enhance collective bargaining on gender equality and contribute to the ETUC Women's Committee, where they collaborate on sectoral action plans to promote gender equality.

As highlighted in recent research (Lopez Uroz, 2022, p. 11), sectoral trade union federations have established working groups and equality committees that organise events, discussions, and knowledge-sharing activities focused on gender equality. These initiatives adopt an intersectional approach, enabling a comprehensive analysis of the interconnections between various forms of discrimination. This approach broadens the scope of trade union action, integrating it into a wider cultural framework across multiple sectors and policy areas.

In this regard, a **trade union research report in the education sector** (ETUCE, 2019) found that in Europe, more than half of the measures adopted by trade union structures to address the various aspects of gender equality promotion were implemented directly by the unions themselves or by their sectoral confederations (27% and 25%, respectively). In contrast, only 11% of the measures resulted from collective bargaining between trade unions and employers in the education sector, with an additional 16% arising from social dialogue between education sector employers and unions (resulting in agreements that are less binding than those established through collective bargaining). The remaining 20% of measures were adopted through tripartite discussions and actions involving trade unions, employers, and public government institutions.

In this sense, it may be argued that at the European sectoral level, an approach should be promoted that enhances trade union-led initiatives for training and awareness campaigns on gender equality. This should start with the direct involvement of women, fostering wider and more active female trade union participation, which remains partially hindered by traditional organisational structures (Guillaume, 2021). Instead, this greater female engagement could become the driving force behind a conscious transformation in social partner relations, contributing to a fairer and more just European society—a theme that will be further explored in the final section of this study.

3.3. European Social Partners and Differences in Implementing Gender Equality.

As previously observed, the declining relevance and practical implementation of social dialogue over the past two decades has also affected the adoption of gender equality programmes. Despite efforts to develop, share,

and disseminate good practices, monitoring mechanisms, recommendations, and guidelines, these initiatives rarely succeed in triggering effective and lasting changes in workplace practices. This period has also been marked by a diminished capacity of European social partners to propose effective gender policy interventions, largely due to institutional constraints within the European governance framework. These constraints have hindered their influence over the development of gender policies and, more broadly, their role within an already fragile social dialogue process (Jacquot, 2022, p. 69).

Additionally, there has been a long-standing divide in the approaches taken by social partners regarding the promotion of gender equality policies at the EU level and in relation to public institutions, as briefly mentioned earlier. On the trade union side, there is support for binding interventions, including public and state-driven regulations that compel businesses to act, favouring a macro-systemic approach where institutions and social partners jointly promote gender equality, social protection, and inclusion policies. Conversely, employer organisations prioritise company-level negotiations, seeking to avoid state or regulatory intervention and preferring a micro-level and firm-specific approach—at most, sectoral-level actions—while opposing more systemic and binding measures (Eurofound, 2014).

This divergence was also identified in a study by Elomäki & Kantola (2020), which examined the positions of the four institutionalised cross-sectoral social partners (ETUC, BusinessEurope, CEEP, and SMEunited/UEAPME) on gender policies across three key areas of social dialogue in the 2010s: 1. The "New Start" initiative on work-life balance, launched by the European Commission in 2015, which culminated in the adoption of Directive (EU) 2019/1158²³; 2. The implementation of the European Semester, introduced in 2011 to manage the annual economic governance cycle of EU Member States; 3. The role of the European Pillar of Social Rights (EPSR). In each of these areas, social partners were divided: the three employer organisations consistently defended economic and financial priorities, while trade unions pushed for greater social protection measures (Elomäki & Kantola, 2020, p. 1013). These contrasting positions have influenced their attitudes, discourse, and practices regarding gender equality policies. However, internal contradictions also emerge, as seen in the case of ETUC, which has chosen to sacrifice autonomous collective bargaining on work-life balance in the hope of securing stronger gender equality measures through direct EU institutional intervention, leading to the adoption of the Directive on Work-Life Balance (Elomäki & Kantola, 2020, p. 1007). Conversely, while the three employer organisations have consistently opposed EU regulatory interventions on gender equality, they have nonetheless

²³ The aforementioned Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers and repealing Council Directive 2010/18/EU, OJ L 188, 12.7.2019, pp. 79–93.

publicly supported gender equality in principle—albeit while arguing that EU regulations impose excessive economic costs. Notably, however, public sector employers (CEEP) have aligned with trade unions in criticising austerity policies and advocating for stronger implementation of the European Pillar of Social Rights (Elomäki & Kantola, 2020, p. 1008).

Ultimately, the role of European social partners is reaffirmed, even beyond the scope of social dialogue explicitly regulated by the Treaties. Their capacity to intervene in the ongoing tension between the dominant economic-financial dimension of European integration and its declining social evolution remains significant. Social partners contribute to shaping the concept of gender equality and have the ability to influence, to some extent, the programmes and instruments of European gender equality policies.

European social partners thus remain key actors in gender equality policies, albeit with varying degrees of influence and within a divide between employer and trade union representation. This is occurring in a prolonged context where their role appears to be shifting towards advisory and advocacy positions (Lopez Uroz, 2022, p. 16), almost as if they were merging into and becoming indistinguishable from broader interest groups (Jacquot, 2021, p. 68). Their influence is increasingly exerted through lobbying activities, a development that now also characterises the institutionalised role of European social partners (Pochet, 2019). This evolution aligns with the progressive neo-corporatist transformation of social participation in EU economic and social governance (Jacquot, 2022).

The diminished influence of social partners is further exacerbated by the restructuring of the Directorate for Equality and the Fight Against Discrimination, along with its Gender Equality Unit, which now falls under the DG Justice of the European Commission, whereas it previously belonged to DG Employment and Social Affairs. This shift risks reducing the social dimension of gender equality policies, as the focus on fundamental rights—promoted by other civil society actors—gains prominence over the institutionalised social partners (Jacquot, 2022, p. 161 ff.).

Additionally, questions persist regarding whether a fair and effective gender representation has been achieved within the social partners themselves. In this regard, reference should be made to the work carried out by ETUC, which, since 2017, has introduced gender parity in its Executive Committee and other European-level committees (ILO, 2021, p. 6). Furthermore, the empowerment of female trade unionists as active participants in European social dialogue remains an ongoing challenge—one that was initiated three decades ago (Cockburn, 1996 and 1997) but still struggles to establish a systemic framework at the European level due to variations at the national level.

These reflections must serve as a starting point for reconsidering the relationship between social partners and gender policies, in light of the challenges facing EU institutions and European society as a whole.

4. The Role of Social Partners for a Union of Equals: Towards a New European Social Dialogue on Gender Equality Across All Forms and Conditions of Work.

This section of the study concludes with a forward-looking perspective, exploring the potential for improving social dialogue to effectively promote gender equality within the framework of EU policies, in coordination with Member States and in response to ongoing social transformations at both the European and global levels.

To this end, three key aspects—highlighted by academic research, social movements, social partners, and institutional actors, albeit with differing emphases—are briefly outlined, as they are considered central to building a truly equal European Union.

The first theme concerns the need to revitalise and integrate European social dialogue processes and actors, adapting them to the changes brought by the transformation and crisis of the traditional wage-based society—which was historically centred around the male worker as the family breadwinner, alongside deeply ingrained gender stereotypes. This shift requires rethinking the traditional structures of social, labour, and entrepreneurial mediation to reflect modern realities.

This leads to the second key issue: the recognition of a new concept of labour relations, which moves beyond the binary distinction between subordinate employment and self-employment, in favour of a framework that guarantees social protections, rights, and support for all workers. This discussion builds on the legal and constitutional debate surrounding “personal work relationships”, a concept that has gained increasing attention in European case law and institutional documents. The goal is twofold: To resolve the conflict between social protection and free market competition, which currently hinders the status of self-employed workers, as EU law classifies them strictly as entrepreneurs; To reduce the risks associated with increasingly precarious and insecure self-employment, which disproportionately affects women in less protected forms of work, as well as other vulnerable groups, including young people, part-time female workers, intermittent and flexible workers, and those in emerging professions.

These considerations highlight the urgent need for policy action at the European level, particularly in relation to the current European Commission's agenda, which aspires to build a true Union of Equality. Within this vision, there is an opportunity to develop a renewed gender equality strategy,

integrating: a new pact for social dialogue that promotes more effective gender-focused public policies at both the national and EU levels; the foundation for a European Gender Pact, ensuring a coordinated and comprehensive approach to gender equality across all sectors and forms of work.

4.1. Rethinking European Social Dialogue Amid Its Crisis and the Decline of the Wage-Based Society: On the 40th Anniversary of the Val Duchesse Social Summit (1985–2025).

This shift was notably initiated during the Juncker Commission (2015–16), first with a high-level conference in March 2015 aimed at formalising “a new start for social dialogue”, followed by the adoption of a Joint Declaration under the same title. Signed in Brussels on 27 June 2016 by the Council Presidency, the Commission, and the four institutionalised European social partners (ETUC, BusinessEurope, CEEP-SGIEurope, and UEAPME-SMEunited), this declaration assigned specific responsibilities to each party involved: social partners were tasked with promoting collective agreements and joint projects; the European Commission was urged to strengthen the consultation phase with social partners; the Council of the EU was expected to regulate the relationship between social dialogue and Member States.

However, it was not until the work of the new European Commission under Ursula von der Leyen that the need to revitalise social dialogue returned to the forefront. This effort began in March 2021 with the launch of the Action Plan on the European Pillar of Social Rights (EPSR), which aimed to implement Principle 8, explicitly dedicated to “social dialogue and worker involvement”. This was followed by the European Commission’s Communication (COM/2023/40 final), which linked the strengthening of European social dialogue to ensuring a fair, effective, and balanced management of ongoing transitions—particularly in response to the Covid-19 pandemic, climate change, digitalisation, and shifting demographic trends, including intergenerational dynamics.

In this context, the European Commission committed to: supporting agreements between social partners; strengthening the involvement of social partners in EU policymaking; enhancing the financial and technical support available to social partner organisations to enable their active participation in different phases of EU policy adoption.

In June 2023, these commitments were further reinforced by the Council Recommendation (C/2023/1389), which reaffirmed the central role of social dialogue in effectively managing crises (Recital 8). The recommendation explicitly acknowledged the employment and social impacts of technological change, increased automation, and the green transition towards climate neutrality (Recital 9). A particularly significant point is Recital 24, which states that “the Commission will not take action against collective agreements

concluded by self-employed individuals who find themselves in an imbalanced bargaining position relative to their counterparts”. This stance signals a continued recognition of collective bargaining rights for individual self-employed workers, an issue that will be further explored in Section 4.2. Additionally, Point 8 of the Council Recommendation urges Member States to expand collective bargaining coverage, enabling effective negotiation mechanisms, including by removing institutional or legal barriers that hinder social dialogue and collective bargaining for new forms of work and atypical employment”. These two key provisions—the Commission’s stance on collective agreements for self-employed individuals and the Council’s recommendation on expanding collective bargaining to atypical work—help update the public debate on the scope of protections for individual self-employed workers and other non-standard forms of employment, which, though not entirely new, remain atypical in the evolving European labour market.

During the same period, the European Parliament adopted a Resolution on 1 June 2023 on strengthening social dialogue (2023/2536/RSP). This resolution highlights, in Recital AA, that workers engaged in atypical employment, new forms of work, and even self-employment may suffer from a lack of representation. Moreover, in Point 6, the Parliament expresses concern over the decline of social partners and collective bargaining, attributing it to the rise of atypical employment, anti-union practices, and employers' reluctance to engage in collective negotiations. Point 7 specifically promotes social dialogue on combating gender inequality, raising concerns over the lack of representation for workers in the care sector—where the majority of the workforce consists of women and migrants, often facing precarious, insecure, and low-paid working conditions (as also noted in Recital AB). Additionally, Point 10 reiterates that, in recent decades, traditional collective bargaining structures have weakened, as the economy has shifted towards less unionised sectors, while precarious, intermittent, and atypical forms of work have increased, leaving many workers without union representation.

These discussions indicate a growing awareness among EU institutions of the vicious cycle threatening the European social model: as labour conditions become more precarious, the presence, influence, and mediating capacity of traditional social partners is also diminishing. This decline has been unfolding for decades, reflecting the institutional crisis of social partners within EU governance.

In this context, the European Commission adopted a proposal on 24 January 2024 to revise Directive 2009/38/EC on European Works Councils (EWCs). EWCs are information and consultation bodies that involve workers in decision-making on transnational matters within multinational companies with over 1,000 employees operating in at least two EU or EEA countries. The revision proposal aims to:

Strengthen social dialogue at the transnational level, both within companies and between social partners.

Address gender imbalances in EWC representation, ensuring a more effective and inclusive structure with greater gender balance.

Building on this initiative, the European Commission convened a tripartite meeting with European social partners on 31 January 2024 at Val Duchesse, marking 39 years since the launch of the social dialogue process by Jacques Delors on 31 January 1985. The objective of this meeting was to lay the groundwork for a Pact on European Social Dialogue, to be formally signed in early 2025. The process includes a series of bilateral and trilateral meetings aimed at revitalising and reinforcing social dialogue, reaffirming its central role in European governance.

In light of these recent developments and institutional signals, it is now possible to frame this necessary reassessment and revitalisation of European social dialogue within a broader, four-point strategic framework, which will be outlined in the following section.

- To revitalise European social dialogue, it is essential to return to the original vision of Jacques Delors, the initiator of the first Val Duchesse Social Summit in 1985. Delors addressed all categories of workers (“working men and women”)—including employees, wage earners, industrialists, and professionals—as outlined in Section 2.2 of this study. However, this vision must now be updated beyond the industrial and wage-based society, which shaped both public institutions and employer-trade union representation around the figure of the male, salaried, breadwinning worker. Today, this call for inclusivity could take a new form, placing women’s experiences and conditions at the centre of social dialogue processes, across all forms and conditions of work—including platform-based employment, emerging digital and non-digital professions, and the care and assistance sectors. The latter have become increasingly critical following the Covid-19 pandemic and the ageing European population.

- Given the recognition—even by EU institutions—of the vulnerability of female-dominated sectors, particularly in care, assistance, and services, gender representation must be further strengthened within social dialogue. Women remain underrepresented in bargaining and mediation processes, making it crucial to amplify their voice in European social dialogue. Beyond this, it is necessary to advocate for a genuine “gender contract” at the EU level, a concept that will be explored in Section 4.3).

- Within this context, European social dialogue could be rethought as part of a broader revision of institutional governance and participation mechanisms.

This would involve both social partners and civil society actors at the supranational level, addressing the long-standing gap between social dialogue promotion and participatory democracy. The failure to establish a systemic governance framework that integrates social dialogue into the broader participatory mechanisms of EU decision-making has led to an unfulfilled expectation. A more structured approach would involve aligning Article 152 TFEU, which mandates the Commission to promote social dialogue, with Article 11 TEU, which calls for engagement with representative associations and civil society through consultation (Caruso & Alaimo, 2011, p. 279 ff.). Expanding the role of institutionalised social partners within a broader governance framework would allow the inclusion of non-institutionalised social actors, representing emerging forms of work and entrepreneurship, in EU consultative and participatory mechanisms. This approach could enable multi-level and cross-sectoral collaboration, engaging a wider range of stakeholders in social and labour policy development.

- This new governance model—incorporating representatives from the fragmented European civil society and new forms of labour and production—could foster broader public debate and social experimentation. It could facilitate an unprecedented social dialogue between: Traditional representatives of employers and wage earners in public services and large industries; Small and medium-sized enterprises (SMEs); Independent and self-employed workers, including professionals and consultants (as proposed by ConfProfessionisti et al., 2019b, p. 48 ff.); Social innovators and start-ups engaged in technological advancements, fostering dialogue across generations of professionals (ConfProfessionisti et al., 2019a); Cooperative and solidarity-based enterprises, particularly those driving ecological and digital transitions.

Such a vision aspires to shape a knowledge-based European society in the era of digitalisation, automation, and artificial intelligence. This would update the vision introduced 30 years ago by the Delors Commission, which, in its 1994 White Paper on European Social Policy, sought to govern the emerging digital economy. At the time, the Commission called on EU and national institutions to ensure high labour protection standards to build a globally competitive Europe—one that could balance social policy and economic security, fostering an “active society for all”.

Today, in light of ongoing transformations, the renewal of European social dialogue should be approached as part of this broader socio-economic transition, ensuring that gender equality, inclusive participation, and labour protections remain at the core of the EU’s evolving governance framework

4.2. Recognising "Personal Work Relations" Beyond the Employee/Self-Employed Divide and Gender Disparities: Towards a Common European Labour Law.

As analysed in Part II, Section 3.2, the definition of "worker" in EU law remains fragmented and subject to judicial discretion. This legal ambiguity has significant consequences, such as the exclusion of self-employed and independent workers from the scope of Article 157 TFEU on equal pay, leaving them with limited and residual protections, particularly in the field of professional social security schemes (see Part II, Section 4.2.1).

Similarly, as examined in Part I (Sections 2.1, 2.2, and 3), concerning the relationship between feminist movements and the evolution of gender equality, recognising the subjectivity of women in the labour market requires a comprehensive understanding of changes in work and employment conditions at the EU level. This shift was already anticipated, studied, and debated within EU institutions in the late 1990s.

A key reference in this debate is the Supiot Report (1999), commissioned by the Directorate-General for Employment and Social Affairs of the European Commission. This report was developed by a group of economists, legal scholars, and sociologists, coordinated by French labour law expert Alain Supiot.

The Supiot Report called for a rethinking of labour law and social protections to address the increasing number of workers who no longer fit the traditional standard employment model—which was historically built around the adult male worker, employed full-time on an open-ended contract. This traditional framework was the foundation of welfare state institutions and social protection systems across Europe. Notably, the report's French edition used the deliberately evocative title *Au-delà de l'emploi* (Beyond Employment), emphasising the radical transformation of labour forms and the need to redefine European social protections through universal guarantees.

The report advocated for the development of a professional status beyond subordination—a framework for non-wage labour law (Lyon-Caen, 1990) and "freely chosen multi-activity" (Gorz, 1997). This would allow for the protection of all workers, including those in self-employment, independent work, intermittent, and flexible roles, by adapting social protection institutions to the crisis of wage-based society.

Over the decades, this debate has evolved through academic and institutional discussions at the EU level. On one side, European labour law and constitutional scholars continue to explore the development of a common European labour law, aiming to ensure social protections for all workers, regardless of their contractual status or legal classification (Allegri, 2024; Buratti, 2025). Notably, Mark Freedland and Nicola Countouris have long argued for a new concept of worker, shifting the focus towards the individual

performing the work. They propose the “personal work relations” framework (Freedland & Countouris, 2011), which recognises labour rights and social protections for any person providing work, services, or tasks predominantly on a personal basis, without running an independent business. This approach would help resolve conflicts between competition law and labour law in defining self-employment under EU law. It would also enable the recognition of appropriate social protection rights, promoting a fairer labour market for all workers, across all forms of work (Lianos et al., 2019; Countouris et al., 2021).

As discussed earlier, EU institutions are aware of this shift, and although progress has been slow, they have begun to implement reforms aligned with these evolving labour dynamics. A key development in this direction is the gradual implementation of Principle 12 of the European Pillar of Social Rights (EPSR), which establishes the right to adequate social protection for all workers, regardless of contract type or employment duration, and, under comparable conditions, for self-employed individuals. While this transformation remains incomplete, the debate surrounding personal work relations and the need for a common European labour law continues to shape labour market policies, ensuring that all workers—especially those in non-standard and self-employed roles—receive adequate legal recognition and social protections.

The Council Recommendation on Access to Social Protection for Employees and the Self-Employed (2019/C 387/01) focuses on the implementation of Principle 12 of the European Pillar of Social Rights (EPSR). It acknowledges that “labour markets in the Union encompass a variety of employment relationships and types of self-employment” (Recital 11). Furthermore, it recognises that “the self-employed form a particularly heterogeneous group”, and it emphasises the need for social protection systems to evolve in tandem with labour markets to ensure that the European social model remains fit for future needs and enables the Union’s societies and economies to make the most of the future world of work” (Recital 12).

In January 2023, the European Commission published a Report to the Council on the implementation of the Recommendation (COM/2023/43 final). The report highlights that, in 2022, self-employed workers in 19 Member States were not covered by all branches of social protection. Moreover, in 12 Member States that provided data, approximately 15 million self-employed workers lacked access to unemployment benefits. The Commission expressed concern over these persisting gaps, noting that individuals in self-employment or atypical contractual arrangements remain excluded from many social protection measures. The report underscores the crucial role of the Council Recommendation while warning that its implementation must be embedded in a broader socio-economic policy framework, both at the EU and Member State levels. It further stresses that “adapting systems to ensure better access to social

protection for all is a long-term process involving social partners and other relevant national organisations”. This statement explicitly highlights the need for social partners’ involvement in the universalisation of labour protections.

The Covid-19 pandemic served as a turning point, making the urgency of adequate social protection for all forms of work undeniable. The crisis prompted a reassessment of the concepts of work and workers (Countouris et al., 2020), pushing EU and national institutions to adopt unprecedented solidarity and inclusion measures. These efforts expanded the scope of multi-level social policies to include self-employed and non-standard workers, particularly those in vulnerable and economically precarious positions (Spasova et al., 2021).

Within this context, the concept of “personal work” has begun to gain traction in EU institutional discourse. The Court of Justice of the European Union (CJEU) first referenced “personal work” in Case C-356/21 (J.K. v TP S.A.), where it ruled that Directive 2000/78 on equal treatment in employment and working conditions applies to individuals engaged in various forms of self-employment and independent work. The case involved a Polish self-employed worker in the communications sector whose contract was terminated after seven years of service agreements due to his publication of a video in support of same-sex couples. In Paragraph 47, the Court stated that “the claimant’s activity constitutes a real and effective professional activity, exercised personally, on a regular basis, for the benefit of a single recipient, which enables him to earn a living in whole or in part.” Importantly, the ruling emphasised that the legal qualification of the activity as ‘dependent’ or ‘self-employed’ is irrelevant. Furthermore, in Paragraph 58, the Court clarified that a teleological interpretation of Article 3(1)(c) of Directive 2000/78 suggests that the concept of “employment and working conditions” applies broadly to all forms of dependent and self-employed work, regardless of the legal structure under which the work is performed. This ruling establishes a fundamental legal precedent: the execution of professional activities personally for another party transcends contractual formalities, enabling the recognition of rights and anti-discrimination protections, regardless of whether the work is classified as self-employed or dependent (Countouris et al., 2023).

By incorporating the principle of personal work relations, both EU case law and policymaking are gradually moving towards a more inclusive labour market, where labour rights and social protections apply to all individuals who provide work or services on a personal basis. This shift is crucial for overcoming the rigid binary between employees and self-employed workers, ultimately promoting a more equitable and fair European labour framework.

The concept of “personal work” has been further developed in the European Commission’s Guidelines (2022/C 374/02) on the recognition of collective bargaining rights for individual self-employed workers (self-employed workers

only). These Guidelines establish that self-employed individuals who perform their work using their "own personal labour" can no longer be equated with enterprises under Article 101 TFEU, which would otherwise subject them to EU competition law. A similar formulation appears in Directive (EU) 2024/2831, where individuals engaged in platform work are defined as "persons performing platform work", regardless of the legal classification of their employment relationship (self-employed, dependent, intermittent, etc.). This Directive grants them equal rights and protections, particularly concerning algorithmic management, ensuring that platform workers—whether employees, self-employed, independent, or intermittent—are covered by the same set of safeguards (Perulli, 2024).

For the purposes of this research, the concept of "personal work relations" enables the recognition of the worker as the central legal subject in any employment or professional relationship. This perspective establishes a universal framework for rights, protections, and social guarantees, regardless of the legal form under which the work is performed. It extends social protection mechanisms to all those engaged in atypical, non-standard, intermittent, self-employed, and independent work.

This shift is essential for moving beyond the wage-based society and its rigid distinctions between subordinate and self-employed work. Historically, the traditional welfare model was built around the male, full-time, permanent employee, reinforcing a "patriarchal welfare system" (Pateman, 1989, p. 179 ff.). This system failed to recognise the widespread exclusion, precariousness, and marginalisation of women in the labour market, even within state welfare systems that claimed to be based on social justice and substantive equality (Lorey, 2015).

The transformation of labour conditions and the associated legal protections has now become a key issue in both EU institutional debates and academic research, particularly in labour law and sociology. Scholars have played a leading role in placing gender at the centre of the debate on universal labour protections, advocating for a legal framework that reflects the real conditions of workers in the labour market.

This debate is particularly relevant because women have historically been excluded from labour institutions and protections in social systems that have operated under what Carole Pateman (1988) termed the "Sexual Contract". From the early foundations of modern sovereignty theories, including the social contract theories of Hobbes, Locke, and Rousseau, to the emergence of the liberal nation-state, the public sphere was designed for men, while women were excluded from political and economic participation and confined to private, family, and care-related roles. The feminist movements of the 1980s and 1990s (discussed in Part I, Section 3.1) played a crucial role in challenging this historical narrative. They reclaimed women's agency in public life and fostered

new fields of social research that critically examined both the wage-based society and contemporary economic structures. Their work led to the demand for a welfare model suited to post-industrial society (Fraser, 1994, p. 601 ff.), highlighting the gendered limitations of EU gender policies over past decades.

Across the common European labour market, there remain grey areas and hybrid zones in employment relationships, where the most critical aspects of both subordination and autonomy converge. These include the dependency and control typical of subordinate employment, combined with the intermittency of contracts, commissions, and irregular earnings characteristic of self-employment. These dynamics are particularly prevalent in atypical, non-standard, and flexible forms of work, where self-employment often becomes insecure and precarious, disproportionately affecting women (Bureau et al., 2019; Conen & Schippers, 2019; Murgia et al., 2020). Recent studies continue to confirm that, in the context of the worsening economic conditions across European societies, self-employment has increasingly become a hybrid form of work. This is especially evident in the work-family conflict experienced by those engaged in genuine self-employment and independent professions, where the lack of gender equality in different labour markets and societies—along with the influence of traditionalist social norms—exacerbates existing inequalities (Bozzon & Murgia, 2020).

For all these reasons, there is an urgent need to reflect on the possibility of a common European labour law that applies to all forms, conditions, and identities within the labour market. Such a legal framework could serve as a tool to overcome long-standing gender disparities, particularly those related to work-life balance, access to training, education, and professional development. At the same time, it may now be the moment to link the promotion of a renewed European social dialogue to a broader European social pact—one explicitly centred on the condition of women in contemporary European society. This approach should adopt a stronger feminist perspective, ensuring that the structural inequalities affecting women's participation in the labour market are fully addressed within the framework of European social and employment policies.

4.3. A New Strategy for a True “Union of Equality”: Social Dialogue for a European Pact on Gender Equality.

In this final section, we aim to explore the possible connection between the revival of European social dialogue and the demand for what could be called a "new gender equality contract in Europe" (Petö et al., 2025). This concept is rooted in critical reflections on EU gender equality policies, as presented in Part I, Section 3.7 of this study. Many scholars argue that these policies have been too focused on the labour market, applying a functional perspective on equal opportunities within free-market competition, while often relying on

intervention tools inadequate to achieve lasting and effective results. Thus, the goal is to achieve better practical outcomes for a more just, inclusive European society, one that values diversity and incorporates a feminist perspective into labour law. This could, in turn, stimulate both public debate and institutional policymaking, leading to more effective measures.

Despite decades of gender equality policies, gender disparities persist across Europe. These inequalities are not only driven by gender stereotypes, biases, and traditionalist mindsets but also by the limited expansion of social citizenship at both the national and EU levels. Current legal frameworks often remain case-based and judicially driven, rather than structurally transformative. Many analysts and scholars emphasise the need to move beyond legalistic and piecemeal approaches and instead implement structural reforms to establish a feminist labour law, with aspirations extending even to the global level (Tanzer, 2024, p. 4 ff.; Global Labour Rights Reporter, 2024). This requires an intersectional and multidimensional perspective, integrating labour rights and social security rights (Corazza, 2024, p. 40 ff.).

As outlined in Part II, Section 3.1, the gender pay gap remains a persistent and troubling feature of European society. According to Eurostat's 2022 Gender Pay Gap Statistics, women's gross hourly earnings in the EU were, on average, 12.7% lower than those of men, with the largest disparity in Estonia (21.7%) and the smallest in Luxembourg (-0.7%).

The European Institute for Gender Equality (EIGE), whose Expert Forum includes representatives from both trade unions and employer organisations, publishes an annual report on gender disparities across EU Member States. The Gender Equality Index, introduced ten years ago, measures progress toward gender equality in the EU. While the 2023 edition recorded the highest-ever score of 70.2 out of 100, progress remains slow and uneven across different countries.

Despite some positive developments, structural challenges remain. The gender gap in care and assistance work has narrowed, but not due to a redistribution of responsibilities within households. Instead, many caregiving tasks have been outsourced to third parties, such as home delivery services and digital care platforms, often replicating cycles of low-paid, precarious work—again disproportionately affecting women.

Additionally, the European labour market remains as gender-segregated as it was a decade ago, raising concerns about the future of gender equality in the workforce. As the green and digital transitions reshape labour markets, there is an urgent need for upskilling and professional qualifications. While female employment in STEM fields (Science, Technology, Engineering, and Medicine) is increasing, the number of men in education, healthcare, and welfare (EHW) professions remains stagnant at approximately 8 million—compared to 30 million women in these sectors. This 1:4 ratio has not changed in ten years, and

the green transition is expected to further increase demand for care and assistance jobs, where labour shortages are already chronic.

These critical issues had already been included in the European Commission's agenda five years ago, as outlined in its Gender Equality Strategy 2020–2025 (COM(2020) 152 final)—previously discussed in Part I, Section 2.3 of this study. The strategy acknowledged that despite women outnumbering men in higher education, they remain overrepresented in lower-paid jobs and lower-ranking positions. Additionally, it noted that in the EU, only 17% of individuals pursuing studies or careers in Information and Communication Technology (ICT) are women, and only 36% of STEM graduates are female—even though data confirms that girls tend to outperform boys in digital literacy.

Two key themes from the 2020–2025 strategy will likely continue to shape the Von der Leyen II Commission's (2024–2029) roadmap for women's rights and a renewed gender equality strategy, forming the basis for future shared policy actions:

1. An Intersectional Approach to Gender Disparities. The Commission explicitly commits to addressing the intersectionality of gender with other forms of discrimination across all EU policies: “All EU policies will take into account the intersectionality between gender and other causes of discrimination. Women are a diverse group and may experience intersectional discrimination based on multiple personal characteristics. [...] The intersectional perspective will also always be considered in gender equality policies”. This recognition reinforces the need for a multidimensional approach to tackling gender inequalities, ensuring that structural barriers affecting different groups of women are acknowledged and addressed.

2. Investing in Care and Support Services. The Commission emphasises the need to increase investment in care services to: Enhance women's participation in the paid workforce; Support their professional advancement; Create more job opportunities for both women and men. However, as highlighted in the EIGE data mentioned earlier, gender segregation in the labour market remains a major concern, raising doubts about whether such investments will truly lead to greater male participation in traditionally female-dominated sectors. Regardless, the Commission reaffirms its commitment to supporting Member States in expanding high-quality, affordable care services for children and other dependents, using funding from: The European Social Fund Plus (ESF+). The European Regional Development Fund (ERDF). The InvestEU Programme. The European Agricultural Fund for Rural Development (EAFRD).

This final point could serve as a shared foundation for the necessary revitalisation of European tripartite social dialogue, including the involvement

of national contexts. Much of the literature highlights that all social partners, including employer organisations and trade unions, broadly agree on the need to continue improving the difficult balance between work and private/family life. This can be achieved through the development of high-quality public and private infrastructure for care and assistance services across the entire life course, with a particular focus on childcare and eldercare (Elomäki & Kantola, 2020; Lopez Uroz, 2022). Taking this challenge seriously would imply a European New Deal aimed at building infrastructures—physical, technological, cognitive, and medical—that place high-quality public care and assistance policies at the centre. Such an initiative would support work-life balance for women, helping to dismantle traditional gender roles within families. Indeed, European trade union representatives strongly advocate for a comprehensive European strategy on care and assistance, recognising it as an essential component of any meaningful progress towards gender equality (Rubery et al., 2024, p. 8).

This focus on care policies is also central to the proposal to reimagine a "new gender contract for work" (Silvera, 2025), which aligns with a broader call for A New Gender Equality Contract for Europe (Petö et al., 2025). This initiative, developed by a group of researchers in dialogue with contemporary feminist movements, includes a specific demand for "a sufficient supply of high-quality public services for early childhood education and long-term care (LTC)" (Silvera, 2025, p. 54).

These principles could serve as a foundation for an open social dialogue, as proposed in previous sections of this research. Such a process would bring together EU institutions, progressive research communities, and social analysts, expanding beyond traditional social partner representation. It would involve new voices from self-employed, independent, and intermittent workers, as well as business representatives, while placing women's self-represented perspectives at the centre, acknowledging their diverse social, familial, ethnic, and national identities. The ultimate aim would be to forge a pact for a renewed European social dialogue, leading to a European Gender Equality Pact. This is a field of action, debate, and negotiation that requires immediate public policy interventions and the concrete promotion of tripartite dialogue to develop better gender policies at the continental level.

This perspective aligns with a broader labour law and social justice movement, spanning from Alain Supiot's research school to scholars such as Dominique Méda, a former student of André Gorz and a key promoter of the Democratizing Work project (Ferrerias et al., 2022). This initiative brings together economists, sociologists, legal scholars, trade unionists, and social movement activists, fostering discussions on labour and social issues. The European gender equality agenda has already played a role in fostering new forms of social partner engagement, from autonomous agreements and

collective bargaining to public policy development, research initiatives, monitoring activities, and best practice dissemination. Moreover, it has contributed to the formation of coalitions and alliances between traditional worker representation structures, informal social movements, and civil society organisations (Jacquot & Ledoux, 2021, p. 27 ff.).

In many ways, this visionary yet pragmatic approach echoes the spirit of Jacques Delors and the ambition for a new European social model in the era of digitalisation and automation. As this research concludes, we are approaching the 40th anniversary of the Val Duchesse Social Dialogue Summit, marking an opportunity to redefine the future of European labour relations within a truly inclusive and feminist framework.

5. Conclusions.

In this third part of our research, we have placed European social dialogue at the centre of the discussion, considering its role within the continental integration process aimed at fostering a Union of Equals. Thus, in Section 2, we examined the origins, structure, and evolution of European social dialogue among institutionalised social partners. This analysis began with the establishment of tripartite social dialogue, bringing together labour, business, and worker representatives, convened by the European institutions, particularly under the Commission led by Jacques Delors (1985–1995). Delors was the principal architect and promoter of this process, which sought—albeit with significant challenges and unrealised potential—to promote a European Social Model for supranational integration. We then analysed EU legislation regulating social dialogue (Articles 151–156 TFEU), considering both its cross-sectoral and sectoral dimensions. Additionally, we reflected on the prolonged crisis affecting European social dialogue—and more broadly, EU policies on social and labour issues—particularly since the economic and financial crisis of 2010.

The central section of this research (Section 3) explored joint programmes and best practices implemented by European social partners on gender equality over the past 25 years. This included an examination of cross-sectoral and sectoral projects, shared experiences, and practices within social dialogue. However, we also highlighted the persistent differences in the actions and attitudes of employer representatives compared to those of trade unions, particularly in their approach to gender equality initiatives.

The final part of this study (Section 4) was dedicated to exploring how European social dialogue could be rethought and revitalised to make gender equality policies more effective, concrete, and structurally embedded. Gender inequalities continue to hinder women's participation in European society, particularly regarding: Access to and horizontal segregation within the labour market; wage disparities and career progression barriers; work-life balance

challenges; the unequal distribution of care work. To address these issues, social policies must become more inclusive, ensuring that all workers—regardless of contractual status (employees, self-employed, or independent workers)—are effectively represented. In particular, we emphasised the need for stronger representation of female workers, who remain largely excluded from state welfare systems. Drawing from feminist analytical approaches, as outlined in the first part of this study, we sought to outline an initial framework for a potential Gender Equality Pact. This pact on work and social policies within the EU could serve as a platform for social partners, challenging the policy roadmap of the current European Commission (2024–2029). In doing so, it would contribute to advancing a truly inclusive Union of Equality—one that moves beyond rhetorical commitments and ensures meaningful gender equality in the European labour market and beyond.

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