

Beyond methodological nationalism in explanations of gender equality: The impact of EU policies on gender provisions in national collective agreements in Belgium (1957–2020)

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Abstract

Based on an analysis of gender equality provisions in national collective agreements, this article investigates the influence of European Union (EU) gender and macro-economic policy on gender equality outcomes in Belgium since the signature of the Treaty of Rome in 1957. We show that, over time, EU gender equality policies have led to the adoption of provisions promoting formal gender equality and the integration of women in the labour market. At the same time, EU macro-economic policies have stimulated labour flexibility, promoting part-time work largely filled by women, and imposed wage moderation, which has fundamentally hampered the correction of historical indirect gender discrimination in wages. Overall, EU policies have stimulated the transformation of the conservative male breadwinner model of this coordinated market economy (CME) into a gendered 'one-and-a-half earner' model, a transformation partially enforced through the increased interference of the state transposing EU policies. Our study advances the current literature by pointing to the limitations of prevalent methodologically nationalist explanations of gender equality outcomes in CMEs. More specifically, it shows that the gender equality provisions of national collective bargaining agreements in CMEs cannot be understood independent of EU gender and macro-economic policies.

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Belgium, European gender policy, European macro-economic policy, gender equality outcomes, methodological nationalism, national collective bargaining

Introduction

The relatively favourable gender equality outcomes of collective bargaining in coordinated market economies (CMEs) have to date mainly been explained as resulting from domestic institutions, actors and developments (Dickens, 2000; Rubery and Fagan, 1995; Williamson and Baird, 2014). Centralized systems of industrial relations generally guarantee a minimum floor of labour standards, which facilitates the adoption of a negotiated or statutory national minimum wage and the introduction of nation-wide gender equality provisions accessible to all workers (Robson et al., 1999; Rubery and Grimshaw, 2011). The gender pay gap tends to be lower because of the more compressed wage structure, which raises the relative pay of women (Blau and Kahn, 2003; Rubery and Fagan, 1995; Strachan and Burgess, 2000). Moreover, the literature emphasizes that, in this type of institutional context, trade unions and employers' organizations play a stronger role in the development of welfare services, which collectivize some of the social reproductive work that women have historically carried out in households and communities.

This literature tends to understand gender equality outcomes as endogenous, resulting from institutional characteristics of the country (e.g. the nature of industrial relations and welfare services) and the context-specific political objectives and strategies adopted by the social partners on gender equality, which leads to emphasizing institutional continuity across time (Gregory and Milner, 2009; Koskinen Sandberg, 2018; Larsen and Navrbjerg, 2018; Milner and Gregory, 2014). Factors originating outside the country often remain outside the scope of analysis, perpetuating a 'methodological nationalism' (Erne, 2015) that underestimates the impact of supranational political institutions on national industrial relations and their gender equality outcomes.

Nonetheless, gender equality outcomes in EU member states cannot be explained without consideration of their embeddedness in supranational European institutions. The key role of the EU on a variety of gender equality outcomes has been consistently documented in the literature on European gender equality policy (Gonäs, 2004; Smith and Villa, 2010; Stratigaki, 2004; Walby, 2003), female labour market participation (Rubery et al., 1999), wage equality (Rubery et al., 2005; Smith, 2012), work–family reconciliation (Hantrais, 2000; Stratigaki, 2004), and gender mainstreaming (Jacquot, 2015; Smith and Villa, 2010). The impact of the EU on domestic gender equality outcomes is further not limited to EU gender equality policies. Scholars have, for instance, demonstrated how EU macro-economic policies have a strong and gendered impact on the labour market position of women (Elomäki, 2015; Klatzer and Schlager, 2014; Young, 2000).

Taking stock of these insights, we argue that the gender equality outcomes in a European CME cannot be fully understood as resulting solely from domestic institutional factors. Accordingly, this study investigates how EU gender equality and macro-economic policies have impacted gender equality provisions adopted through national-level collective bargaining in Belgium. Belgium is a typical continental CME, with a traditionally strong role of trade unions and employers' associations in

the organization of the labour market and welfare services, and it has a well-developed structure of bipartite national-level collective bargaining. As one of the six founding member states of the EU, Belgium has participated in all stages of European integration. Empirically, we examine the Belgian national intersectoral agreements adopted between 1957 and 2020. Our analysis is informed by semi-structured interviews with gender experts and negotiators who were involved in past collective bargaining and a wide range of additional policy documents.

The article is structured as follows. In the theoretical section, we first review current explanations of gender equality outcomes of collective bargaining in CMEs focused on domestic factors and institutions. We then present the literature on the effects of EU gender equality and macro-economic policies on member states' gender equality outcomes. After briefly describing the Belgian system of national industrial relations, we explain the adopted methodology. In the findings, we present the evolution of gender equality provisions in Belgian intersectoral agreements, relate it to EU gender and macro-economic policies as they were transposed by the state, and discuss their effects on gender equality outcomes. Our analysis is organized into four historical periods defined by three major turning points in the EU macro-economic policy: the introduction of the European Exchange Rate Mechanism in 1979, the signature of the Maastricht Treaty in 1992 and the European Semester in 2011 (see Erne, 2015; Hassel, 2003; Streeck, 1998; Young, 2000). We conclude the article with a discussion of the necessity to overcome methodological nationalism in the assessment of gender equality outcomes in CMEs. In particular, we argue that the gender equality provisions of national collective bargaining agreements in CMEs cannot be understood independent of EU policies.

Methodological nationalism in current explanations of gender equality outcomes in CMEs

The industrial relations literature on gender has explained the gender equality outcomes of CMEs as resulting from domestic characteristics, such as the country-specific institutional structure of industrial relations and the political objectives and strategies adopted by the social partners during the collective bargaining process (Dickens, 2000; Erikson, 2021; Koskinen Sandberg, 2018; Rubery and Fagan, 1995; Williamson and Baird, 2014). Studies of institutions compare national systems of industrial relations and generally conclude that centralized or coordinated bargaining offers better institutional opportunities for gender equality outcomes in the labour market and in the development of welfare services. Relative to systems with a preponderance of single-employer bargaining, systems with a high level of centralized or coordinated bargaining are more favourable to gender equality because they guarantee a minimum floor of labour standards and reduce wage distribution. These effects advantage women, who are overrepresented in the lower wage groups (Blau and Kahn, 2003; Matteazzi et al., 2018; Robson et al., 1999; Rubery and Fagan, 1995; Strachan and Burgess, 2000). At the same time, scholars have pointed to how historical gender inequalities have often been institutionalized in CMEs, for instance through collective bargaining agreements that undervalue women's jobs and

sectors (Koskinen Sandberg et al., 2018) and in welfare systems that sustain a conservative male breadwinner model (Lewis, 1992; Sainsbury, 1996).

Other studies have rather focused on the strategies and objectives of social partners in the collective bargaining process and the impact of the state's gender equality policy to explain gender equality outcomes (Dickens, 2000; Williamson and Baird, 2014). This literature has investigated the extent to which trade unions, employers and the state have promoted a gender equality agenda in collective bargaining (Colling and Dickens, 1998). Also, it studies to which extent these actors have negotiated gender equality provisions to correct the male bias institutionalized in industrial relations and welfare services sustaining the conservative male breadwinner model in CMEs (Blackett and Sheppard, 2003; Wajcman, 2000). For instance, the examined topics include trade unions' bargaining strategy in the field of equal pay and work–family reconciliation (e.g. Gregory and Milner, 2009; Larsen and Navrbjerg, 2018), the bargaining process dynamics between trade unions and employers, and the role of the state in buttressing gender equality bargaining through gender equality policies (Milner et al., 2019; Williamson and Baird, 2014).

Despite the important contribution of these studies, their explanations of gender equality outcomes of collective bargaining in CMEs suffer from 'methodological nationalism' (Erne, 2015). That is, such outcomes are explained as largely resulting from domestic institutional factors, which are implicitly understood as developing relatively autonomously from the supranational EU policy context in which CMEs are embedded.

The role of European policies on gender equality outcomes in EU member states

A vast literature has, however, documented the impact of EU gender equality policies and of EU macro-economic policies on the evolution of gender equality outcomes in member states. First, scholars have shown how EU gender equality policies put pressure on member states to adopt policies that promote women's equal participation in the labour market (Gonäs, 2004; Rubery, 2015; Smith, 2012; Smith and Villa, 2010; Stratigaki, 2004; Walby, 2003). In this process, the EU gender equality directives have the greatest impact, since they mandate member states to revise labour and welfare legislation that directly or indirectly discriminates against women. Next to the directives, the EU has developed numerous non-mandatory gender equality policies (e.g. recommendations, action plans) that provide supranational legitimacy to equality policies that member states autonomously adopt (e.g. Jacquot, 2015; Van der Vleuten, 2007).

Since the Treaty of Rome of 1957, EU gender equality policy has thus played an important role in promoting the equal treatment of women and men in the labour market. At the same time, scholars observe that EU gender equality policies are to a large extent instrumental to the 'market-making' objectives of European economic integration (e.g. raising employment rates, flexible labour markets) and fail to address the power structures/relations underlying gender inequalities (Elomäki, 2015; Jacquot, 2015; Rubery, 2015; Rubery et al., 2005; Van der Vleuten, 2007). In recent years, scholars have argued that European gender equality policy has been reduced to symbolic window-dressing (Elomäki, 2015;

Jacquot, 2015; Smith, 2012). The European Commission's recent initiatives to introduce a directive on gender pay transparency and a European-wide minimum wage framework might inaugurate a new wave of more ambitious EU legislation to foster gender equality (von der Leyen, 2020; see also ETUC, 2020).

Second, scholars have documented the profound gendered impact of a variety of EU macro-economic policies, such as monetary policy and public budget policy, on member states' gender equality outcomes (Elomäki, 2015; Klatzer and Schlager, 2014; Young, 2000). While macro-economic policies are generally devised in a gender-neutral manner, they have a profound gendered impact, in particular when they impose austerity (Karamessini and Rubery, 2013; Périvier, 2018; Perugini et al., 2019; Rubery, 2015). Women are disproportionately hit by reductions in public spending because they form the majority of the public workforce and often take over (again) the social reproductive tasks when welfare services are demised (Perugini et al., 2019; Périvier, 2018; Rubery, 2015). Informed by these insights, this study examines the joint role of the EU gender and macro-economic policies in the evolution of gender equality outcomes of national collective bargaining from the origins of the EU to date.

The Belgian case

Belgium is a typical European CME, with a strong institutional role of social partners in economic and social policy concertation and a strongly coordinated and centralized system of industrial relations. Collective bargaining has maintained a level of nearly full coverage (96 percent in 2017 according to OECD). Historically, Belgium knows two types of national intersectoral agreements. First, Collective Labour Agreements (CLAs) are formal, mostly 'single issue' agreements (e.g. minimum wage, equal pay, career break) concluded in the National Labour Council (NLC). They are regulated by the Law of 1968 and are nearly always legally extended by Royal Decree to cover the whole private sector. Second, Interprofessional Agreements (IPAs) are negotiated every 2 years by the top-level representatives of trade unions and employers' organizations (the 'Group of Ten'). They constitute moral engagements between employers' organizations and trade unions, exchanging better working conditions for social peace. These agreements generally contain multiple provisions to be implemented by the NLC, by the government or to be further negotiated by sectoral and company collective bargaining. Although they have no legal force, they are mentioned in the Competitiveness Law of 1996 and the Equal Pay Law of 2012, which mandate them to, respectively, determine a national maximum wage increase for the coming 2 years (the 'maximum available margin of growth in labour costs' or 'wage norm') and introduce provisions to tackle the gender pay gap in social dialogue.

Belgium's gender equality indicators have historically evolved similarly to other CMEs with regard to women's labour market integration. Women's employment rate has risen from 35.5 percent in 1961 to 61.7 percent in 2019 (aged 15–64 years), yet remains lower than the European average (64.1 percent). The inclusion of women in the labour market has mainly occurred through part-time jobs (Lewis et al., 2008). Indeed, as shown by Figure A1 in the Online Appendix, the employment rate of women decreases by 10

percent points when expressed in full-time equivalents (49.6 percent in 2018, OECD). In 2018, 40.5 percent of women workers worked part-time, a percentage among the highest in the EU (EU average = 30.8 percent, 2018, Eurostat). Moreover, women's labour market participation is concentrated in education, health and social work (49.7 percent of female employees compared to 11.0 percent of male employees, 2018, EIGE). The enhanced gender equality is the most visible in the narrowing gender pay gap, which has often been associated with the encompassing system of Belgian industrial relations (Marx and Van Cant, 2018). In 1960, women workers in industry earned 41 percent less than men, based on hourly wages. This gap declined to 12 percent in 2018 (IGVM, 2021: 23). The cross-sectoral gender pay gap (including the service and public sectors) has narrowed to 9.2 percent (IGVM, 2021: 7).

Methodology

The empirical study is in the first place based on the gender equality provisions contained in all Belgian CLAs and IPAs agreed upon at the national intersectoral level from 1957 until present. As stipulated by the Law of 5 December 1968 on collective agreements, the agreements under examination cover the profit and state-sponsored non-profit sectors (the so-called 'private sector'), but not the public and education sectors. To interpret and contextualize the gender equality provisions in the collective agreements, we conducted 17 in-depth semi-structured interviews with key informants and collected a broad range of historical and contemporary trade union documents, and institutional and employers' documents. The interviews took place between February and May 2017 with former and sitting trade union negotiators (7), gender experts involved in national collective bargaining (4), employers' representatives (2) and public institutional actors (4). The interviews dealt with the gender (equality) provisions of IPAs, the negotiation process, and the political and economic bargaining context (Dickens, 2000; Williamson and Baird, 2014) and lasted 1–3 hours.

The data were analysed in three steps. In the first step, the chronological list of national-level collective agreements (IPAs and CLAs) was compiled for the whole period under study (CRISP, 1995; NAR-CNT, 2020a, 2020b). In the second step, the gender equality provisions were identified in all texts. We define gender equality provisions as the provisions that (more or less explicitly) aim at fostering gender equality and/or substantially affect women's position in the labour market. As provisions are often formulated in a gender-neutral way, we used the interviewees and the existing literature to guide the identification of provisions that disproportionately affect women (e.g. maternity leave regulation, equal pay and job classification, working time regulation, minimum wages) (cf. Colling and Dickens, 1998). Some gender provisions can have an ambivalent impact on women's labour market position. For instance, measures that aim to reconcile work with private life such as career leave, part-time work or working time flexibility might keep women in paid work, yet also reproduce the gender division of labour in the private sphere (Dickens, 2000; Stratigaki, 2004). The resulting detailed list of identified gender equality provisions is shown in Table A2 (included in the Online Appendix).

In the third step, for each intersectoral agreement, we derived the European gender equality policies and macro-economic policies – EU regulations concerning monetary policy (e.g. on exchange rate pegging and the introduction of a single currency), fiscal policy (rules related to public spending and public debt) and macro-level labour market policy (e.g. on wages, labour taxation, flexibility) – and their transposition by the Belgian state (second and third columns of Table A1 in the Online Appendix). Based on the interviewees and the existing literature, this information was related to the adopted gender equality provisions and outcomes. This process of interpretation and contextualization of the provisions led to the identification of four distinct periods characterized by distinct types of gender equality provisions. Finally, we interpreted the long-term evolution of EU policies, state intervention, adopted gender equality provisions and gender equality outcomes over the whole studied period of 60+ years.

The role of gender and macro-economic European policies in the evolution of gender equality provisions

In what follows, we delineate the evolution of gender equality provisions in Belgian intersectoral agreements over four main periods delimited by major turning points in the European policy: the introduction of the European Exchange Rate Mechanism in 1979, the signature of the Maastricht Treaty in 1992 and the European Semester in 2011. We interpret these provisions as substantially shaped by European gender and macro-economic policies, as transposed to the national context by the Belgian state (for an overview, see Table A1 in the Online Appendix).

1957–1978: European economic integration as an impetus for equalizing women workers' rights

In the first two decades of the EU up to 1978, the first IPAs (1960–1966) were remarkably silent on women's integration in the labour market. At this time, the rise of the family wage for the male breadwinner was the main objective of negotiations (cf. Peemans-Pouillet, 2009). From 1969 onwards, however, a range of provisions were negotiated to improve the position of women workers: paid maternity leave, the recognition of the principle of equal pay for work of equal value and a gender-neutral intersectoral monthly minimum wage for regular full-time workers. The social partners agreed to instal a fund to develop childcare infrastructure, which paved the way for the gradual integration of a rising number of women in the labour market (Marques-Pereira and Paye, 2001).

These gender equality provisions were stimulated by the European gender equality policy that incited member states and social partners to foster women's equal participation in the labour market, in application of Article 119 of the Treaty of Rome. During the 1960s, the transposition of Article 119 into national legislations remained, however, uneven among member states. The Belgian state was rather reluctant to adopt equal pay legislation allegedly because it contradicted the principle of autonomy of sectoral social partners in wage bargaining (Hoskyns, 1996). The state also pleaded for a single and unique interpretation of Article 119 at the European level to avoid unfair competition

disadvantageous for the Belgian economy (Jouan, 2016). In the 1970s, three ‘sex equality’ EU directives covering pay, equal treatment and social security were passed. Prescribing the provisions that had to be transposed into national law, these directives made the Belgian state fill a legal void with regard to equal pay – non-discrimination, equal treatment and social security regulation. It also required social partners to revise discriminatory provisions in collective agreements (with regard to equal pay).

The integration of women in the labour market was necessary to address the shortage of labour due to the strong economic growth stimulated by the creation of a European market (Cassiers et al., 1996: 187) and declining reliance on migrant labour (Lambrechts, 1979). The gender equality provisions of national intersectoral agreements in this first period thus reconciled the macro-economic demand for (women’s) labour with the social necessity to avoid social dumping and wage competition between EU member states that would put (women) workers’ rights under pressure. The catalyst for gender equality provisions was thus the protection of sectors and (male) workers against unfair competition from cheap female labour, while the massive influx of women workers also relieved the upward wage pressure caused by a tight labour market. Taken together, the gender equality outcomes of this period remain mixed. While the adopted gender equality provisions established the principle of gender equality, gender sectoral and job segregation severely limited its application. Indirect gender discrimination remained intact: sectoral and company job classifications systematically classified ‘female jobs’ in the lowest wage categories (Lambrechts, 1979).

1979–1991: recovering from the economic crisis through part-time jobs and positive actions for women

The deep economic recession following the 1973 oil crisis put the national system of collective bargaining under great pressure. Dictated by the state, several CLAs were adopted in the NLC to regulate part-time work (1981) and the flexibilization of working time (1983–1987). From 1985 onwards, the IPAs included provisions for developing training and employment initiatives for the labour market integration of ‘groups at risk’, defined as groups with higher unemployment levels, such as (young) women, and the adoption of positive action plans promoted by the European Commission (CEC, 1981) and by the Belgian state.

The European Monetary System launched in 1979 imposed a rigid fiscal policy on member states and required sustained monetary stability. The Belgian economy was particularly touched by fast accumulating public deficits. To restore international competitiveness and reduce unemployment, the state introduced a wage freeze, several wage index jumps and labour flexibility. Part-time work was introduced in labour law and was actively promoted among women by the state through ‘work sharing’ projects and unemployment policy.

The gender equality provisions adopted by the social partners in this second period focus on positive actions in training and at work, against the background of wage moderation and work flexibilization introduced by the state under European pressure to reduce public spending and restore industrial competitiveness. These provisions led to

contradictory gender equality outcomes. On the one hand, the (voluntary) positive actions opened up some jobs and sectors previously closed for women, especially in sectors with labour shortages.¹ On the other hand, part-time and flexibility provisions pushed a large number of women in (low-valued) part-time jobs and flexible working arrangements. Taken together, these provisions stopped and partially even reverted the transition towards a dual-earner-family model initiated in the previous period, inducing a one-and-a-half earner model sustaining the unequal position of women in the labour market and in the family.

1992–2009: the European monetary union, work–family reconciliation and equal pay policies

The gender equality provisions of this period mainly dealt with two issues. First, several measures were introduced to improve the reconciliation of work with family life of both men and women workers, such as a new, more gender-neutral ‘time credit’ career break system, parental leave and a 10-day paternity leave at birth. The second issue concerned the gender pay gap. Successive intersectoral agreements called on sectoral and company-level social partners to review outdated (sectoral) pay systems that indirectly discriminated against women (Stroobants, 1998). These provisions originated in the EU’s equal pay policy (CEC, 1994; EU directive 2006/54/EC) and the Belgian state’s demand to revise discriminatory job classifications and age-based pay scales based on the EU directive 2000/78/EC. While the state took an active role in advising and pressuring the social partners to revise sectoral and company-level pay agreements, it did not pass legislation that obliged them to do so.² In addition, the demand to revise existing job classifications did not address the large intersectoral pay differences caused by the undervaluation of jobs in predominantly female sectors compared to jobs in predominantly male ones. The provisions of this period reflect the turn of European gender equality policy away from positive actions for women towards gender mainstreaming. Under pressure from the EU, the state overruled social partners’ provisions and equalized the retirement age for women and men and ended the prohibition of night work for women.³

The European Monetary Union (EMU) convergence criteria defined in the Maastricht Treaty of 1992 established strict macro-economic targets for admission to the Eurozone. For Belgium, reaching these criteria was particularly arduous because of the high accumulated public debt that had reached 138 percent of GDP in 1993, well above the EU goal of 60 percent.⁴ To meet the European macro-economic admission criteria, the state unilaterally imposed reforms in social security regulation and interfered in wage bargaining (Dorsssemont, 2019; Vilrocx and Van Leemput, 1998). In 1996, the Competitiveness Law prescribed the fixation of a biannual wage ‘norm’ – a maximum wage increase for the whole private sector – calculated on the basis of the foreseen average wage growth of three neighbouring EU countries (Germany, France and the Netherlands). Wage moderation was in this way legally imposed on Belgian industrial relations.

The introduction of the wage norm coincided with the appeal by the state and the European Commission (CEC, 1994) to renegotiate sectoral and company-level job classifications to rectify gendered wage discriminations (Stroobants, 1998). Although the

Competitiveness Law of 1996 stipulated that some elements could be excluded from the calculation of the wage norm, it did not include among them a new job classification and the wage increases needed to rectify the historical gendered pay discrimination. As a result, the cost of the re-evaluation of 'female' functions and jobs would be to the detriment of a general wage increase through collective bargaining.⁵ This reduced trade unions' willingness to negotiate a revision of job classifications, as this would have risked creating conflicts between men and women workers. During years of economic growth at the turn of the century (1998–2002), the Competitiveness Law was partially circumvented by the fixation of an 'indicative' maximum wage norm which had to be attained by the economy as a whole, leaving room for negotiation at the sectoral, company and individual level. From 2005 onwards, however, employers demanded a much stricter application of the wage norm to face competition deriving from the enlargement of the EU to include Eastern European countries (Vervecken et al., 2008). The trade union strategy to negotiate a minimum wage increase (in 2007) and a fixed wage increase of €250 (in 2009) instead of a percentage increase indirectly diminished the gender pay gap through a reduction in the wage gap between the lowest and highest wages.

The gender equality outcomes of this third period reflect the contradictions between the European gender mainstreaming policy and its macro-economic policy in function of the Eurozone. The principle of gender neutrality of job classifications was formally adopted. However, the social partners' room to eliminate indirect gender discrimination in wages was legally curtailed by state intervention to moderate Belgian wages to meet the macro-economic targets imposed on member states for the EMU. The ambition to redress the gender wage gap caused by gendered job classifications was limited by the need to preserve national competitiveness.

2010–2020: the Euro-crisis, austerity and gender legal window-dressing

In the post-2008 crisis period, new gender equality provisions were scarce, mainly limited to social benefits. The most important provision was the reform of the 'time credit' career break system that had been in place since 2002 to improve workers' work–family reconciliation. Induced by the state and under pressure of austerity, the right to career breaks was considerably narrowed to particular care situations, while at the same time extended to members of new family structures. In 2012, on the initiative of the Federal Parliament, in line with European gender equality policy appealing for more wage transparency, the state adopted the Equal Pay Law mandating the intersectoral, sectoral and enterprise levels to negotiate measures to reduce the gender pay gap. The law imposed a procedure for screening and revising sectoral job classifications in the joint committees. However, the procedure only controlled for gender discrimination within sectors and not between them, as it did not foresee intersectoral wage comparisons.

After the Euro-crisis of 2010, the new European Semester procedure urged member states to introduce labour market reforms and deregulate collective wage-setting, curtailing the autonomy of national industrial relations institutions (Erne, 2015; Pecinovsky, 2019). From 2014 onwards, the Belgian state introduced flexibility-enhancing labour market reforms and raised the retirement age to 67 years for both men and women (Van Gyes et al., 2017). Austerity measures in the social security budget reduced workers'

access to work–family reconciliation provisions (time credit). The impact of European policy has, however, been most visible in wage-setting. The Country-Specific Recommendations incited the Belgian state to restore competitiveness by reforming the wage-setting system (Dorssmont, 2019). This resulted in a general wage freeze, an index jump and a more strict application of the maximum wage increase imposed on sectoral and company-level negotiations, the so-called ‘wage norm’ (Pecinovsky, 2019).

These policies have thwarted the re-evaluation of women’s jobs and sectors through the Equal Pay Law (ABVV-FGTB, 2013). As neither the Equal Pay Law of 2012 nor the reformed Competitiveness Law of 2017 excluded these pay rises from the wage norm, the implementation of the Law and the narrowing of the gender pay gap are de facto conditional on the possibility to increase wages within the wage norm. Yet, since the crisis of 2008, the wage norm has been nil or extremely low. At the same time, because compliance with the wage norm is only controlled at the level of collective wage agreements, its minimal level stimulates individualized wage bargaining (especially among higher skilled profiles) and the negotiation of fringe benefits that fall outside it (Vandekerckhove et al., 2009). Both trends are detrimental to gender equality, as women workers disproportionately work in functions and sectors in which wages are set collectively (e.g. the public sector) and with less bargaining power.

The gender equality outcomes of this last period confirm the impasse reached in attempts to correct the historically cumulated, institutionalized disadvantage of women in the labour market under the European wage restraint and austerity policies to redress competitiveness and reduce public spending. The now legally formalized ambition to eliminate indirect gender discrimination in wages due to historically gendered job classifications has remained unmet. The effect of the Equal Pay Law remained limited to the symbolic revision of job titles in sectoral classifications in more gender-neutral terms. The narrowed ‘time credit’ career break system did not raise the level of benefits, which would make it more accessible for (men) breadwinners and workers with lower wages. Since the reform, take-up has decreased, and while men take it up more often (from 8 to 15 percent between 2012 and 2017), women are still by far the main users of this system (IGVM, 2019).

Discussion

Taking issue with prevailing ‘methodologically nationalist’ (cf. Erne, 2015) explanations of the evolution of gender equality outcomes in CMEs, which have focused on social partners’ collective bargaining strategies and emphasized continuity over time of national institutions (e.g. Gregory and Milner, 2009; Larsen and Navrbjerg, 2018; Milner and Gregory, 2014), this study investigated the impact of EU gender and macro-economic policies on the evolution of gender equality outcomes of collective bargaining. Empirically, we interpreted the evolution of the gender equality provisions in national-level intersectoral agreements in Belgium over 60+ years in the light of the main EU gender and macro-economic policies as transposed by the Belgian state.

Our findings show how gender equality provisions have, over time, substantially increased gender equality in this CME. Across the four considered periods, regulations

that formally equalized women workers' labour and social rights, institutionalized and protected part-time work, installed positive actions to enhance women's position in the labour market, promoted work–family reconciliation and established the principle of equal pay for work of equal value and the necessity to re-evaluate women's jobs were adopted. Taken together, these provisions have created the institutional conditions for the massive integration of women into the Belgian labour market. Belgium has moved away from a conservative male breadwinner model, in which women were only partially present in wage labour and remained highly dependent on the male wage earner for derived social protection, to a one-and-a-half earner model (Lewis et al., 2008), in which most women are employed at formally equal conditions in part-time work (Bleijenbergh et al., 2004; Coenen and Morsink, 2018).

Despite these advances, two major limitations to gender equality remain: the disproportionate overrepresentation of women in part-time work and the today failed implementation of the regulation to re-evaluate job classifications that largely indirectly yet structurally discriminate against women within sectors or undervalue sectors in which women are overrepresented. Reflecting women's disproportionate share of socially reproductive work (Glorieux and Van Tienhoven, 2016; Lewis et al., 2008), part-time work hampers gender equality because it directly diminishes women's social security protection (e.g. unemployment and pension rights) (Peemans-Poulet, 2009) and fosters sectoral and vertical gender segregation, which negatively affects women's career opportunities, diminishing their income, benefits and derived social security rights (Deschacht, 2017; Jepsen et al., 2005; Matteazzi et al., 2018). The current lack of provisions in the application of the 2012 Equal Pay Law to re-evaluate job classifications, together with the absence of intersectoral comparisons which could address gender pay differences across sectors (IGVM, 2021: 67), leaves the historically cumulated, structural underpayment of women intact, again keeping their income and derived social security rights lower than men's (Koskinen Sandberg et al., 2018). Retaining a weaker position in the labour market, most women remain dependent on their partner not only during their career but also after retirement. Despite national specificities, these gender equality outcomes are overall in line with those of other European CMEs (Lewis et al., 2008).

Our analysis shows how the combination of European gender and macro-economic policies on the provisions adopted by the social partners has fundamentally contributed to this incomplete gender equality. In the period of study, the gender equality provisions of national collective bargaining agreements reflected above all the macro-economic 'market-making' requirements of economic integration. For instance, they contributed to the creation of a flexible and relatively cheap labour force that could keep performing most of the unpaid care work in the household and a lean welfare system based on market principles and underpaid care work, mainly carried out by women workers (Morel, 2007; Rubery, 2015; Young, 2000). In contrast, the implementation of 'justice-based' objectives of substantial gender equality, such as genuine equal pay and work–family reconciliation measures that support a dual-earner-carer model, was hampered by the macro-economic objectives of wage moderation and public budget austerity. Overall, EU macro-economic policies have imposed a downward pressure on wages and welfare services which is clearly at odds with the goals set out by EU gender equality policy (equal pay and work–family reconciliation).

Importantly, our analysis of the role of EU policies has also revealed the increasing interference of the Belgian state into collective bargaining over time. Transposing and implementing the policies originating at the supranational level, the state has substantially limited the autonomy of the social partners in this CME, steering them to adopt formal gender equality provisions. Following the EU policies, the Belgian state has played a dual, partially contradictory role. On the one hand, it has buttressed the negotiation of gender equality provisions by the social partners (e.g. Brochard and Letablier, 2017; Colling and Dickens, 1998; Milner and Gregory, 2014; Milner et al., 2019). On the other hand, to meet the EU macro-economic objectives, it has imposed wage moderation, labour flexibility and public budget austerity to align social partners' intersectoral agreements with specific macro-economic goals, which has hindered gender equality outcomes. The role of the state we describe is thus very different from what is described in the extant literature on gender equality outcomes (of collective bargaining) in European CMEs. Often implicitly, the latter emphasizes the autonomy and sovereignty of national states to build, conceive and transform their national institutions. This literature accordingly tends to interpret the impasse in gender equality outcomes as originating from national-specific historical or structural legacies or inadequate state strategies (e.g. Koskinen Sandberg, 2018; Milner et al., 2019). Our study rather shows that this impasse at least partly originates at the supranational policy-level.

It is important that future research on gender equality outcomes of collective bargaining in single European CMEs adequately accounts for the deep and continued impact of EU gender equality and macro-economic policies (cf. Smith and Villa, 2010; Stratigaki, 2004; Walby, 2003; Young, 2000). Accordingly, European social partners and political actors in member states that want to promote gender equality will have to develop strategies that better take into account the gendered character and effects of European macro-economic policies. This awareness is key to effectively address persisting gender inequalities. In particular, comparative research is warranted that examines differences between the gender equality provisions adopted by the social partners in different CMEs bound by the same EU policies, in order to evaluate which strategies are more effective in the short and long term. Moreover, as this study was limited to the national intersectoral level, future research could investigate the impact of EU policy on the concrete implementation of gender equality provisions at the sectoral and company levels. Finally, future research could strengthen the analysis of gender equality outcomes of collective bargaining by including the impact of EU policies on welfare services.

Conclusion

Since the origins of the EU in 1957, Belgium has evolved from a male breadwinner model to a gendered one-and-a-half-earner model. Our analysis of gender equality provisions adopted by the social partners over 60+ years shows that this model, today characterizing many European CMEs (Lewis et al., 2008), cannot be explained without reference to EU gender and macro-economic policies. More specifically, we hold that it reflects the EU project of gender equality in full alignment with the European macro-economic objective to create an integrated competitive European economy (Rubery, 2015; Young, 2000). The EU market-centred gender equality project rests on the

creation of a formally equal, flexible and relatively cheap female workforce, which disproportionately takes on unpaid and underpaid socially reproductive work, buffering both the demise of welfare services due to budgetary cuts and conjunctural labour market fluctuations (Morel, 2007; Rubery, 2015; Young, 2000). This explains why the project has today reached an impasse, visible in the persistence of gender gaps in areas such as employment, wages and working time across EU member states (see EIGE, 2020; Lewis et al., 2008).

The recent European Commission's project to introduce a directive on gender pay transparency and the initiative to instal a European-wide minimum wage framework could be the prelude to a new wave of more ambitious legal action towards (gender) wage equality in the labour market. However, it remains to be seen how these directives will be articulated in the context of EU macro-economic policies that have to date endorsed wage moderation on member states (e.g. Jordan et al., 2021) and whether these directives will push towards a further individualization of wage negotiations (e.g. Lovén Seldén, 2020) or instead offer possibilities to trade unions to negotiate narrowing pay ranges and challenge gendered pay discriminations and the undervaluation of women's work (e.g. in the care sector). At the time of writing, it is particularly difficult to predict the next step in EU policy-making concerning gender equality. At both the European and the Belgian level, the COVID-19 pandemic has increased awareness of the 'essential' role for societies of reproductive paid work, largely carried out by women. Such a role has led the Belgian state to allow for wage increases and investments in the health sector through the accelerated introduction of a new job classification which raises wages in the care sector with an average of 6 percent.⁶ Nonetheless, redistributive measures will most likely remain limited due to the rising public debt and the necessity to invest into productive sectors to stimulate the uptake of the Belgian and European economy.


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Supplemental material

Supplemental material for this article is available online.

Notes

1. Interview with former trade union negotiator (8 May 2017).

2. Interview with President of the Equal Opportunities Council's Labour Commission (6 April 2017); interview with former trade union Gender Equality Officer (3 March 2017).
3. Interview with former trade union negotiator (8 May 2017).
4. Article 104c of the Maastricht Treaty (Treaty on European Union of 1992) provides an exemption to the criterion of maximum 60 percent of government debt, 'unless the ratio is sufficiently diminishing and approaching the reference value [i.e. 60%] at a satisfactory pace'.
5. Based on interviews with the Head of department of the Collective Labour Relations Administration at the Federal Public Service for Employment, Labour and Social Dialogue (6 April 2017) and with former trade union Gender Equality Officer (3 March 2017).
6. www.vrt.be/vrtnws/nl/2020/07/07/voorontwerp-sociaal-

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