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FOSTERING FEMALE EMPOWERMENT THROUGH PAY TRANSPARENCY: INSIGHTS FROM THE EU

Equality between men and women is one of the core values of the EU, the basis for all its actions and policies, and a guarantee of social stability and well-being for all citizens. The economic component of gender equality depends to a large extent on fair working conditions that guarantee women the opportunity to fully realize themselves in the professional field. However, the gender pay gap still exists in the EU, so transparency in the above-mentioned area is an important direction in the fight for women's rights.

Gender Equality Strategy 2020-2025 of the EU contains a clear commitment to promote gender equality in this integration union and includes a list of measures to achieve this goal at the level of the EU and Member States [1]. Prosperity of the EU thanks to gender equality in the economy is one of the priorities defined in the Strategy and it includes:

- a) reducing gender gaps in the labor market,
- b) achieving equal representation in different sectors of the economy,
- c) reducing the gender pay and pensions gaps,
- d) elimination of gender gaps in care.

The gender pay gap displays major economic inequalities women face in the EU, namely labor participation, job segregation, career development. It is important to highlight that gender pay gap is not the same as equal pay for equal work, and this indicator does not show the difference in types of work, education level, workload etc. It just indicates the difference between the average gross hourly earnings of men and women, expressed as a percentage of the average gross hourly earnings of men. In 2022 gender pay gap in the EU stood at 12,7% on average and it means that women earned 12,7 % on average less per hour than men or that women on average earn €87,3 for every €100 earned by men. The highest level of gender pay gap was in Estonia and reached 21, 3%, the lowest was in Luxembourg where it fell to -0, 7%, which means that it was in favor of women. However, the overall trend for 2002-2022 was positive, the gender pay gap has decreased for 3, 7% on average, ranging from 10% progress in Spain to 3, 7% regress in Slovenia [2]. Thus, the statistical data shows that tackling the gender pay gap is not an easy task for the EU, and implementation of pay transparency initiative is an important measure to speed it up.

In 2023, the EU has adopted the Pay Transparency Directive, which aims at reducing the gender pay gap in the member-states. Directive gives 3 years' time for member-states to adopt their legislature, so it must be transposed to the national law by July 2026 [3]. Each member-state can freely select the mechanisms and instruments to reach the goals of the directive by then. The EU Pay Transparency Directive defines a set of obligations for the employers, and they concern the whole employment cycle, namely:

- 1) hiring of workers - companies must inform the potential employees about the salary range before the interview and are forbidden to ask about pay history of the candidate;

- 2) information on salaries - companies must share information on salaries of men and women, including average level of salary and information by categories of

workers, the criteria for career development will be disclosed in a gender neutral and clear manner;

3) action if pay gap exceeds 5% - companies with more than 100 workers must report once in three years and those with 250+ workers must report annually on their gender pay gap to the national authority. If their report displays the gender pay gap of 5% and more and it can't be explained by gender-neutral criteria then they should cooperate with worker's representatives for a joint pay assessment (JPA) to remedy the situation;

4) compensation for discrimination – employees who suffer discrimination will receive compensations to fully refund the lost amount of remuneration. In addition, the burden to prove the pay discrimination falls fully on the employer who must display that no violation of the EU law on pay transparency and equal pay took place. Companies will also receive proportionate penalties for violations to discourage the improper conduct [4-6].

Thus, this initiative obviously allows workers and national authorities to detect pay discrimination, restore financial interest of discriminated party (women) and punish the improper conduct. The penalties for violators of pay equity laws are an efficient tool to tackle the harmful gender bias that women can be paid less because they are not breadwinners in the family or their work is less valuable. This directive will raise awareness about the problem of gender pay gap among the population in the member-states and foster female economic empowerment in the EU.

Ukraine, which aspires for full membership in the EU and received a candidate status, should start working on the legislature to adopt to the EU Pay Transparency directive. Although full-scale war is very challenging time for Ukrainian policy-makers and not a proper time to expand the administrative burden for business, but a clause for introduction of this new approach after the war can prevent any possible strain for all the stakeholders.

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СУЧАСНІ ТЕНДЕНЦІЇ МОВНОЇ ПОЛІТИКИ В УКРАЇНІ В КОНТЕКСТІ РЕАЛІЗАЦІЇ КОНСТИТУЦІЙНИХ ПРАВ І СВОБОД ЛЮДИНИ ТА ГРОМАДЯНИНА

Мовна політика в Україні є актуальною темою для досліджень, адже являє собою систему заходів та засад, які спрямовані на регулювання використання мов у суспільному житті. Найбільш значущими подіями, які зумовили актуальність цієї проблематики сьогодні, стали євроінтеграція нашої держави,