

# **Comparison of Czech and Swedish legislation on gender equality in pay for equal work with application in professional sport**

## **Abstract**

The basis of this thesis is the hypothesis that, given the statistical results achieved by the Kingdom of Sweden across Europe, and even globally, in terms of the success of gender-equal pay for work of equal value, it is likely that many legislative and other support tools used in Sweden to achieve minimum to zero differences in pay for men, women and other gender people, are absent in the Czech Republic given its statistical score and therefore also in noticeably worse result compared to Sweden's location.

The aim of this thesis is therefore to assess whether this hypothesis is correct and, if necessary, to select individual institutes that help to effectively prevent gender inequalities in pay for work of equal value in Sweden, which should be incorporated into, or at least partially inspired by, the Czech legal order.

To test the hypothesis set out, the work first looks at the very notion of gender and its complexity in collecting statistics on equal pay for work of equal value. Furthermore, the thesis addresses the adjustment of the principle of equal pay and associated relevant principles at national and European level. Subsequently, the most up-to-date studies specifically looking at Gender Pay Gap, i.e. unequal pay for equal work between men and women, are carried out in thesis, highlighting the causes of high differences between countries, which may be due, for example, to differences in maternity, parental or paternity leave legislation. The thesis also seeks to provide an outlook for a potential continuation of the Gender Pay Gap closure in both states, based on existing data from individual studies as well as company developments.

The thesis also reflects the evolution of EU law, as well as the ways in which the directives, in particular, will be implemented and what changes they will bring to the legal orders of both Sweden and the Czech Republic, given their current approach to, for example, pay transparency. The thesis further discusses the specific institutes and instruments used in Sweden's legislative framework and compares them with those used in the Czech Republic, while suggesting ways in which the Czech Republic could take inspiration from Swedish legislation or the approach of Swedish society in order to make the Czech Republic better at the principle of equal pay for equal work. In another part, the thesis provides an overview of selected tools used in the Czech Republic to close Gender Pay Gap, while they are mainly, but not exclusively, different from those

used in Sweden. Last but not least, the thesis reflects the case-law of the Czech courts and its likely evolution, which will be influenced in particular by European law.

At the conclusion of the thesis, the methods, tools and institutes used in both states are applied to the professional sport sector, which is generally known for its complicated legal nature. It is the use of the example of professional sport that is intended to demonstrate at work the effectiveness of individual legal orders as well as of specific instruments for ensuring equal pay for equal work between men and women, even in such a difficult to legally grasp work sector.

**Key words: inequality, pay, sport**