



Global Perspectives on Creating Equitable Workplaces

View from Spain

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¿Cómo ha evolucionado la legislación en materia de igualdad?



Legislación en Europa	Legislación en España
1. Derechos fundamentales recogidos en el Tratado de la Unión Europea y en la Carta de los Derechos Fundamentales	1. Derecho a la igualdad y no discriminación recogido en la Constitución Española
2. Ley sobre la aplicación del principio de igualdad de trato (Directiva 75/117/CEE)	2. Ley sobre la igualdad de trato en el ámbito laboral, recogido en el Estatuto de los Trabajadores
3. Ley sobre la aplicación del principio de igualdad de oportunidades e igualdad de trato (Directiva 2006/54/CE)	3. Ley para la Igualdad efectiva de mujeres y hombres (Ley Orgánica 3/2007)
4. Igualdad de retribución entre hombres y mujeres a través del principio de transparencia (Recomendación de la Comisión Europea, 7 de marzo de 2014)	4. Ley que regula la información no financiera y la igualdad de trato entre mujeres y hombres (Ley 11/2018)
5. Compromiso Estratégico para la igualdad de Género (2016-2019)	5. Ley para garantizar la igualdad de trato y de oportunidades entre mujeres y hombres (Real Decreto-ley 6/2019)
6. Estrategia Europea para la igualdad de género (2020-2025)	6. Normativa de octubre 2020: <ul style="list-style-type: none"> • Planes de igualdad, diagnóstico y registro (RD901/2020) • Igualdad retributiva entre mujeres y hombres (RD902/2020)

Spain is a diverse and quite inclusive country especially in terms of legal rights and general public attitudes

LEGISLATION

- Right to equality and non-discrimination enshrined in the Spanish Constitution
- Law on equal treatment in the workplace, included in the Workers' Statute
- Law for the effective equality of women and men (Organic Law 3/2007)
- Law regulating non-financial information and equal treatment between women and men (Law 11/2018)
- Law to guarantee equal treatment and opportunities between women and men (Royal Decree-Law 6/2019)

LEGISLATION

- **October 2020 regulations:**

- Equality, diagnosis and registration plans (RD901/2020)**

Objective: To have measures that promote equality in companies (with 50 or more workers) throughout **the people management cycle** (selection, training, promotion, remuneration, etc.), **agreed with all social agents**

Obligation: To **collectively negotiate** equality plans and actions to promote equality between men and women

- **Equal pay between women and men (RD902/2020)**

Objective: To identify and correct situations of pay inequality between men and women

Obligation: Prepare a salary register in all companies and carry out a remuneration diagnosis, which involves:

- Classify **jobs of equal value**
- Build a **repository with the remuneration information** of all employees
- Carry out the **remuneration audit** to verify compliance with the principle of equal pay.

Specific Issues for Corporations in Spain

Codes of Good Governance and -Transparency that shareholders demand (proxies) in decisions related to compensation and Talent.

- FOLLOW UP and EXPLAIN deviations
- Access to government contracts and funds (gender-based Finance)
- Training and promoting
- **Establish diversity policies with specific KPIs: diversity is in the short bonus of our managers.** Compensation policies and their alignment with the Company's long-term strategy. (BONUS)
- **Equality in the selection processes** : shortlists with women in all cases. Also women among interviews. structured hiring Process, checking bias
- Company's apply same rules to s subsidiaries or in countries where they operate

Parental Leave Reform (Effective July 31, 2025)

- **Goal:** Promote gender equality in childcare 8.
- **Duration:** 19 weeks total, fully paid 1.
- **Structure:**
 - First 6 weeks: Mandatory immediately after birth/adoption
 - Remaining 13 weeks: Flexible, can be taken in installments within the first 12 months
- **Single Parents:** Eligible for 32 weeks of paid leave
- **Extensions:** Additional leave for premature birth, hospitalization, or disability
- **Eligibility:** Must be registered with Social Security and meet minimum contribution periods
- **Additional Leave:** 8 weeks of non-paid, flexible leave until the child turns

Migrant Regularization (Announced January 2026)

- **Objective:** Legalize approximately 500,000 undocumented migrants
- **Eligibility:** Reside in Spain before December 31, 2025, with no criminal record
- **Application Window:** April to June 2026 11.
- **Benefits:** One-year renewable work permit; minors receive five-year residence authorization .
- **Aim:** Integrate migrants into the formal economy

- **Challenges:**
 - High demand and administrative pressure;
 - about the "call effect"
 - Ultra-right Political opposition
 - Deaths in Mediterranean (pateras overload with illegal migrants)

How Spain's Immigration Law Integrates Migrants into the Workforce and Economy

Streamlined Work Permits and Employment Access

- Seasonal and specific-duration work permits are available, making it easier for employers to hire foreign workers and for migrants to access stable jobs
- Job-seeker visas allow skilled migrants to stay in Spain for up to one year while searching for employment

Flexible Residency and Regularization (“Arraigo” System)

- Spain's “arraigo” system provides legal residency to migrants in irregular situations through five pathways: social, labor, family, socio-educational, and a “second chance”
- Migrants no longer need to leave Spain to switch from temporary to permanent residency

Support for International Students

- International students can work up to 30 hours per week while studying and have a smoother path to obtaining work permits upon graduation

How Spain's Immigration Law Integrates Migrants into the Workforce and Economy (continued)

Expanded Family Reunification

- The law broadens eligibility for family reunification, allowing migrants to bring spouses, children (up to age 26), and parents
- Family members receive residence permits with automatic work rights

Decentralized Integration Policies

- Spain's 17 autonomous communities manage social services, housing, and employment for migrants, allowing for innovative local integration programs

Alignment with EU Standards and Economic Needs

- The reform adapts Spain's immigration to labor market demands and demographic challenges
- The law aims to reduce discrimination, support vulnerable groups, and promote legal pathways for migration

In summary, Spain's innovative immigration law integrates migrants by simplifying legal procedures, expanding work and study opportunities, supporting family unity, and enabling flexible regularization.

These measures help migrants become active **contributors to Spain's workforce and economy**, while also aligning with European standards and addressing national demographic needs (**rejuvenation** & birth rates)

Population 49.4 million, 20 % born abroad. Most migrants come from **Latin America**, then Morocco and Romania.

Spain is also among the countries with the highest proportion of self-identified LGBTQ+ adults worldwide. (Legalized same sex marriages in 2005)

CSR and climate change in Spain

- Spain is a European leader in climate policy, with ambitious targets, strong laws, and significant investment in the green transition.
- Environmental awareness is high, supported by education, public engagement, and community action.
- Challenges remain, especially in adapting to climate impacts and maintaining public momentum, but Spain's approach is comprehensive and evolving.
- Corporations have similar CSR plans as in D&I

BUT European Green Deal has changed in the last months. And poses some challenges for the future

The European Green Deal remains a cornerstone of EU policy, but its ambitions have been tempered in recent months by political, economic, and social pressures. Key changes include regulatory rollbacks, delayed or weakened targets, and a shift toward business-friendly policies. While some progress continues, the overall agenda is less expansive than originally envisioned, and the path to climate neutrality faces new challenges.

- **Rise of Populism and Far-Right Influence:** Recent European parliamentary elections saw gains for center-right and far-right parties, leading to increased pressure to scale back or delay some Green Deal policies. This political shift has resulted in more business-friendly amendments and a narrowing of the Green Deal's scope. [[3eco.com](https://www.3eco.com)]

- **Omnibus Simplification Package:** In early 2025, the European Commission proposed a package to “simplify” key sustainability regulations. This includes:
 - **Corporate Sustainability Reporting Directive (CSRD):** The threshold for mandatory reporting was raised, exempting about 80% of previously covered companies. Sector-specific reporting standards were postponed, and reporting requirements were reduced. [[brusselstimes.com](https://www.brusselstimes.com)]
 - **Corporate Sustainability Due Diligence Directive (CSDDD):** Now applies only to direct suppliers, with less frequent checks and delayed implementation. [[brusselstimes.com](https://www.brusselstimes.com)]
 - **EU Taxonomy:** The classification of “green” economic activities has become optional for most firms. [[brusselstimes.com](https://www.brusselstimes.com)]