Can collective bargaining help close the gender wage gap for women in non-standard jobs?

Women in non-standard jobs face important gender wage gaps. Collective bargaining might help close these, provided bargaining systems allow negotiating targeted catch-up wage increases, the use of equalising bargaining tools is mainstreamed, and the coverage rate of women in non-standard jobs is increased. This brief describes the benefits that this would bring, and how best it can be done.

**Key messages**

- Women in temporary and part-time jobs face substantial gender wage gaps. Collective bargaining has the potential to close gender wage gaps through four instruments: 1. targeted raises compensating for the concentration of women in low-paid industries; 2. gender-neutral occupational classification schemes to correct the undervaluation of female-dominated occupations; 3. measures promoting pay transparency, against wage discrimination (including in discretionary pay); 4. gender-neutral evaluation criteria for career progress.

- However, for women in non-standard jobs, the equalising potential of collective bargaining is hindered by three factors: 1. the fact that some bargaining systems do not allow using catch-up raises in low-paid, female-dominated sectors; 2. negotiators’ limited use of the bargaining tools described above; 3. the limited bargaining coverage of women in non-standard jobs.

- To better exploit the potential of collective bargaining to reduce the wage gap among non-standard workers, governments should aim to 1. increase the collective bargaining coverage rate among women in non-standard jobs; 2. facilitate the identification of bargaining counterparts and the compliance with collective agreements; 3. promote equality bargaining. Social partners should focus on 1. implementing and sharing good practices favouring the use of equality bargaining tools; 2. increasing efforts to reach out to women in non-standard jobs.

Across the OECD, in 2017, 31.2% of women of working age on average were in non-standard employment, such as temporary and part-time work, compared to 15.3% of men. Non-standard work accounts for a substantial part of the growth in female labour market participation in the last decades. In Italy, France or Germany, most of the growth between 1994 and 2018 owes to women getting into non-standard jobs.

These jobs tend to offer fewer “job resources” (Bakker and Demerouti, 2007) – such as autonomy, flexibility and access to training – and women working in such jobs tend to have particularly limited access to existing job resources. They are also paid less than their male co-workers. In other words, women working in non-standard forms of employment are at a triple disadvantage. The COVID-19 crisis has shone a light on parts of this workforce and essential workers in the, typically female, caring and cleaning workforces are receiving increased recognition for their work. With this recognition, have come calls to address the pay and conditions of these workers.

Collective bargaining can be mobilised to negotiate wage increases and better working conditions (OECD, 2019) and can represent a powerful tool in addressing the gender wage gap. However, collective bargaining’s potential to reduce the gap among non-standard workers can be hindered by several factors, including institutional designs preventing the use of equalising tools, and the limited bargaining coverage rate of women in non-standard jobs. This brief reviews existing practices and contributes quantitative
evidence for Australia, Canada and the United States of America, to provide a detailed analysis of the link between collective bargaining and the gender wage gap in non-standard employment.

Closing the gap: A collective bargaining toolkit

On average circa 2016, across 20 OECD countries for which data are available, women in permanent full-time jobs were paid 12.3% less per hour than men in comparable jobs. While the gap was lower for women in non-standard jobs, it was still positive. Women in temporary jobs were paid 9.4% less, and women in part-time jobs 4.1% less per hour than men in comparable jobs. These figures increase when controlling for composition effects affecting wage differences: the gap reaches 12.8% for women in permanent full-time positions, and 9.8% and 6.6% for women in temporary and part-time jobs respectively (Figure 1).

The gender wage gap is made of a compositional component (driven largely by the concentration of women in particular occupations, usually referred to as occupational segregation, and by demographic differences), as well as of an “unexplained” part (interpreted as owing in part to discrimination). By negotiating wage standards for a large number of workers, collective bargaining has the potential to directly affect both the compositional component of the gender wage gap, as well as the “unexplained part”, through four main types of instruments, reviewed below. Additional indirect effects of bargaining in influencing the gender wage gap, e.g. by negotiating the introduction of workplace-level policies favouring the equal engagement of men and women in care responsibilities, are not discussed in this brief.

Figure 1. Gender wage gaps (“unexplained part”) by type of contract in OECD countries

![Graph showing gender wage gaps by type of contract in OECD countries](image)

Note: Estimates of earnings used in the calculations refer to gross hourly earnings of wage and salary workers. Figures refer to 2016 for Australia, 2017 for Canada, 2014 for the European countries and 2018 for the United States of America. Oaxaca-Blinder decomposition of the log average hourly earnings controlling for age groups, education, regions, race (for the United States of America only), job tenure (not for the United States of America), industry, occupation, firm size (not for the United States of America) and sector.

Source: OECD calculations based on the Household Income Labour Dynamics in Australia (HILDA), the Labour Force Survey (LFS) for Canada, the Structure of Earnings Survey (SES) for European countries and the Current Population Survey (CPS), May Supplement for the United States.

1) Targeted raises, to compensate for the concentration of women in low-paid industries

In several countries, collective bargaining is used by unions to compensate for the concentration of women in low-paid industries by awarding higher than average pay rises to workers in female dominated jobs (Pillinger, 2014[3]). Some collective agreements negotiate higher wage increases for all workers in highly feminised industries. In that spirit, the European Trade Union Confederation adopted in 2015 a resolution encouraging their affiliates to negotiate larger wage increases in the “5 C’s” sectors (cleaning, catering,
cashiering, caring and clerical work) (ETUC, 2015[4]). The Icelandic Confederation of Labour negotiated additional payments for low-paid workers in the health and care sectors in 2008 and 2010, and social partners secured additional pay increases for Bulgarian nurses through collective bargaining in 2011. Other examples include the use of flat rate vs. proportional pay increases for low paid public sector workers in Germany, or the upgrading of lowest paid local government workers in the United Kingdom. Some social partners also negotiate “equality budgets” to fund “equality allowances” distributed to women on top of general wage increases. Sectoral agreements in the 2012-14 bargaining round in Finland included a budget equivalent to 0.5% of the total wage costs to reduce wage inequalities between men and women. Equality funds are also negotiated in Sweden since 2007, with the size of the fund depending on the number of low-paid women in the sector (Pillinger, 2014[3]).

2) Gender-neutral occupational classification schemes, to compensate for the undervaluation of female-dominated occupations

There are also examples of social partners developing gender-neutral occupational classifications to compensate for the historical undervaluing of female-dominated occupations. These schemes aim to implement the concept of “work of equal value” by redressing the chronic undervaluation of tasks typically performed by women in existing occupational classifications (e.g. organisational or interpersonal tasks). In Belgium, union confederations and the government jointly formulated gender-neutral job classification criteria, and guidelines about how these criteria should be used when negotiating pay scales. Objective criteria (e.g. knowledge and qualifications, responsibilities, type of tasks, and the nature of the working environment) are used to arrive at “equal value” measurements. Such criteria help to rid pay scales of pre-existing gender bias and arrive at a gender-neutral grading system that reflects the value of the work done. Such systems have been introduced in several countries, for example in the health care sector and local government in the United Kingdom, in municipal social and childcare services in Germany, and in the public service in Ontario, Canada (Pillinger, Schmidt and Wintour, 2016[9]).

3) Transparency of pay scales and of criteria used for granting discretionary pay, to limit gender-based wage discrimination

Collective bargaining is also mobilised in some countries to tackle the unexplained part of the gender wage gap (that containing discrimination). Several collective agreements include clauses related to pay transparency and the disclosure of pay information, to limit the possibility of gender discrimination and to allow workers to know whether they are being undercut. In Austria, companies with over 150 employees have to produce a wage report every two years disclosing gender disaggregated firm-level data on wages; firm-level collective agreements must specify the occupational groups to be used and the type of metrics that should be produced. In Sweden, companies with over 25 employees have to conduct equal pay surveys every three years, collecting transparent data on men and women’s pay and conditions of employment at the workplace level. Social partners negotiate the formulation and implementation of these surveys, which have led to pay adjustments (Pillinger, 2014[3]). Some collective agreements also implement grievance procedures to facilitate the enforcement of anti-discrimination provisions.

Collective bargaining can also help to tackle the part of the gender pay gap that is due to discrepancy in discretionary pay awarded to men and women, by negotiating the criteria used in granting bonuses and ensuring that they are transparent, objective, and gender neutral. One example of non-gender neutral but frequently used criterion in performance-related pay is work attendance. Since women traditionally shoulder more of the caring and domestic work burden than men, they are likely to spend less time at work. If work attendance is used to measure performance, men are more likely to obtain bonuses than women. Including provisions for equality audits of bonuses in collective agreement can improve transparency in discretionary pay and help identify such issues.

4) Gender-neutral evaluation mechanisms, to limit discrimination in promotion

Finally, social partners can also limit the concentration of women in lower occupational grades through negotiating gender-neutral evaluation criteria for career progress. Increasing the gender neutrality (and
transparency) of the criteria used in granting or refusing promotions can reduce gender-based discrimination. Social partners can also negotiate training and specific conditions for women returning from maternity leave, to compensate for the career progression breaks and delays often associated with childbearing. The implementation of equal pay surveys in Sweden led to collective agreements related to women’s career progression and access to high management jobs (Pillinger, 2014[3]).

However, the efficiency of the collective bargaining toolkit is conditional on:

**Box 1. Methodological approach**

This section builds on three case studies of the effect of collective bargaining on the gender wage gap among temporary workers in Australia, Canada and the United States of America. To estimate the role of bargaining on the wage gap among temporary workers, three elements are analysed in turn:

**I. The respective collective bargaining wage premium for men and women.** This is the wage difference between men (women) covered by a collective agreement and men (women) who are not covered. To estimate this premium while controlling for differences in characteristics between workers covered and workers not covered by collective bargaining, the decomposition technique developed by Juhn, Murphy and Pierce (1993[6]) is used, controlling for the presence of children below ten years of age, age, education, region, full-time or part-time status, industry, occupation, firm size, sector, and job tenure.

**II. The extent of bargaining coverage among men and women:** descriptive statistics on bargaining coverage are needed to describe disparities in bargaining coverage between men and women: are men more covered than women, or is the reverse true?

**III. The importance of disparities in bargaining coverage between men and women in the composition of the gender wage gap.** How much of the wage gap can be explained by disparities in bargaining coverage between men and women? This analysis follows Firpo et al. (2009[7]) in decomposing the wage differential between men and women into what can be explained by observable characteristics (including disparities in bargaining coverage) and what is not observable (the “unexplained” part), at different points of the wage distribution. Indeed, both the size of the gender wage gap and the driving factors behind it are likely to vary between points of the wage distribution, so the role of bargaining coverage disparities on the gender wage gap is estimated in each quantile. Estimates are based on Recentered Influence Functions using the same controls as in I. above.

Taken together, these estimates allow deriving a comprehensive picture of how collective bargaining succeeds or fails to reduce the gender wage gap among non-standard workers in each country.

**1) The size of the union wage premia for non-standard workers, which partly depends on the architecture of collective bargaining**

When assessing the effectiveness of collective bargaining in closing the wage gap among non-standard workers in a particular country, a first element to consider is whether being covered by collective bargaining yields a measurable effect on the wages of non-standard workers. In case of a small or inexistent union wage premium, the potential of collective bargaining to close the gender wage gap will be limited. A good illustration of this shortcoming comes from the Australian case. Workers in Australia can be covered by firm-level bargaining or by a system of “modern awards”, industry-wide regulations providing a minimum safety-net of working conditions (e.g. skill-specific minimum wages, overtime pay, etc.). Firm-level bargaining grants wages and conditions beyond the minima guaranteed by modern awards.
Figure 2. Female and male wage premia by collective bargaining coverage and contract type in Australia

Percentage wage increase, 2016

Note: Results are based on separate John-Murphy-Pierce decompositions for male and female temporary workers respectively, using temporary workers not covered by collective bargaining as the reference group and controlling for the presence of children under ten years old, age, education, region, full-time or part-time status, industry, occupation, firm size, sector, and job tenure.

Source: OECD calculations based on the Household Income Labour Dynamics (HILDA).

Figure 3. Decomposition of the gender wage gap among temporary and permanent workers in Australia

Percentage of hourly earnings, 2016

How to read: a variable showing as positive (negative), e.g. above (below) the 0 line is associated with an increase (reduction) of the gender wage gap, keeping other variables constant. The sum of all negative and positive contributions amounts to the “raw” gender wage gap (marked by the black cross).
As shown in Figure 2, wage premia associated with firm-level bargaining for temporary workers (e.g. those on fixed-term and seasonal contracts, and casual workers) are positive. However, they are very modest: below 8% for women, and below 3% for men in temporary jobs. Accordingly, results in Figure 3, which depicts the decomposition of the gender wage gap, at various points of the wage distribution, among Australian permanent and temporary workers, suggest that firm-level bargaining in Australia does not clearly affect the gender wage gap of temporary workers. Each variable included in the decomposition analysis appears on the graph as a positive component of the gender wage gap (i.e. a factor associated with an increase of the gap), or as a negative component (a factor associated with a reduction of the gap). The variable corresponding to the difference in firm-level bargaining coverage between men and women is barely visible on the bars representing gender wage gaps among temporary workers. This suggests that although bargaining boosts the wages of temporary Australian workers, it fails to reduce the gender wage gap. This is at least partly explained by small union wage premia.

Box 2. Understanding counter-intuitive composition effects in gender wage gap analyses: the case of the Australian modern awards

Disparities in coverage by modern awards between men and women shows up on Figure 3 as a positive component of gender wage gaps in all quartiles. In other words, it looks, at first sight, as a factor contributing to the gender wage gap in Australia. This is a perplexing result: women in temporary jobs are the group most covered by modern awards (41% vs. 17% for men in permanent jobs), and the wage premium associated with coverage by modern awards is higher for women than for men (Figure 2). How could modern awards aggravate the gender wage gap among temporary workers in Australia?

The solution to this puzzle lies in the “safety net” nature of modern awards. Because modern awards set minimum wages and conditions, to which firm-level bargaining and individual contracts can only add, they primarily cover the most vulnerable (and less well paid) workers. As a result, the group of workers covered only by a modern award is constituted of 59% of women, and 27% of women in temporary jobs (who on average are paid the least), while coverage is lowest (17%) among men in permanent jobs (who on average are paid the most). Therefore, coverage by modern awards mechanically shows up as a positive contribution to the gender wage gap, because it is statistically associated with being a woman in a low-paid temporary job. The seemingly positive effect observed on Figure 3 is due to a composition effect.

Similarly, if, in a country, most minimum wage workers were women, a “seemingly positive” effect would be associated with the minimum wage variable in a gender wage gap decomposition exercise. This would not mean that the minimum wage aggravates the gender wage gap: it would be a mechanical consequence of the fact that women in this country are proportionally more likely to be paid the minimum wage, which, by definition, is comparatively low.

The ability of unions to yield a sizable wage premium for the workers they represent depends in part on the design of the bargaining system. For instance, the degree of centralisation of the system and the existence of coordination mechanisms between bargaining units are likely to affect bargaining power (OECD, 2019[2]). Sector-level bargaining or at least coordination at the sector level is also necessary to negotiate targeted raises in female-dominated and low-paid sectors. These are lacking in Australia. The modern awards system is not a sectoral bargaining mechanism, but a system of industry-wide minima, which does not allow negotiating targeted catch-up wage increases. Indeed, as shown in Figure 2, the premia associated with modern awards are extremely small for women (3.7%) and inexistent for men, and modern awards fail to reduce the wage gap (Figure 3, see also Box 2). The architecture of collective bargaining is one of the element that structurally bounds social partners’ relative bargaining power, and
hence unions’ capacity to negotiate sizable wage premia. Therefore, it is an element to take into account when considering how to better exploit the potential of bargaining in reducing the wage gap.

2) The size of the premia for women relative to men, which partly hinges on social partners adopting adequate equalising strategies

Beyond the size of the wage premium for non-standard workers, another issue to consider when assessing the capacity of collective bargaining in a particular context to help closing the wage gap is that of the relative benefit for women in non-standard jobs compared to men in similar jobs. If men benefit more than women from collective bargaining, it is unlikely to help close the gap.

Figure 4. Female and male union wage premia by contract type in Canada
Percentage wage increase, 2017

Note: see Figure 2.
Source: OECD calculations using the Canadian Labour Force Survey (LFS).

Similarly, in the United States, collective bargaining unambiguously benefits contingent workers (i.e. fixed term, contract, project or on-call workers), who benefit from a substantial wage premium (Figure 6). In 2017, contingent female workers covered by collective bargaining were paid 23% more than women in similar jobs not covered. However, the union wage premium for contingent male workers was even higher, at 37%. Such imbalance in how much men and women in comparable jobs benefit from bargaining could signal a lack of emphasis on the tools of equality bargaining discussed above. Indeed, beyond the architecture of bargaining, the efficacy of levers such as targeted raises, gender-neutral occupation schemes and evaluation criteria, or pay transparency clauses, will also depend on social partners’ commitment to pursue equalising strategies. The potential of collective bargaining to reduce the gender gap among non-standard workers may not be fully utilised currently in Canada and the United States, and putting more emphasis on equality bargaining might go some way towards better exploiting it.
For instance, in Canada, collective bargaining is unambiguously associated with higher wages for all temporary workers (i.e. those in seasonal, fixed-term or contract work). As shown in Figure 4, the union wage premium for women in temporary jobs is sizable, at above 15%, i.e. about double that observed in Australia. However, the premium for men in comparable jobs is even higher, at about 25%. In other words, while all Canadian temporary workers benefit from firm-level bargaining, men benefit more than women. Accordingly, the overall effect of bargaining on the wage gap among temporary workers observed in Figure 5 (in light green) shows up as a negative but small component: bargaining does close the gap a little for women in temporary work, but to a limited extent.

3) The collective bargaining coverage rate of women in non-standard jobs, which partly depends on policies regulating access to bargaining

Finally, a third, crucial element to consider when assessing the capacity of collective bargaining to help close the gender wage gap among workers in non-standard jobs is the bargaining coverage rate of these workers, and in particular of women in non-standard jobs. To be efficient, some of the instruments listed above, like gender neutral evaluation criteria or occupational classifications have to be used widely to affect entrenched biases and norms. This calls for a large coverage. And while a sizable wage premium, higher for women than for men, is necessary for bargaining to help substantially close the gap, there will be no measurable effect if only a small fraction of workers in non-standard jobs is concerned.

In all three countries considered in this brief, the coverage rate of women in non-standard jobs was rather limited: 31% of women in temporary jobs were covered in Canada in 2017, 25% in Australia in 2016, and as little as 8% of contingent female workers in the United States in 2017. In addition, in Australia and the United States, coverage was lower among women in non-standard jobs than among men in comparable jobs. Australia cumulates a small premium and a low coverage; but even in countries where union wage
premia are higher, like in Canada and the United States, small coverage rates de facto limit the capacity of bargaining to measurably reduce the wage gap. In the American case, a combination of a low coverage rate among women in non-standard jobs, a slightly higher coverage of men in comparable jobs (11%) and a higher wage boost for these men means that, despite the positive and sizable wage premium for contingent female workers, collective bargaining shows up on Figure 7 as a positive component of the wage gap, i.e. as being associated with its increase. Firm-level bargaining may have a larger impact in reducing the gender wage gap in the United States and Canada if coverage among women in temporary jobs were higher.

The limited bargaining coverage of women in non-standard jobs is a common issue across OECD countries. On average, women in non-standard jobs are 55% less likely to be unionised than workers in standard jobs. In decentralised systems of collective bargaining, without proper sectoral bargaining and/or extension mechanisms de-correlating union membership and collective bargaining coverage, this gap in unionisation translates into a gap in coverage.

The small coverage of women in non-standard jobs has various origins. Some obstacles hindering their unionisation are common to all workers in non-standard jobs. For instance, there are practical barriers linked to the nature of non-standard work itself (such as a higher turnover rate, a limited attachment to a single workplace, or reluctance to organise for fear of retaliation). There are also legal obstacles, as some non-standard workers, and in particular independent contractors and freelance workers, might be barred from accessing bargaining under competition law in many countries – see OECD (2019[8]) for more details.

Figure 6. Female and male union wage premia by contract type in the United States of America

Percentage wage increase, 2017

Note: Results are based on separate Juhn-Murphy-Pierce decompositions for male and female temporary workers respectively, using temporary workers not covered by collective bargaining as the reference group and controlling for the presence of children under 14 years old, age, education, region, race, full-time or part-time status, industry, occupation, and sector.
Source: OECD calculations using the Current Population Survey (CPS), May Supplement.
However, some challenges are particular to the case of women in non-standard jobs. In some countries, the unionisation of workers in typically female-dominated non-standard jobs, such as domestic work, is specifically prohibited: this is for instance the case in various states in the United States of America, where domestic workers cannot always legally join a bargaining unit (Hobden, 2010[9]). Workers in female-dominated jobs such as domestic or care workers are also particularly hard to reach for unions, since they are not located in a common physical workplace, but are rather scattered across a multitude of workplaces. Recruiting, organising, and informing these workers is particularly difficult. Another issue is related to the necessary identification of the employer counterpart in order to negotiate. This step is complicated in the case of triangular relationships (e.g. when care or domestic workers are agency workers, or when care is subsidised by the state), or when individual household employers are not organised in an employer organisation. Finally, the fact that union leadership often remains predominantly male might also limit unions’ capacity to attract women in non-standard jobs.

Better using collective bargaining to reduce the gender wage gap in non-standard work: some policy lessons

Ways forward for governments

Increasing the collective bargaining coverage rate among women in non-standard jobs. In doing so, a key element is to fight the misclassification of workers. But legislations also need to be adapted to grant access to collective bargaining to the growing number of workers who are genuinely hard to classify as...
“employees” or “self-employed”, and who share vulnerabilities with salaried employees (OECD, 2019[8]). Specific attention should be paid to the case of non-standard workers in female-dominated occupations, such as the domestic work and the care work sectors. In some cases, specific legal barriers might prevent female workers in non-standard jobs in these sectors from accessing collective bargaining.

Facilitating the identification of bargaining counterparts and the compliance with collective agreements. The identification of an appropriate counterpart can be particularly complicated in the case of the care and domestic workers, but governments can help. For instance, the state of California, as the subsidising entity of care and domestic work, is systematically recognised as the “employers of record” for bargaining purposes, while individual households are represented in county-level boards. In France, the creation of a voucher system for care and domestic work has helped to ensure the near universal reach of agreements signed by social partners in these sectors (Hobden, 2015[10]).

Promoting equality bargaining. Governments can encourage the use of the instruments of equality bargaining discussed in this brief. For instance, firms with over 50 employees in France have to negotiate a plan to close the gender wage gap, or risk financial sanctions of up to 1% of the total wage bill if they fail to comply. Similarly, sector-level negotiations on measures to close the gender wage gap are mandatory in Belgium since 2012 – including the publication of wage data decomposed by gender, and the development of gender-neutral occupational classification schemes. Finnish companies with over 30 employees are required to draw a plan to address pay inequalities and gender biases in job classification.

Ways forward for social partners

Implementing and sharing good practices favouring the use of equality bargaining tools. Such good practices include, for instance, the constitution of gender-balanced negotiation teams; the organisation of dedicated training for negotiators, and the production of clear guidelines related to the development and use of gender-mainstreaming tools (such as gender-neutral classification and evaluation schemes) in bargaining rounds. Social partners should also engage in developing tools for systematic equality audits of each new agreement, e.g. checklists for negotiators to assess the gender impact of each clause.

Increasing efforts to reach out to women in non-standard jobs. In that regard, collaborations between unions with existing bargaining infrastructures, and alternative forms of workers organisation, which might be better suited than traditional unions to reach out to workers isolated without a workplace, appears like a promising avenue. Another one is for unions to better mobilise intersectionality (i.e. the overlapping professional, gender, educational, cultural, or ethnic identities characterising women in non-standard work) as an organisational resource. Indeed, the ability to use workers’ intersectional identities as a means to access them outside of their workplaces, to mobilise them, and to generate new forms of solidarity between previously unconnected groups of female workers, is identified as a vector of success in organising these isolated workers (Pratt, 2018[11]; Tilly, Rojas-Garcia and Theodore, 2018[12]).

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