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INTERSECTIONAL DISCRIMINATION IN THE CONTEXT OF EMPLOYMENT AND SUSTAINABILITY ISSUES: COMPARATIVE ANALYSIS IN EUROPEAN COUNTRIES*

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Abstract. Multiple intersectional discrimination refers to a situation in which multiple grounds operate and interact simultaneously, producing specific forms of discrimination. Multiple intersectional discriminations have, for a long time, caused various issues in employment and have become evident in access to employment, equal pay, and pensions. Moreover, it is an important point for gender equality and is essential to reach sustainable development. This article identifies recent changes regarding intersectional discrimination in the context of labour income and pay transparency, as well as changes in the EU legal framework, and the challenges they pose for European countries. The methodology is based on a literature review, statistical data analysis, legal regulation in EU Member States, and a qualitative study. The results showed an intersectional impact on employment, equal pay, and pensions, with varying degrees of direct impact on levels of structural inequality and on the future lack of sustainable development. Intersectional discrimination from the gender perspective might affect women with a migration background, younger and older women, women with disabilities and women with some religious or origin background. An additional point for raising compensation and sanction levels might lead victims of multiple intersectional discrimination to report it, and encourage pay and promotion law practitioners to challenge it.

Keywords: multiple discrimination; intersectional discrimination; employment; unemployment; gender equality; sustainable development

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1. Introduction

Multiple intersectional discrimination is a frequent phenomenon, as there are different stereotypes regarding personal features or attributes, including gender, ethnic origin, religion, migrant status, culture, age, or a combination thereof, and such discrimination with an intersectional approach can be experienced by various social groups or individuals. The issue of multiple forms of intersectional discrimination is also relevant in the context of sustainable development. For instance, one of the Sustainable Development Goals (hereinafter SDGs) is to achieve gender equality and empower all women and girls; to eliminate all forms of discrimination against women and girls; recognize and value unpaid care and domestic work through the provision of public services,

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infrastructure and social protection policies and the promotion of shared responsibility within the household; to ensure women's full and effective participation and equal opportunities for leadership at all levels of decision-making in political, economic, and public life; undertake reforms to give women equal rights to economic resources; and to adopt and strengthen sound policies at all levels (United Nations General Assembly, 2015). The SDGs and fundamental human rights are linked in pursuit of the common goal of promoting the well-being of all people, and European Union (hereinafter EU) institutions, together with EU Member States, should ensure that the future of the EU's sustainable growth strategy appropriately reflects all established SDGs and their linked targets.

To consolidate the principle of gender equality, the EU Pay Transparency Directive (hereinafter PTD) required EU Member States to bring into force laws, regulations, and administrative provisions by 7 June 2026 (European Union, 2023). In the EU legal framework, the definition of intersectional discrimination was adopted for the first time in PTD. Intersectional discrimination, which is discrimination based on a combination of sex and any other ground or grounds of discrimination protected under Directive 2000/43/EC (European Union, 2000b) or Directive 2000/78/EC (European Union, 2000a). All forms of discrimination, including multiple intersectional discrimination, create barriers to career progression in the context of employment, equal pay, and sustainable development; at the same time, addressing this is a prerequisite for ensuring consolidated and coherent EU Member States' legal systems in line with EU law.

The Gender Equality Strategy 2026-2030 highlights persistent gender inequalities, an intersectional approach in the labour market and calls on EU Member States to ensure the option to request a minimum income to be provided to individual members of the household, because individual benefits can promote gender equality, income security and the economic independence of women (European Union, 2026). The labour market is directly connected with the labour income and pensions in the future. The EU gender pension gap still stands at 25%, contributing to older women being at greater risk of poverty and social exclusion than older men and the largest gaps were recorded in Malta (40.3%), the Netherlands (36.3%) and Austria (35.6%) (Eurostat, 2026). The following situation should be interpreted as intersectional discrimination on the grounds of sex and age. The Eurobarometer surveys indicates that some groups of candidates for employment are still at a disadvantage in the employment process, particularly regarding age (52%) and manner of dress or presentation (50%), the following criteria are each mentioned by at least a third: general physical appearance (44%), disability (43%), being Roma (42%), skin colour (39%), accent (35%) and ethnic origin (34%) (Eurobarometer 535, 2023).

The purpose of this article is to analyse the intersectional discrimination challenges for employment and sustainable development, through statistics to detect unemployment across different social groups, taking into account gender, age, and other possible multiple bases, with the help of a comparison of legal regulations regarding multiple and intersectional discrimination in EU Member States and interviews with experts in the field of labour.

2. Multiple intersectional discrimination challenges in employment to reach sustainable development: theoretical, statistical and legal background

2.1 Theoretical approach by the scholars

Howard (2026) indicates that the Horizontal Equal Treatment Directive should be adopted as soon as possible to protect persons across the EU against discrimination on the grounds of religion or belief, disability, age, and sexual orientation outside the employment sphere, a protection currently lacking. Furthermore, the adoption of the Horizontal Equal Treatment Directive would increase the protection against discrimination on the grounds of religion or belief, disability, age and sexual orientation as well as against multiple and intersectional discrimination (Howard, 2026). Howard argued that the judgment of the Court of Justice of the EU (hereinafter CJEU) in the *David L. Parris v Trinity College Dublin and Others* case needs to be revisited to recognise that intersectional discrimination is covered by the EU anti-discrimination Directives (Howard, 2024).

The fact that the victims of multiple intersectional discrimination might be left without a remedy when they experienced discrimination on a combination of the different discrimination grounds. Additionally, Xenidis argues that the CJEU operates a functional differentiation in the implementation of anti-discrimination norms,

which gives rise to a complex interpretation architecture and acknowledges three main functions: calibration, integrity, and socialisation (Xenidis, 2021).

In particular, the strength of intersectionality's theoretical foundations for explaining privilege and disadvantage remains stronger than its empirical and practical uses for informing transformational change and social justice (Rodriguez et al., 2024). Therefore, it is important to analyse critical intersectional approaches to understanding and addressing systemic inequalities in the labour market, highlighting theoretical and epistemological gaps that must be addressed to advance emancipatory practices and policies that directly confront structural racism, patriarchy, and class-based exploitation (Sott et al., 2026). Furthermore, income inequality in the EU is at an all-time high (Frese, 2022).

It became evident that the EU anti-discrimination law's starting point is the economic significance of equal pay provisions. While intersectional discrimination is now recognized with PTD, it is a challenge as the EU equality framework functions from a single-issue approach (Dube, 2024). Moreover, the gender pay gap remains a significant European social issue despite the legal efforts to address it (Ambrazevičiūtė, 2024). The fact that multiple intersectional discriminations directly affect economic inequality and are about structural inequalities in society, with limited possibilities and outcomes and pay, pension or access to employment, may cause or have a direct impact on levels of economic inequality. Economic inequalities from the labour-income and time perspectives might create obstacles to achieving sustainable development. Sustainable development is deeply embedded in the EU legislation.

2.2 EU data with the intersectional discrimination approach

Sustainable development is deeply embedded in the EU legal framework and firmly enshrined in EU law, and there is simply no sustainability without social sustainability. Statistical data clearly show that some social groups might be at risk of experiencing multiple intersectional discrimination. Moreover, statistical data on groups at risk of multiple intersectional discrimination are instrumental for assessing their vulnerable situation and for adopting effective policies (Zamfir, 2025).

Eurostat labour force survey data on barriers to employment show a 10% gap between the numbers of women and men who experience discrimination due to their foreign origin (Figure 1). Some women are structurally underrepresented in the labour market, often resulting from the intersection of gender with additional conditions of vulnerability or marginalisation, such as belonging to an ethnic or religious minority or having a migrant background. Furthermore, evidence of discrimination with a multiple and intersectional approach was found among Black people of African descent. It was indicated that the prevalence of discrimination against people of African descent was especially high among those who were perceived as wearing religious clothing in public or those who self-identified as belonging to a minority in terms of disability, gender identity or gender expression, and sexual orientation (European Union Agency for Fundamental Rights, 2024).

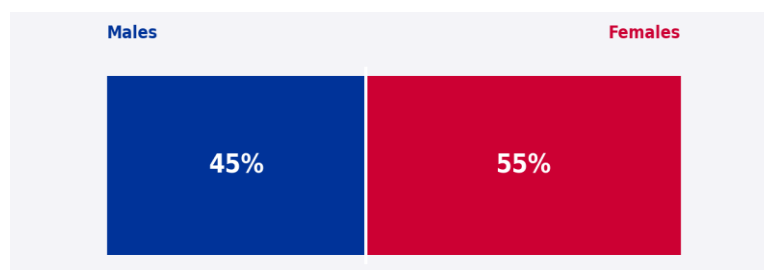


Figure 1. The foreign-born population is experiencing difficulty in getting a suitable job due to discrimination based on foreign origin, by sex
Source: Eurostat (Labour Force Survey) 2021

Stereotypes and gender roles, according to tradition, a lack of support for balancing care responsibilities for children with work, and political and corporate cultures are among the reasons why women are underrepresented in decision-making processes (European Commission, 2019). Around every third EU citizen of African origin

with a tertiary education works in an occupation below their level of education (35 % compared with 21 % in the general population), and more than half of non-EU citizens of African descent do so (57 % compared with 40 % in the general population) (European Union Agency for Fundamental Rights, 2024).

Statistical data on income and living conditions (Figure 2) show that elderly women are at a higher risk of poverty or social exclusion than men, and income is more closely connected to employment. Furthermore, young women are experiencing the highest risk in general. It should be noted that the PTD recital specified that women with disabilities, women of diverse racial and ethnic origins, including Roma women, and young or elderly women are among the groups which may face intersectional discrimination (European Union, 2023).

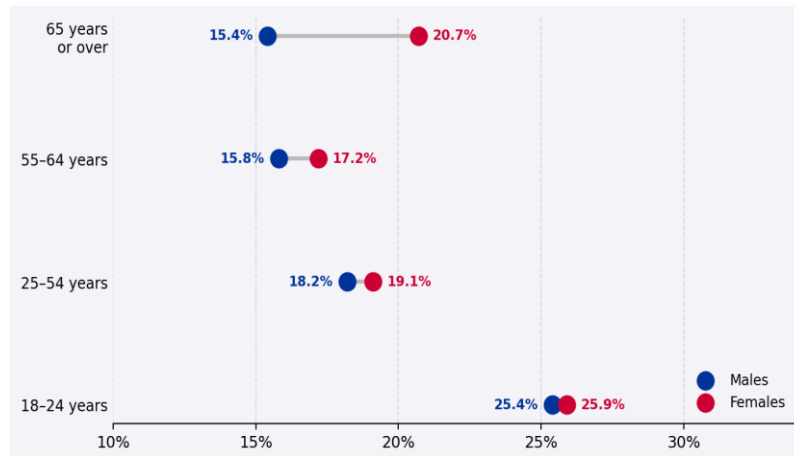


Figure 2. Persons at risk of poverty or social exclusion, by age and sex
Source: Eurostat (Income and Living Conditions) 2024

Many indicators that highlight a situation of vulnerability, such as poverty, unemployment, education level, or housing access, are insufficiently disaggregated by protected characteristics (Zamfir, 2025). Statistical data on the unemployment rate by sex and age across all 27 EU Member States shows the gender gap in unemployment. Young women have the highest unemployment rate compared to older men. It should be noted that young women are at risk compared to older women. Young men are at nearly the same percentage level as older women (Figure 3).

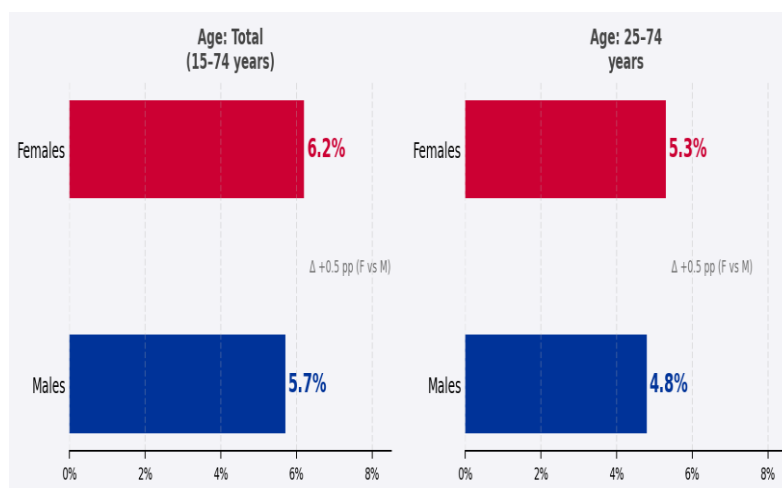


Figure 3. Unemployment rate by sex & age group, EU27, seasonally adjusted May 2026
Source: Eurostat (Labour Force Survey) 2026.

Employment security is a very important factor that influences not only well-being, but also the risk of being in poverty. The EU Charter of Fundamental Rights states that every citizen of the EU has the freedom to seek

employment, to work, to exercise the right of establishment and to provide services in any EU Member State (European Union, 2012).

The EU unemployment rate statistics show that there hasn't been much change across all 27 EU Member States during the 2026 five-month period; it has remained stable (Figure 4).

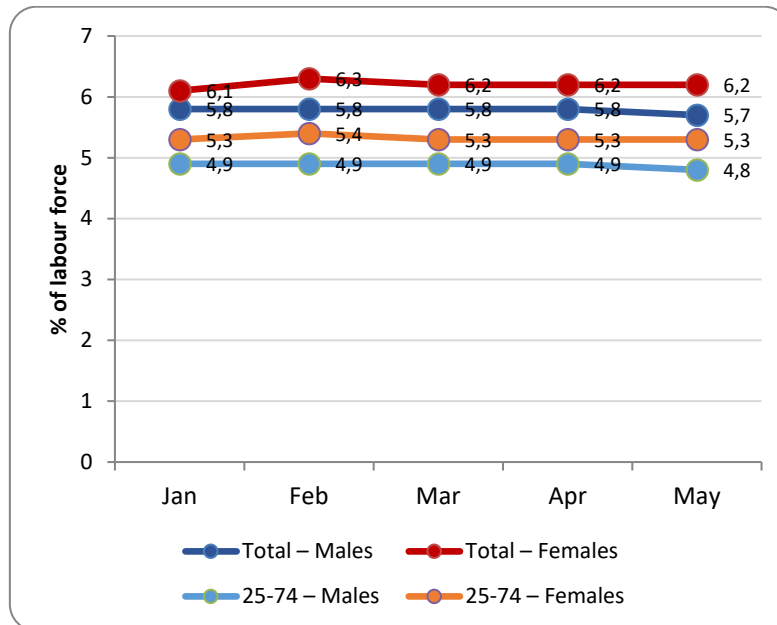


Figure 4. EU unemployment rate trends, EU27 seasonally adjusted January–May 2026

Source: Eurostat (Labour Force Survey) 2026.

Data on experiences of multiple intersectional discrimination are also important for emphasising differences between different social groups. Eurostat data about experiences of multiple intersectional discrimination are also useful for acknowledging differences between groups in society. Various data analyses show that discrimination based on multiple grounds, such as sex, racial or ethnic origin, religion or belief, disability, age and sexual orientation, persists across the EU Member States.

2.3 Legal regulation tackling multiple intersectional discrimination in EU Member states

It should be noted that just a few EU Member States have adopted legal provisions addressing either multiple or intersectional discrimination. Of the 27 EU Member States, 12 countries ban multiple or intersectional discrimination in their antidiscrimination law: Austria, Belgium, Bulgaria, Croatia, Germany, Greece, Ireland, Malta, Portugal, Romania, Slovenia, and Spain. The other 15 countries do not ban multiple or intersectional discrimination clearly in their anti-discrimination law: Cyprus, Czechia, Denmark, Estonia, Finland, France, Hungary, Italy, Lithuania, Luxembourg, Latvia, the Netherlands, Poland, Slovakia, and Sweden (see Table 1 below).

Table 1. EU Member States legal regulation on multiple or intersectional discrimination

EU Member State	Legal regulation
Austria	Multiple discrimination must be considered when assessing the number of immaterial damages.
Belgium	Both cumulative and intersectional discrimination are widely prohibited. Furthermore, the amended legislation stipulates that the courts may increase the compensation awarded in such cases by cumulating the lump-sum amounts of damages provided for by national law for the violations based on different grounds, individually.
Bulgaria	Multiple discrimination is discrimination based on more than one protected ground.
Croatia	More serious forms of discrimination include discrimination against a person on more than one ground.
Germany	A differential treatment based on several grounds has to be justified with respect to each one of these grounds separately.
Greece	Multiple discrimination associates the grounds of racial or ethnic origin, colour, nationality, ancestry and territory of origin.

Ireland	Discriminatory practice includes a practice based on one or more prohibited grounds of discrimination, or on the effect of a combination of prohibited grounds
Malta	Multiple and intersectional discrimination in the case of persons with disabilities, without providing a definition
Portugal	Multiple discrimination associates the grounds of racial or ethnic origin, colour, nationality, ancestry and territory of origin.
Romania	Any distinction, exclusion, restriction or preference based on two or more of the criteria shall constitute an aggravating circumstance in establishing responsibility for a minor offence.
Slovenia	Multiple discrimination occurs when a person is discriminated against simultaneously due to several personal circumstances.
Spain	Multiple discrimination associates the grounds of racial or ethnic origin, colour, nationality, ancestry and territory of origin.

Source: European Commission. A comparative analysis of non-discrimination law in Europe 2024.

EU Member States should use a comprehensive set of equality data-collection tools, including large-scale quantitative surveys covering different population groups and grounds of discrimination, alongside discrimination testing, an established method for generating objective evidence of discrimination (European Union Agency for Fundamental Rights, 2022). In practice, all existing national legal regulations have had limited with the practical effect, and court practice remains very insufficient. Furthermore, in the reported cases, neither the courts nor the equality bodies have followed a specific approach to the comparator, and the multitude of grounds does not generally affect the amounts of compensation awarded.

3. Research objective and methodology

The purpose of this article was to identify the multiple intersectional discrimination impact on employment and challenges to sustainable development. The analysis of statistical data and legal regulation in EU Member States revealed general trends regarding multiple intersectional discrimination in employment. Statistical data alone is insufficient to gain deeper insights reflecting the impact of multiple intersectional discrimination in the actual employment situation. A qualitative study was conducted to reveal multiple intersectional forms of discrimination, with a comparative focus on labour income, employment opportunities, work, and independence circumstances, legal and practical challenges. Semi-structured interviews were conducted with the experts in the field of employment. Key research questions are provided below in Table 2. The chosen 19 experts were from the fields of employment services, employee representatives, and employers in Denmark (3), Germany (4), Lithuania (4), Spain (4), Sweden (2), and Switzerland (2). No personal data was collected during the interviews.

Table 2. Key research questions

Research field	Questions for experts
Employment opportunities	Has your organisation previously conducted any assessments on a possible intersectional approach to gender equality? Have any gender gaps been identified within your organisation? Please identify these gaps. Which social groups of women with multiple intersections do you think face difficulties in seeking employment? How should gender equality, with a possible intersectional approach, be ensured in recruitment?
Labour income	What factors from the multiple intersectional discrimination approach can influence the gender pay gap?
Employment and independence circumstances	Does your organisation support work-life balance and organisational culture? How should gender equality be ensured in career advancement? How to ensure gender balance in management and decision-making, taking into account possible multiple or intersectional discrimination?
Legal and practical challenges	How do you assess the prohibition of multiple intersectional discrimination in national and EU legal regulation? What gender equality measures do you think would be effective?

Source: created by the author

The research data were collected in accordance with methodological guidelines for conducting qualitative research and ethical principles (Žydzūnaitė & Sabaliauskas, 2017). Confidentiality was maintained throughout the research. To ensure the accuracy of the research data, interviews were recorded and subsequently transcribed verbatim. After the audio material had been transcribed, the recordings were deleted to ensure data

anonymisation. Data analysis was performed using MAXQDA software. The transcribed data collected during the study were read, and codes were assigned to significant information. After reviewing the codes, they were categorised into groups based on meaning.

4. Results and discussion

The vast majority of experts who participated in the study found that, in employment opportunities, organisations did not conduct assessments with regard to an intersectional approach, and there is insufficient attention from employers. From the gender pay gap perspective, experts indicated gender pay transparency, pay discrimination, care-related career breaks, such as child rearing or eldercare, involving an intersectional discrimination approach in hiring or returning to the workplace after the break. Gender equality, with a possible intersectional approach, should be ensured in recruitment with the paid attention to possible multiple intersectional inequalities and part-time work. Social groups of women from an ethnic or religious minority, having a migrant background or being disabled might meet difficulties in seeking employment.

Labour income, according to experts, might be influenced by unequal treatment regarding gender, such as structural segregation, complicated career development and the glass ceiling as an invisible barrier that prevents quite qualified individuals, particularly women and persons from minorities, from advancing to top executive roles within an organisation. Employment and independence should be supported by time-limited breaks, gender equality, and the promotion of career development for persons who might be affected, using an intersectional approach.

The results of the interviews with experts also reveal legal and practical challenges caused by a lack of clear legal regulation in national law and the EU legal framework, leading to insufficient attention from public authorities and courts. The multiple intersectional inequalities were affected by the lack of visibility and data, as well as by the lack of positive actions. In summary, the study revealed various social and economic factors that shape the intersectional approach to employment in relation to sustainability issues (see Figure 5). According to experts, PTD provides sufficient and effective protection through intersectional approaches to pay transparency and employment issues.



Figure 5. Essential intersectional discrimination challenges for employment and sustainable development
Source: created by the author

PTD provided that EU Member States shall ensure that the tasks of the monitoring body, including addressing intersectional discrimination in relation to equal pay for equal work or work of equal value, and this applies to obtaining gender related pay data from individual employers in the future, with different sources of gender equality data involving other vectors and grounds of discrimination it should be the effective instrument to indicate the intersectional approach. PTD enables national courts, equality bodies and other competent authorities to take due account of any situation of disadvantage arising from intersectional discrimination, in particular for substantive and procedural purposes, including to recognise the existence of discrimination, to decide on the appropriate comparator, to assess the proportionality and to determine, where relevant, the level of compensation awarded or penalties imposed. It should be noted that the collected data and positive actions might help combat multiple intersectional discrimination.

Conclusions

An intersectoral approach is important not only for ensuring gender equality but also for sustainable development. Theoretical, statistical, legal and expert-based analyses indicated that multiple intersectional forms of discrimination have long-term consequences for employment. Furthermore, it is important not only for unemployment but also for labour income and pay transparency. Females face part-time work, care-related career breaks (maternity or other), poverty-influenced occupational segregation, and the glass ceiling, resulting in long-term consequences and affecting pay transparency and labour income, with implications for pensions.

Unemployment and reduced labour income of female constructs economic inequality as a structural inequality in society, with the lack of opportunities and outcomes to realise gender equality and sustainable development. PTD enforcement created an opportunity for EU Member States to update their national legal frameworks with a multi-intersectional approach to forms of discrimination. Moreover, pay transparency, with the potential recognition of intersectional discrimination, may affect labour income in future perspectives.

The substantial issue of intersectional discrimination influences access to employment, equal pay, and pensions, with varying degrees of direct impact on levels of structural and economic inequality, and the lack of sustainable development in the future. Furthermore, intersectional discrimination lacks visibility and receives insufficient attention from employers, public authorities, and courts. Frequent issues for women due to structural underrepresentation in the labour market are often connected to the intersection of gender with additional factors and grounds, such as belonging to an ethnic or religious minority, having a migrant background or being disabled.

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