



**EUROPEAN COMMITTEE OF SOCIAL RIGHTS
COMITÉ EUROPÉEN DES DROITS SOCIAUX**

31 October 2017

Case Document No. 5

University Women of Europe (UWE) v. Norway
Complaint No. 135/2016

SUBMISSIONS BY THE GOVERNMENT ON THE MERITS

Registered at the Secretariat on 13 October 2017

REGJERINGSADVOKATEN

The European Committee of Social Rights
Deputy Executive Secretary
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France

Your reference
130-2016 LV/KOG

Our reference
2016-0866 HRU/HRU

Date
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WRITTEN OBSERVATIONS

SUBMITTED BY THE GOVERNMENT OF THE KINGDOM OF NORWAY

to

THE EUROPEAN COMMITTEE OF SOCIAL RIGHTS

in

**University Women of Europe (UWE) v. Norway
(Complaint No. 135/2016)**

1 INTRODUCTION

- (1) Reference is made to the Deputy Executive Secretary's letter of 20 July 2017 informing the Government of Norway that the collective complaint submitted by University Women of Europe (hereinafter "UWE") has been declared admissible, and inviting the Government to submit written observations on the merits of the complaint by 13 October 2017.
- (2) The Government respectfully submits that Norway has fulfilled its obligations under the revised Charter article 1,4 and 20, read alone or in conjunction with Article E, as well as the 1961 Charter and Article 1 of the 1988 Additional Protocol. The Government therefore asks the European Committee of Social Right (hereinafter the "Committee") to find that no violation has occurred.

2 THE LAW

- (3) The Government understands the complaint from UWE to concern mainly two issues; The topic of equal pay for equal work, referring to article 4 (3) of the revised Charter, is the main focus of the complaint. The right to equal opportunities and equal treatment in

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employment and occupations, referring to article 20 of the revised Charter, is also mentioned in brief. The Government notes that the right to equal pay is one aspect of the right to equality in matters of employment guaranteed by Article 20. As a starting point the Government will lay out in brief its understanding of the two mentioned articles;

- (4) The Government refer to article 20 of the revised Charter, which reads:

"With a view to ensuring the effective exercise of the right to equal opportunities and equal treatment in matters of employment and occupation without discrimination on the grounds of sex, the Parties undertake to recognise that right and to take appropriate measures to ensure or promote its application in the following fields:

access to employment, protection against dismissal and occupational reintegration;

vocational guidance, training, retraining and rehabilitation;

terms of employment and working conditions, including remuneration;

career development, including promotion. "

- (5) Bearing in mind the rules of interpretation of treaties, as laid out in the Vienna Convention Articles 31-33, the Government understands the duty in article 20 as being one of effort ("*undertake to recognize that right and to take appropriate measures*"), not one of result. The Government also notes that the Committee has interpreted the principle of equal treatment of women and men to mean the absence of any discrimination on grounds of sex, whether direct or indirect. Reference is made to the *Digest of the case law of the European Committee of social rights {2008}* at p. 138. The Government further notes that the Committee has placed special regard on means of enforcement (legal framework) as well as positive measures taken by the States to promote equal opportunities.

- (6) The Government further refers to article 4 of the revised Charter, and more specifically article 4 (3), which reads:

"With a view to ensuring the effective exercise of the right to a fair remuneration, the Parties undertake: (...) 3. to recognise the right of men and women workers to equal pay for work of equal value"

- (7) The Government notes that the principle applies to instances where men and women do the same work, but also to work of the same value. Relying on the text this is also a duty of effort and recognition ("*With a view to ensuring*" and "*to recognize*"). The right must be expressly provided for in legislation, as well as protected by adequate safeguards.

- (8) Also, the Government refers to the non-discrimination clause in the revised Charter article E. The Government agrees that the revised Charter does not allow discrimination on any of the grounds listed in this Article in respect of any of the rights contained in the instrument, cf. *Explanatory Report to the European Social Charter (Revised)* (3.V. 1996) p. 16.

- (9) To sum up the State's obligation under the articles referred here is limited to implementing appropriate measures. The provisions do not obligate the memberstates to obtain a desired result, as long as the measures are considered to be effective and suitable. The Government also notes that the State is entitled to a margin of

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appreciation in considering and choosing measures that is in conformity with regional political and administrative traditions and the country's policy in large.

- (10) As the following observations will show, the Norwegian authorities have implemented a number of measures to promote the right to a fair remuneration, prevented a gender based wage gap and promoted gender-neutral recruitment to leadership positions. The work in these areas is ongoing and progress has been made recently. Norwegian authorities use both legal and administrative tools, information, economic initiatives and research to reach these goals.

3 STATISTICS AND EXPLANATIONS

3.1 Introduction

- (11) The Government notes that the complaint from UWE is based mainly on materials that are not specific to Norway. Reference is made to the Complaint section 4.6 pp. 19-22. The few instruments and reports that actually refer to the situation in Norway create an inaccurate picture of the situation. The Government will therefore provide some statistics and explanations on the Norwegian situation as a starting point.

3.2 Wage gap between men and women in Norway

- (12) In 2016 the average monthly wage for full-time female employees in Norway was 87.6 per cent of that for men. If part-time female employees are included, the average wage for women accounted for 86.1 per cent of that for men.¹
- (13) The independent Norwegian institution "Centre for Research on Gender Equality" (CORE) has conducted extensive research into the gender pay-gap in Norway. In order to follow developments systematically, CORE has created an indicator for gender and pay that measures the hourly wage gap between men and women. The indicator shows that women's hourly pay in Norway is 88 per cent of what men earn (2014).²
- (14) Both of these indicators express wage differences on averages and the figures do not necessarily show the differences between the genders when it comes to equal pay for work of equal value. The differences in pay are closely related to gender-segregated structures in the labour market. If we for example adjust for occupation, industry and sector, length of education and age, women's hourly pay is 93.5 per cent of what men earn. The remaining gap of 6.5 per cent is unexplained, but this does not necessarily reflect discrimination.
- (15) CORE has also investigated the effect of having children on hourly pay differences. The indicator shows that the pay gap is widest at the top of the salary ladder. While hourly pay for women in low-income professions is 6 per cent lower than that of men in equivalent positions, women atop the salary ladder earn 20 per cent less than top-salaried men. The analysis shows that women with children earn less than women without children, while for men the opposite is the case. Over time (2002-2011) one can see the gap closing between women with and without children, while the difference

¹ Monthly wage cover basic salaries, variable additional allowances and bonuses. Overtime pay is not included in monthly wages. Source: NOU 2017:10

² Core Indicator for gender and pay (available in Norwegian only). The hourly wage is calculated on the basis of reported monthly salary and agreed working hours for both full-time and part-time employees.

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between fathers and childless men is increasing. Mothers have not moved closer to fathers in terms of hourly pay.³

3.3 The equal right for men and women in the labour market

- (16) Based on the statistics developed by CORE Norway is among the countries in the world with least differences in employment between women and men. The difference was historically low in 2016, at only 5 percentage points. The proportion of employed men 26-66 years was 81 percent in 2016; the equivalent for women was 76 percent.
- (17) Time spent in the home can affect work participation for women and men. The time use survey 2010 shows that women accounted for 54 per cent of the unpaid work related to household and care work in 2010, while men accounted for 46 per cent. Overall, parents share more household work in 2010 than in 1990,⁴ regardless of the age of children, and this is largely because fathers now spend more time on household work than they did 20 years ago.

3.4 Women in decision-making positions

- (18) According to the Labour Force Survey 2016 compiled by the government funded "Statistics Norway", Norway has seen a substantial increase in the number of female leaders over the past 15 years, both in the public and private sectors. In 2016 the proportion of employed women who are leaders was 38 percent.⁵
- (19) Gender distribution among managers varies between the different sectors. In the private sector, 70 per cent of the leaders are men, in the municipal sector 60 per cent of the leaders are women, while in the government sector 56 per cent of the leaders are women.⁶ An important issue here is that more women than men are working in public sector and more men than women are working in private sector.
- (20) Norway ranks as number 39 of 144 countries when it comes to proportion of women among legislators, senior officials and managers.⁷
- (21)) To keep track of gender balance in the largest Norwegian companies CORE has established the *CORE Norwegian Gender Balance Scorecard*. This scorecard shows major gender imbalances in the 200 largest companies in Norway: 80 per cent of senior executives are men, and 93 per cent of top executives (CEOs) are also men. The scorecard also sheds light on the types of positions held by female and male senior executives – indicating clearly that gender imbalance in "line positions" should be the focus of attention. Women hold only 15 per cent of line positions, i.e. positions with profit-and-loss responsibility and positions traditionally seen as important in qualifying for the top job as CEO.⁸
- (22) As also noted by UWE (Complaint p. 17), Norway imposed a mandatory quote of 40 per cent female board members of listed companies in 2006. Analyses also show that regulating corporate board gender balance by legislation has had a clear impact on

³ Kjersti Misje (Zistbakken S) (Ikkelys pa arbeidslivet nr. 3 2014: Kj(Inn, I(Inn og barn – hva betyr barn for timel(Innsnivaet til kvinner og menn? (referring here to an article only available in Norwegian)

⁴ Household work includes housework, maintenance, family care, shopping and services.

⁵ Labour Force Survey 2016. This includes all who said they are working as leaders in the labour force survey.

⁶ Labour Force Survey 2016

⁷ The Global Gender Gap Report 2016

⁸ CORE Norwegian Gender Balance Scorecard 200

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gender balance in the boards covered by the law, but to date we have seen no evidence of a spill-over effect on senior operational management teams in the companies.⁹

- (23) Key figures on gender distribution on boards and in executive management in companies where the State has an ownership interest is reported yearly in the *State Ownership Report*. As of March 2017, the proportion of women on boards was 46 per cent and the proportion of female chairs was 44 per cent. At the end of 2016 gender distribution in group management /the company's management group was 64 percent men and 36 percent women, and gender distribution among CEOs was 26 percent women and 74 percent men.¹⁰
- (24) A recent article investigates whether the gender gap in management can be explained by cohort effects rather than by opportunities and choices over the life-course.¹¹ If the gender gap is driven by differences across cohorts, the researchers would expect it to diminish over time, but if the career effect prevails they would expect the gender gap to increase as the younger cohorts grow older. The results confirm that the gender gap in leadership primarily relates to gender differences throughout working life. The main explanation for gender gaps in management is that the likelihood of being a leader increases more with age for men than for women.
- (25) Researchers at the "Institute for Social Research" in Oslo found that female and male top managers had different prerequisites for being able to prioritise work and career.¹² Female top managers generally have spouse/partner who work full time. Male top managers often have a partner who works part-time or stays at home. In addition, the partners of male top managers who have full time jobs work much less than the partners of female top managers.
- (26) When it comes to attitudes, Norwegian business managers are generally very gender equality-oriented. However, it is typical for a male top manager to have a partner/spouse who does most of the work at home. In contrast, it is typical for a female top manager with a partner/spouse to share equally. Male top managers report that their partner's efforts at home are most important. However, female top managers report that their own efforts at home are most important.¹³

4 MEASURES IMPLEMENTED TO PROMOTE EQUAL PAY AND MORE WOMEN IN DECISION-MAKING POSITIONS IN NORWAY

4.1 Introduction

- (27) As stated in the Government's observations relating to the question of admissibility, the complaint is vague on the actual failures of the Norwegian Government to comply with its obligations under the Charter. The complaint relies mainly on documents and reports on the general situation for working women world-wide. On the Norwegian situation there are only a couple of remarks on pp. 15-17, and then some relevant references to documents on the following pages. The complaint seems mainly based on the assertion that since Norway has not achieved equal pay and equal opportunities for women in

⁹ Mari Teigen (ed) Gender balance on company boards

¹⁰ State Ownership Report 2016

¹¹ Ines Hardoy, Pal Sch11)ne and Kjersti Misje (Iltbakken: Gender differences in leadership: Cohort effect or life's course? Sl1lkelys pa arbeidsmarkedet nr. 1-2 2017

¹² Sigtona Halrynjo Gender, career and senior management in Teigen, M (ed) Gender balance on company boards

¹³ Sigtona Halrynjo Gender, career and senior management in Teigen, M (ed.) Gender balance on company boards

working life, the means applied must not be sufficient to fulfil Norway's obligations under the Charter. However, this approach fails to take into account that the provisions of the Charter provide obligations of measures, not of results. The lack of specificity in the complaint refers the Government to outline an overview of the relevant measures taken, focusing on recent efforts in this area.

4.2 Legal measures

4.2.1 *Measures in the Constitution*

- (28) In 2014 the Norwegian Constitution was amended to include a new article 98. This provision states that "All is equal before the law" and is a general prohibition against discrimination .

4.2.2 *Relevant Employment legislation*

- (29) The Working Environment Act Section 13-1 paragraph 4 on discrimination provides that in case of discrimination based on gender the Gender Equality Act shall apply. Section 17 of the latter specify that the prohibition against discrimination based on gender applies to all aspects of employment, including advertising of posts, appointment, relocation and promotion, training and other forms of competence development, pay and working conditions and termination of employment.
- (30) Chapter 15 in the Working Environment Act has provisions aiming to protect against unfair dismissals in general. Section 15-7 provides that employees may not be dismissed unless this is objectively justified on the basis of circumstances relating to the undertaking, the employer or the employee. Dismissal due to curtailed operations or rationalisation measures is not objectively justified if the employer has other suitable work in the undertaking to offer the employee. When deciding whether a dismissal is objectively justified by curtailed operations or rationalisation measures, the needs of the undertaking shall be weighed against the disadvantage caused by the dismissal for the individual employee. Dismissal owing to an employer's actual or planned contracting out of the undertaking's ordinary operations to a third party is not objectively justified unless it is absolutely essential in order to maintain the continued operation of the undertaking.
- (31) The Working Environment Act provides a strong protection against dismissal for Norwegian employees . A dismissal of a female worker on the grounds that she has asked for equal pay for equal work will not be valid, and the employee may have such a dismissal declared void by the courts of law. UWEs assertion in the complaint p. 17, second and third paragraph, that such dismissals are common is unfounded. Such actions would also be violations of the Gender Equality Act, cf. chapter 4.2.2 below.

4.2.3 *Equality and anti-discrimination legislation*

- (32) The **Gender Equality Act of 2013** provides the framework for all efforts to promote gender equality in Norway. Its purpose is to promote equality irrespective of gender. It prohibits all discrimination on grounds of gender, but is particularly aimed at strengthening the position of women. It applies in all areas of society. As well as being an important guarantee against discrimination, the Act provides a basis for proactive measures. The Act contains a series of specific obligations that are meant to ensure equal opportunities and equal treatment in matters of employment for men and

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women. The provisions are intended to address both individual and structural discrimination.

- (33) Chapter 2 prohibits direct and indirect discrimination, harassment and instructions to discriminate in all areas of society including employment matters. Section 17 of the act specifies the scope and content of the provision in work life matters. It underlines i.e. that discrimination regarding promotion, wage and remuneration is prohibited (letter b and d)).
- (34) Section 7 enables authorities and others to introduce **positive measures** for one gender for a limited period of time in order to promote gender equality. The provision enables for example employers to use certain positive measures to recruit more women for decision-making positions within the enterprise. The use of positive measures is also an important tool to counterbalance the tendency to choose gender stereotypical education and line of work. As explained above the gender divided labour marked causes gender inequality in pay and career opportunities.
- (35) Chapter 3 requires public authorities and employer and employee organisations to **work actively** and systematically to promote gender equality. Section 23 requires employers to make active, targeted and systematic efforts to promote gender equality and prevent discrimination in their undertakings. The act specifies that the activity duty shall encompass matters such as recruitment, pay and working conditions, promotion, development opportunities and protection against harassment. Section 24 requires employers to **report** annually on the gender equality status and activities in their enterprises.
- (36) The Gender Equality Act section 21 states that women and men are entitled to **equal pay for work of equal value**. Women and men in the same undertaking shall receive equal pay for the same work, or work of equal value. Pay shall be set in the same way for women and men without regard to gender. Whether the work is of equal value shall be determined following an overall assessment in which emphasis is given to the expertise required to perform the work and other relevant factors, such as effort, responsibility and working conditions.
- (37) The wage comparison is limited to wage differences in the same undertaking. This means that the equal pay requirement cannot be based on comparisons between employees in different enterprises, even if the enterprises are operated and owned by the same physical or legal entity. In the public sector, the state and each individual municipality are regarded as single enterprises. The reasons for limiting the comparison to wage gaps within the enterprise is that wage gaps between enterprises are often related to non-discriminatory factors, such as geographic location, size, current market situation and the companies wish to compete on quality of the workforce. Comparing wages between undertakings could make the assessment of wage discrimination complicated and inefficient.
- (38) Section 20 of the Gender Equality Act specifies that a worker who is or has been on parental leave is entitled to make **pay claims** and, in pay negotiations, be assessed in the same way as other workers.
- (39) Section 22 states that an employee who suspects wage discrimination may require the employer to provide written **information about wage levels** and about the criteria used to determine wages for comparable employees. This duty promotes greater wage

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transparency in the workplace, which is important to the effectiveness of the discrimination protection.

- (40) However, the Gender Equality Act of 2013 will shortly be substituted by a new Act. In June 2017, the legislative body (Stortinget) adopted a comprehensive **Equality and Anti-discrimination Act**, which will enter into force in January 2018. The Equality and Anti-Discrimination Act prohibits discrimination on grounds of gender, pregnancy, maternity/paternity leave in connection with birth or adoption, caring for children or close family members, ethnicity, religion, belief, disability, sexual orientation, gender identity, gender expression or age, or a combination of the above-mentioned grounds. The act applies to all areas of society.
- (41) The provisions of Gender Equality Act are largely maintained in the new comprehensive act, with some exceptions. In drafting a comprehensive equality and anti-discrimination act the Norwegian authorities have recognised the need to clarify some of the legal obligations relevant for promoting equal opportunities and equal treatment in matters of employment and equal pay. There has also been made some changes in the enforcement mechanisms to ensure an effective implementation of the act.
- (42) Norway would like to **point out the following amendments** :
- (43) The comprehensive act lists **caregiving** as an independent discrimination ground in section 6. The purpose of the amendment is to emphasize that caregiving is protected by the act. This is highly relevant in matters relating to employment. As mentioned above, the gender differences in both pay and career are especially linked to the fact that women are primary caregivers, and still take more responsibility for both children and other members of family than men.
- (44) According to the present Gender Equality Act, the prohibition against discrimination in work life is strict. This is not apparent from the wording of the act, but is clearly stated in the preparatory works and in practice. The new Equality and Anti-Discrimination Act section 10 establishes a stricter prohibition against unequal treatment in employment matters than in other areas of society in the wording of the act.
- (45) The Equality and Anti-Discrimination Act specifies that that unequal treatment related to pregnancy, birth, breastfeeding and leave in connection to the above-mentioned and parental leave specifically reserved for respectively mother and father is only permissible if the unequal treatment is necessary to protect the mother, the foetus or child, or for other obvious reasons. In addition, the unequal treatment should be proportionate. When it comes to hiring or termination of employment unequal treatment on grounds of pregnancy, birth, breastfeeding or leave is never permitted. The act clearly states that this also applies to the extension of temporary employment.
- (46) A new provision in section 23 states that pregnant students, applicants and employees have a right to individual accommodation. Employers, schools and educational institutions shall, within reason, provide individual accommodation.
- (47) The duty of employers to make active, targeted and systematic efforts to promote gender equality is maintained in section 26 of the Equality and Anti-Discrimination Act. The new provision specifies that the duty shall encompass possibilities for combining work and family life. Furthermore, employers who generally employ more than 50 employees are given a more concrete duty, described as a four step working method. The duty to report in the Gender Equality Act has proved to be inefficient, and is not

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maintained in the comprehensive act. The Storting has asked the Government to draft a proposal for an enhanced provision on employers' duty to work actively and report.

- (48) The effect of the above mentioned amendments is yet to be registered and analysed. The new comprehensive act will enter into force in January 2018.

4.2.4 *Enforcement of the Equality and Anti-discrimination legislation*

- (49) The Norwegian system for enforcement of the equality legislation is an alternative to courts of law and consists of two bodies, as also noted by UWE (Complaint p. 16):
- (50) The Equality and Anti-discrimination Ombud,¹⁴ that handles complaints about breaches of law, gives legal advice and provides information on legal rights and responsibilities – both to individuals and private and public authorities and private and public employers as well as employer/employee organizations. In addition to upholding the law, give information and guidance, the Ombud acts as a proactive agent for equal opportunities in the labour market and other areas of society by pointing out discriminatory effects of policies and practices.
- (51) The Equality and Anti-discrimination Tribunal considers appeals against the statements and decisions made by the Equality and Anti-discrimination Ombud. Consideration by the Tribunal is free of charge. The Tribunal only considers cases that first have been considered by the Ombud.
- (52) The enforcement system is regulated by the **Act of the Equality and Anti-discrimination Ombud** (diskrimineringsombudsloven).¹⁵ In June 2017, the Storting adopted a new act, which will enter into force in January 2018. Both the new acts in this area are part of the effort to reduce discrimination .
- (53) According to the new act the Ombud shall only act as a proactive agent for equal opportunities and no longer handle complaints about breaches of law. The Ombud is mandated to give guidance in questions relating to equal pay and the employer's duty to promote equality at the work place. LDO gives legal guidance and lectures to both employers and employees and the social partners. LDO is also mandated to give guidance to the employers about the activity duty. The handling of complaints shall be transferred to a new enforcement system.
- (54) The new enforcement system will consist of only one body - a new Tribunal. The appeals on the Tribunal's decisions shall be referred to the court system. The Tribunal's authority will be extended, so that they can award compensation in discrimination cases within working life and award compensation in certain discrimination cases. The Tribunal's decisions are administratively binding, but may be overruled by a court of law.
- (55) The Tribunal will enforce the new Equality and Anti-discrimination Act.

¹⁴ Please note that the traditional "Ombudsmann" ("mann" meaning man/male) has been replaced by the gender neutral "Ombud".

¹⁵ The text is provided at <https://lovdata.no/dokument/NL/lov/2005-06-10-40>.

4.3 Welfare benefits of relevance for equal opportunities in employment matters

- (56) A key part of the Norwegian effort to achieve equal pay for women is to provide a strong welfare state, providing possibility and incentives for mothers to continue working and advancing in their careers after having children.
- (57) In Norway working parents are entitled to parental leave with pay. They can choose between 49 weeks parental leave with 100 percent coverage, or 59 weeks with 80 percent coverage. To give parents incentives to an equal share of the parental leave period, 10 weeks are reserved for the father and 10 weeks are reserved for the mother (mothers and fathers quota). As a main rule the quota cannot be transferred to the other parent. The remaining weeks of the parental leave period can be shared between the parents, except 3 weeks before birth that are reserved for the mother.
- (58) The fathers-quota has had a huge impact on the father's use of parental leave and the society's attitude towards men taking parental leave. Today, almost 70 per cent of fathers take 10 weeks or more of the parental leave.¹⁶ On 11 October 2017 the Storting adopted a resolution to increase the fathers-quote to 14 weeks of the parental leave, further encouraging the parents to share the burdens of child-rearing.
- (59) The Working Environment Act establishes a right to leave of absence for fathers in connection with childbirth. According to section 12-3, the father is entitled to two weeks leave of absence in order to assist the mother in connection with childbirth. Further, section 12-9 establishes a right to leave of absence for parents in case of children's or childminder's sickness. This provision applies equally to men and women (both parents are entitled to the same number of days).
- (60) In 2016, 91 per cent of all children aged 1-5 attended kindergartens, which is also a key part of the effort to facilitate for the combination of having a career and having children. There has been a large-scale development of kindergartens and all children over 1 year are entitled to kindergarten. The Norwegian kindergartens are highly subsidized, and there is a maximum level on the parental payments. This is to ensure that the service is available to all parents.
- (61) Expenditures to the parental benefit scheme amounts to NOK 20 billion a year. The municipalities spent a total of NOK 42.7 billion on kindergartens in 2016. The amount includes both the municipality's expenses for the operation of own kindergartens and grants for private kindergartens, while parental payments are additional.¹⁷ Hence, it is positively wrong that the «funding is ... inadequate", as UWE asserts in the Complaint p. 22.

4.4 Other measures (non-legal)

- (62) Wage formation in Norway is not a responsibility for the government. *The social partners* are responsible for conducting wage negotiations. The authorities only act as legislator and facilitator. In addition, both central and local governments are employers.
- (63) The authorities facilitate by, inter alia, inviting the social partner organisations to participate in meetings in the *Contact Committee* and the authorities also take part in the *Norwegian Technical Calculation Committee for Wage Settlements*. This arrangement

¹⁶ Kitterlid, R.H., Halrynjo, S. and Iltisbakken, K.M.: Pappaperm? Fedre som ikke tar fedrekvote – hvor mange, hvem og hvorfor? Institute for Social Research, 2017 (Norwegian only).

¹⁷ <http://utdanningsspillet.udir.no/2017/innhold/del-4/4-2-kostnader-til-barnehage/>

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helps the authorities and the social partners reach a common understanding of the current situation and trends in the Norwegian economy. The Technical Calculation Committee for Wage Settlements prepares documentation on trends in prices and wages, including wage trends for women and men. A report is published annually.¹⁸ Agreements on wage increases are established through negotiations between the employee and employer organisations as well as through local and individual negotiations.

- (64) All the social partners are highly aware of the need to even out the wage differences between women and men. Efforts to reduce wage differences are pursued mainly through wage negotiations. In addition, the Government contributes through cooperation on documentation and research between the social partner organisations and the authorities, through political dialogue between the authorities and the organisations. This issue is discussed in the *Council for Working Life and Pensions Policy*, where the social partners and the Government regularly meet. Furthermore, a *working group on equality in working life* has been created, in which relevant ministries and social partner umbrella organisations will follow up this and other issues. The Government and the social partners have recently initiated a project into the Icelandic system and law for equal pay, to develop further knowledge on the matter.
- (65) In the State Ownership Report 2016, relevant topics in the ownership dialogue related to corporate governance are listed. One of the issues is whether the company has a strategy or established separate measures or goals to improve gender balance among managers.¹⁹ This is followed up in the ownership dialogue.
- (66) The Government will also contribute to reduce gender segregated labour market by encouraging girls to choose science subjects at all levels, and has therefore increased the amount of funding allocated to the *Jenter og teknologi* [Girls and Technology] project by NOK 0.5 million to a total of NOK 2.5 million in 2017.
- (67) The abovementioned CORE – Centre for Research on Gender Equality – was established at the Institute for Social Research in the spring of 2013 with funding from the Ministry of Children and Equality. CORE's mission is to conduct research and stimulate research activity on gender equality issues, with an emphasis on working life. In recent decades, there have been major changes towards increased gender equality in working life and society in general. Nevertheless, gender segregation in working life and gender differences in pay and career remain significant challenges, as do gender differences in the time and resources invested in family life versus working life. These challenges are the starting point for CORE's research, which focuses on structural and institutional conditions and the practical significance of such conditions for change and for stability. CORE receives NOK 4.1 million from the government in 2017. In the period 2013-2016 CORE received NOK 4 million per year.
- (68) The Ministry of Labour and Social Affairs has recently initiated a study in order to examine the degree of gender segregation in the Norwegian labour market since the beginning of the 1990s.²⁰ The Ministry of Labour and Social Affairs has also initiated a study on Union agreements, wage growth and wage dispersion. The project aim is to study how different bargaining regimes and union agreements affect wage growth and wage dispersion among different groups, included men and women.

¹⁸ See for example NOU 2017: 10 Grunnlaget for inntektsoppgjørene 2017

¹⁹ State Ownership Report 2016.

²⁰ <http://www.samfunnsforskning.no/english/projects/kjonnforskjeller-i-yrkes--og-sektormobilitet-i-norge-eng.html>

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- (69) The Ministry of Trade, Industry and Fisheries has initiated a study in order to examine the differences in the proportion of women in management positions in four sectors: Business, academia, public sector, and in civil society organizations and their social partners.²¹
- (70) Finally, the Government observes that there is a strong commitment in Norwegian society towards women's rights and equal pay for equal work. For example, the proportion of people who wants full equality between women and men has increased significantly in recent years. In 2005, 44 percent believed that it was important to have "full equality", meaning that a family should be a family where the two parties have equally demanding jobs and where housework and child care should be shared equally. The corresponding share had increased to 75 per cent in 2016.²²

5 CONCLUDING REMARKS

- (71) Based on these observations the Government of Norway submits that its commitment toward equal pay for equal work and equal opportunities in the work life is strong and leads to continuous efforts in the area. The measures taken are both legal and non-legal, and there are recent positive developments in both areas.
- (72) On this background the Government respectfully submits that it has fulfilled its obligations under the revised Charter article 1,4 and 20, read alone or in conjunction with Article E, as well as the 1961 Charter and Article 1 of the 1988 Additional Protocol.
- (73) The Government therefore asks the Committee to find that no violation has occurred.

Oslo, 13 October 2017



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²¹ <http://www.samfunnsforskning.no/english/projects/utredning-om-kvinner-i-lederstillingeng.html>(English)

²² NOU 2017:3 Folketrygdens ytelser til etterlatte – Forslag til reform, chapter 5.