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## **EUROPEAN SOCIAL CHARTER**

19th National Report on the implementation of the European  
Social Charter

submitted by

**THE GOVERNMENT OF NORWAY**

Follow-up to Collective Complaint No. 135/2016

Report registered by the Secretariat on  
28 January 2022

**CYCLE 2022**





ROYAL NORWEGIAN MINISTRY  
OF LABOUR AND SOCIAL INCLUSION

Council of Europe - ESC reporting system

Your ref

Our ref

Date

21/2291-6

28 January 2022

## **Norway's report 2021 relating to the application of the European Social Charter**

Reference is made to your letter of 7 June 2021.

Norway is bound by the collective complains procedure, and the report is therefore part of the simplified reporting procedure. The report contains information on the follow-up given the decision on University Women of Europe (UWE) v. Norway, Complaint No. 135/2016:

First and foremost we would like to assure the committee that the Norwegian Government is strongly committed to our obligations under the European Social Charter and will secure that national regulations and practises follow obligations under the Charter.

We will however bring your attention to the fact that the European Commission in March 2021 submitted a proposal for a Directive of the European Parliament and of the Council to strengthen the application of the principle of equal pay between women and men for equal work of equal value through transparency on pay and enforcement mechanisms. The proposal will be considered and adopted by the European Parliament and the Council in accordance with the ordinary legislative procedures.

Norway is part of the EEA agreement, and we are therefore bound by mandatory regulations proposed by the EU. This means that, if the directive is adopted, it could lead to legislative changes, either in the Equality and Anti-Discrimination Act or in other national legal regulations. The Norwegian Government will therefore await the directive proceedings in the EU, before considering changes in national law according to the decisions of the European Committee of Social Rights.

Postal address  
Postboks 8019 Dep  
0030 Oslo  
postmottak@aid.dep.no

Office address  
Akersgata 64  
www.aid.dep.no

Telephone  
+47 22 24 90 90  
Org. nr.  
983 887 457

Department  
Working Environment  
and Safety  
Department

Reference  
Trond Rakkestad  
+47 22 24 84 34

The decision of the European Social Rights Committee also states that Norway has not had sufficient and measurable advancement in the work towards achieving equal pay between men and women.

In this context we would like to point out that the active equality duties in The Norwegian Equality and Anti-Discrimination Act were strengthened in 2020. First of all this implies that all employers in public enterprises, and employers in private enterprises with more than 50 employees, have a statutory duty to carry out wage surveys within the enterprise every other year. Furthermore all employers in public enterprises, and employers in private enterprises with more than 50 employees, are obliged to map wage differences by gender within their own enterprise every other year. This also applies to employers in private enterprises with between 20 and 50 employees, if one of the social partners in enterprises so requires. If the survey shows wage differences between the sexes in the company, the employer must assess whether this is due to discrimination, and must also implement measures to prevent discrimination in remuneration, and must also evaluate the results of the measures. Employers who are required to carry out such a wage survey are obliged to publish the results of the wage survey in their gender equality report.

In addition to this, the company's employees and the Equality and Anti-Discrimination Ombud are also entitled to access the company's documentation on gender equality work.

Yours sincerely

Ingrid Sandvei Francke  
Deputy Director General

Trond Rakkestad  
Senior Adviser

*This document is signed electronically and has therefore no handwritten signature*

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