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EUROPEAN SOCIAL CHARTER

21st National Report on the implementation of the European Social Charter

submitted by

THE GOVERNMENT OF NORWAY

Articles 2, 3, 4, 5, 6, and 20

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First Group of Provisions – Article 2, 3, 4, 5, 6 and 20

NORWAY'S 21st NATIONAL REPORT 2025 RELATING TO THE APPLICATION OF THE EUROPEAN SOCIAL CHARTER

The report includes replies to the targeted questions to Article 2, 3, 4, 5, 6 and 20 of the Revised European Social Charter

CONTENT

Article 2 – The right to just conditions of work

Article 2§1 – Reasonable daily and weekly working hours

Question a)

Please provide information on occupations, if any, where weekly working hours can exceed 60 hours or more, by law, collective agreements or other means, including:

- *information on the exact number of weekly hours that persons in these occupations can work;*
- *information on any safeguards which exist in order to protect the health and safety of the worker, where workers work more than 60 hours.*

Working time is regulated in the Norwegian Working Environment Act (WEA). The Act applies to all employment relationships unless otherwise expressly stipulated. Working hours include all time during which the employee is at the employer's disposal, cf. WEA Section 10-1. There must be a record showing how much each employee has worked, cf. Section 10-7. This record must be available to the Norwegian Labour Inspection Authorities (NLIA) and to employee representatives.

Ordinary working hours may not exceed 40 hours per week, cf. Section 10-4. Ordinary working hours may be counted on an average basis within limitations provided in the Act. Work beyond the agreed working hours must not occur unless there is a special and time-limited need, cf. Section 10-6. Overtime work must not exceed 10 hours within seven days, 25 hours within four consecutive weeks, and 200 hours within a 52-week period. These overtime limits may be extended through agreements on averaging working hours between the employer and employee representatives in undertakings bound by a collective agreement, or where the employer has obtained permission from the NLIA, or by agreement with representatives of a trade union with the right to make recommendations pursuant to the Labour Disputes Act or the Civil Service Disputes Act (i.e. trade unions with at least 10 000 members).

Total working time must not exceed 13 hours within 24 hours or 48 hours within seven days. The limit of 48 hours within seven days may be averaged over a period of eight weeks, provided that total working time does not exceed 69 hours in any single week.

Weekly working hours above 60 are however rare. Mostly they occur only under exceptional arrangements:

a. Managerial or particularly independent positions

Employees in leading positions or with particularly independent roles are exempt from most working time rules, cf. WEA Section 10-12. Their hours are not capped by law, but employers must ensure arrangements are reasonable and do not impose undue physical or psychological strain. Most managerial or particularly independent positions have a normal working time of less than 60 hours.

b. Offshore petroleum industry

Offshore workers often work 12-hour shifts during rotation periods. A common schedule is two weeks offshore followed by four weeks (onshore) rest. This means 84 hours working time per week *during offshore periods*. However, averaged over the entire rotation cycle, the total time comply with legal norms. i.e. WEA regulations for normal working hours (WEA Section 10-4). These arrangements are regulated by collective agreements and adapted to the "special character" of offshore operations.

c. By collective agreement

There are some collective agreements that have periods where workers work more than 60 hours in certain weeks. However, average working time is with few exceptions under 60 hours per week. One example where some weeks can be more than 60 hours is the collective agreement made between Legeforeningen (The Norwegian Medical Association) and its counterpart Spekter.

d. Some specific regulations regarding special institutions or services

There are some special regulations that provide exemptions from the WEA's provisions on working hours in order to facilitate extraordinary services. One example is the "Cohabitant Care Regulation" applicable to institutions where it is necessary for employees to stay for longer continuous periods, in order to carry out the institution's special care or treatment tasks for persons with substance abuse or behavioural problems, children and young people placed in child welfare institutions, persons with developmental disabilities, and unaccompanied minors. Employees who have their residence at or in connection with the institution may give their written consent to be available beyond 60 hours per week. The regulation stipulates however compensatory measures. These are amongst others that the employee shall within a 24-hour period, have at least two consecutive rest periods during which, apart from occasional or brief interruptions, they are relieved from work. These rest periods shall be of two and eight hours respectively, with the longest placed between 10:00 p.m. and 8:00 a.m. These rest periods are counted as working time. The employee shall be given the opportunity for equivalent compensatory rest where there have been significant disturbances during the rest period. If the night rest has been significantly disturbed, in addition to compensatory rest, it must be ensured that the employee can sleep undisturbed the following night.

Another example is the "Regulation concerning relief caregivers". A relief caregiver is a person who steps in to provide respite for relatives who have particularly demanding care responsibilities for children, young people, or adults with disabilities, by offering support, leisure and safety. In these situations, the employer and employee may agree in writing that the total working time can be up to 60 hours over seven days. This applies both to work as a sole relief worker and to work as a relief worker combined with other work in the same enterprise. The limit of 60 hours over seven days can be averaged over a period of six weeks, provided that the total working time does not exceed 88 hours in any single week. The work as a relief worker is not equally demanding throughout the hours counted as working time. There will be significant passive periods, and the relief worker will often have ample opportunities to attend to their own interests. Although these periods are defined as working time, in practice it will function as rest and recovery for the relief worker during the assignment, thereby helping to reduce the strain. The user will at times need to rest or be engaged in other activities without the relief worker's involvement. For example, there may be times when the user is sleeping, and the relief worker can also rest or sleep. Relief care in situations with fewer passive periods, such as cases where one cannot expect the user to sleep through the night, must be referred to institutional care or short-term relief arrangements and is not a part of this regulation.

Limitations on, and requirements for, compensatory measures related to exemptions from working time regulation

A general rule applicable to all working time arrangements, including arrangements making exemptions from the rules on working time, is that working time arrangements shall be organised in such a way that employees are not exposed to adverse physical or psychological strain, and in a manner that ensures safety considerations can be maintained, cf. WEA Section 10-2(1). In addition, working arrangement must comply with the rules on compensatory rest or other appropriate protection (cf. Directive 2003/88/EC). In some cases, “other appropriate protection” may be that large parts of the working time are passive or that special precautions have been taken to ensure rest periods during work hours as described in the cases of “Cohabitant Care Regulation” and “Regulation concerning relief caregivers”. In accordance with Article 22 in the Working Time Directive no employer can require a worker to work more than 48 hours over a seven-day period, calculated as an average for certain period, unless he has first obtained the worker's agreement to perform such work. This restriction is found both in Cohabitant Care Regulation and in the provision that opens for extensive exemptions by agreement with representatives of a trade union with the right to make recommendations pursuant to the Labour Disputes Act or the Civil Service Disputes Act (i.e. trade unions with at least 10 000 members).

Data on weekly working time:

Data Source

The figures are based on the Survey of Living Conditions on Working Environment (LKU-A) 2022, conducted by Statistics Norway (SSB). LKU-A is a nationally representative interview survey amongst employees in Norway, carried out every three years. Data was collected from August 2022 to April 2023.

Sampling and Weighting

In 2022, oversampling of individuals with upper secondary education or lower was conducted to reduce bias related to higher dropout rates amongst groups with shorter education. Population weights are used to correct for oversampling and for varying response rates by age, gender, income, education, immigration background, and place of residence. All results are based on weighted data. The response rate in 2022 was 51 per cent. A total of 17,971 people responded to the survey, of which 15,387 were employed at the time of the interview.

Variable: Weekly Working Hours (TIMER1)

Weekly working hours are measured by the question:

“How many hours per week do you usually work [in your main job]? Include regular overtime and other extra work, including work done from home. ”

Respondents report working time in hours and minutes. The variable is used to construct indicators for long working weeks. Where information on minutes was available and valid, working time was rounded up to the nearest whole hour when minutes were 30 or more. If information on minutes was missing, the reported whole hours were used without adjustment.

Main Results: Long Working Weeks

In the *Fact Book on Working Environment and Health 2024*, SSB report the proportion of employees who state that they work 48 hours or more per week in their main job. This is also the indicator presented in the online portal.

The table below also shows proportions reporting more than 40, 45, 50, 55, and 60 hours per week. The table shows both weighted share, weighted population count, and unweighted count, i.e., the number of respondents in the dataset.

Table: Long Working Weeks by Threshold

(LKU-A 2022, weighted figures)

Weekly Working Hours	Share (%)	Number (weighted)	Number (unweighted)
> 40 hours	19.2	498,415	2,884
> 45 hours	8.8	228,388	1,339
≥ 48 hours	8.2	212,788	1,260
> 50 hours	3.6	92,352	573
> 55 hours	2.7	69,925	436
> 60 hours	1.8	46,578	293

Seafarers

Shipping is a complex and heterogeneous industry, and the same goes for the working and living conditions of seafarers. The labour law framework for shipping covers everything from workers who have schedules allowing them to go home at the end of each workday, to workers who are subject to relief-shift arrangements that require them to remain onboard for several months on international voyages.

International conventions such as the Maritime Labour Convention (MLC) and the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW Convention) establish standards for seafarers' working and rest hours. The standards are implemented in the national Ship Safety and Security Act as follows:

Section 23 Working hours

The regular working hours shall be 8 hours a day, with one day of rest per week and rest on public holidays.

The Ministry may issue regulations on working hours, including regulations concerning exceptions from the provisions of the first paragraph, either in general or for certain positions, and also regulations concerning extra work for safety and security reasons.

Section 24 Hours of rest

The hours of rest shall not be less than 10 hours in any 24-hour period, and 77 hours in any 168-hour period. Hours of rest may be divided into two periods, one of which shall be at least 6 hours in length. The interval between consecutive periods of rest shall not exceed 14 hours.

[...]

The relationship between working hours and rest periods, is such that provided the standard 8-hour day, the rest period shall be devoted to rest, and not recreation. There is an "unregulated" period of six hours which can either be used for social activities, or overtime if there is a need for that. The standard rule on normal working hours does not preclude the possibility of work being carried out in excess of those hours. Work beyond normal working hours shall be compensated as agreed between the parties. The rest-time rules impose the limits on how much or how long one may work on a daily and weekly basis.

For persons forming part of the navigational or engineering watch, or whose duties involve designated safety, prevention of pollution and security duties, derogation in a collective bargaining agreement from the provisions in the first paragraph may only be made on the following conditions:

a. The weekly rest period may be reduced to 70 hours for a period of up to two consecutive weeks. The intervals between two periods of exceptions shall not be less than twice the duration of the exception.
b. For up to two days per week, the daily hours of rest may be divided into no more than three periods, one of which shall be at least six hours in length, and neither of the

> other two periods shall be less than one hour in length. The intervals between two consecutive periods of rest shall not exceed 14 hours.[1]

While regulations on hours of rest set limits on working hours, exceptions are made in emergency situations where immediate action is necessary for the safety of the ship, persons on board, or cargo. In such cases, the master may require seafarers to work beyond the prescribed hours. However, once the emergency is resolved, efforts must be made to provide seafarers with adequate rest.

Safeguards to protect the health and safety of the worker

In addition to the requirements on hours of rest laid down by the Ship Safety and Security Act, there are several regulations that apply to requirements for framework conditions to ensure that seafarers are provided with adequate rest.

- Ship Safety and Security Act - Sections 23 and 24 - pdf
- Regulations on hours of work and rest on board Norwegian passenger and cargo ships, etc. - pdf
- Regulations on hours of work and rest on board fishing vessels - pdf
- Regulations on work by and placement of young people on Norwegian Ships - pdf
- Regulations on the manning of Norwegian Ships - pdf
- Regulations on watchkeeping on passenger ships and cargo ships - pdf
- Regulations on the working environment, health and safety of persons working on board a ship - pdf
- Regulations on operating arrangements on Norwegian Ships - pdf
- Regulations on accommodation, recreational facilities, food and catering on ships - pdf

Maritime safety systems shall be designed to protect seafarers working beyond normal working hours by implementing measures that ensure adequate rest, prevent fatigue, and maintain overall safety on board.

[1] https://lovdata.no/NLE/lov/2007-02-16-9/§24

There shall be a document on board showing the seafarers' shipboard working arrangements. The document shall state the commencement and end of each seafarer's ordinary working hours, as well as the daily total hours of rest.

To ensure compliance with the minimum standards, the regulations require that rest periods are recorded with all deviations, from planned rest periods clearly indicated, including the reason for the deviation (e.g. call-outs, safety concerns, muster drills, etc.).

Records must be maintained to monitor adherence to the prescribed limits and to identify any deviations. Seafarers should have access to these records and be able to verify their accuracy.

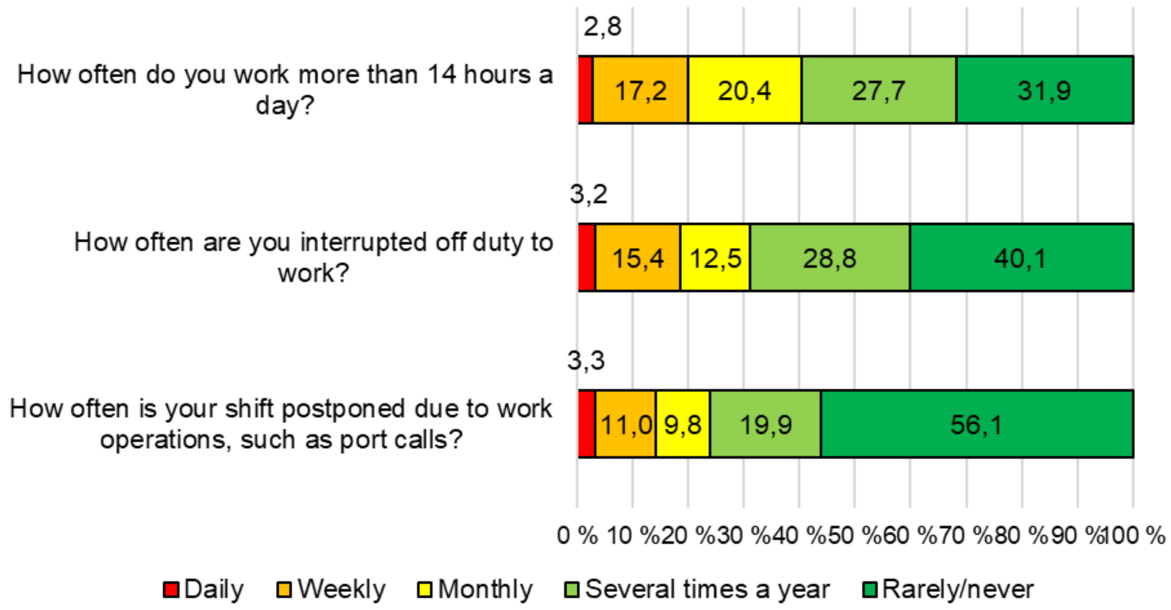
The primary objectives of these recordings are twofold:

Monitoring: Ship management and the shipowner must utilise the rest period records to monitor whether the planned rest periods within the work schedules are adequate. Should seafarers' rest periods be interrupted (referencing lawful exceptions under the Ship Safety Act, Section 24, second paragraph), such interruptions must be documented in the records. The master and the affected seafarer should assess the need for, and implementation of, compensatory rest.

Evaluation and Action: If seafarers experience repeated breaches of their rest periods, ship management and the shipowner are obligated to evaluate the situation and take appropriate measures. This includes assessing whether the manning levels are appropriately scaled to the tasks at hand.

The Norwegian Maritime Authority does not have any statistics of seafarers working beyond 60 hours per week.

In the 2025 Maritime Safety Survey, respondents were asked about working more than 14 hours a day.



To gain more insight into the conditions surrounding rest on board, respondents were asked to consider the statement, "The facilities for rest when I am off-watch are well arranged". 9.1 per cent (260 respondents) indicated that they either fully or partially disagreed with this statement. These respondents were further asked to elaborate: "Please describe what is lacking in the conditions for rest." 151 of the 260 respondents chose to provide an open-ended response. Primarily, noise conditions were highlighted as a challenge, followed by issues related to shift arrangements and facilities. A smaller proportion mentioned factors such as weather conditions, manning levels, and workload.

Over 3000 seafarers participated in the survey.

Question b)

Please provide information on the weekly working hours of seafarers.

Shipboard working arrangements frequently entail long duty periods. On many vessels it is customary to work 12 hours per day/84 hours per week, during the watch rotation, with seafarers spending their off-watch time onboard the vessel.

Authorities do not impose a specific watch system for vessels, provided that rest time requirements and crew-manning obligations are met.

On passenger ships on regular domestic voyages with shift or watch systems and other ships of less than 300 gross tonnage, the regular working hours may be exceeded. However, not to the extent that the total number of working hours during a period of 12 weeks at the most, exceed an average of 56 hours a week.

There is a specific regulation concerning working and rest time on fishing vessels. It provides that the normal working hours shall not exceed 48 hours per week, calculated as an average over a period not exceeding 12 months.

Question c)

Please provide information on how inactive on-call periods are treated in terms of work or rest time.

There are two different provisions in the WEA concerning how inactive on-call periods are treated in terms of work or rest time.

Passive duty (WEA Section 10-4(2)) is often referred to as resting duty, for example a sleeping night shift. Passive duty may also include other situations where the employee is exempt from active work, except for short or occasional interruptions. During such shifts, the employee may, for example, watch television, rest, or sleep. In such cases, normal working hours may be extended by a maximum of:

- 2 hours within a 24-hour period
- 10 hours within a 7-day period

However, ordinary working hours must not exceed 48 hours within a 7-day period.

Example: If an employee has passive duty for nine hours, the working time may be extended by two hours.

The employer may apply to the NLIA for further extension of working hours. The NLIA may grant permission for a maximum of 13 hours within a 24-hour period and 48 hours within a 7-day period.

On-call duty performed outside the workplace (WEA Section 10-4(2)) is not considered working time as such but, as a general rule, at least one-seventh of the on-call period shall be counted as working time, depending on the extent of the burden imposed by the on-call arrangement. The employer and the employees' elected representatives in an undertaking bound by a collective agreement may, by written agreement, derogate from the provision set out in the previous sentence. The NLIA may, upon request from the employer or the employees' elected representatives, establish an alternative calculation method if the calculation of working time pursuant to the first sentence would result in an unreasonable outcome.

On-call duty outside the workplace refers to periods during which the employee may decide where to stay during the on-call period, for example at home. However, the employee must remain available to the employer and prepared to carry out assignments if required. On-call duty is often referred to as home duty.

During on-call duty, the employee has a certain degree of freedom to manage their own time. The employee's freedom of movement may be restricted to a greater or lesser extent, for example by imposing requirements for response time. If the freedom of movement is significantly controlled or restricted, this indicates that a larger portion – if not all – of the on-call period should be counted as working time.

Seafarers

"Hours of work" is defined as the period during which the seafarer is required to perform their duties or is obligated to do so. Watchkeeping duty is generally counted as working time, even if the actual workload during the watch may be low.

"Hours of rest" means a continuous period free of duties/obligations to work, unless otherwise excepted.

Only the actual hours of rest are to be recorded in the form in arrears and be included in the total hours of rest during a 24-hour period. This means that interruptions in the scheduled hours of rest must appear from the registration and guarantee that seafarers who have been on standby are granted appropriate hours of rest in compensation.

The same applies to seafarers on call, for instance when a machinery space is unattended. In such cases, the seafarer must have an adequate compensatory rest period if the normal period of rest is disturbed by call-outs to work.

Consequently, care should be taken to ensure that the minimum hours of rest for a seafarer are not less than 10 hours in any 24-hour period, even if a scheduled rest period is disturbed.

As a consequence of call-outs during off-time, the hours of rest may be divided into more than two periods. The hours of rest lost when called out cannot always be fully compensated. The master must then, in dialogue with the employee concerned, determine the necessary compensation.

Article 3 – The right to safe and healthy working conditions

Article 3§1 - Health and safety and the working environment

Please provide information on the content and implementation of national policies on psychosocial or new and emerging risks, including:

- *in the gig or platform economy;*
- *as regards telework;*
- *in jobs requiring intense attention or high performance;*
- *in jobs related to stress or traumatic situations at work;*
- *in jobs affected by climate change risks.*

Working life in Norway is generally characterised by a high level of competence, learning and productivity, combined with stable employment relationships. The general rule is permanent and direct employment with a single employer, most often full-time. The need for more flexible working arrangements has mainly been met through temporary employment, hiring of labour, and, in some cases, the use of self-employed contractors.

The WEA has general provisions on health, safety and the working environment (HSE), which also apply to workers in the sectors mentioned above and obliges the employer to provide a "fully satisfactory" working environment.

Norway maintains a strong focus on working environment and worker health, both physical and psychosocial. Issues relating to working environment, stress and psychological risk factors have gradually gained more prominence on the national agenda, in line with developments in other European countries.

Analyses of regulatory practice revealed that many enterprises tended to focus predominantly on traditional physical and chemical risk factors. Norway recognised a need to make the psychosocial requirements more visible and practicable, and WEA Section 4-3 *Requirements regarding the psychosocial working environment* was therefore recently updated. The new provision provides a general and integrated rule addressing relevant psychosocial risk factors. The Government is currently working on further guidelines regarding systematic work on psychosocial working conditions, specified for different sectors.

The WEA and its regulations provide general provisions, and do not have specific provisions for certain groups of individuals. It does however require the employer to ensure that "*the work shall be organised and arranged concerning the individual employee's capacity for work, proficiency, age and other conditions*", cf. WEA Section 4-2(2) b.

The updated definition of "employee" entered into force 1 January 1 2024. The statutory wording in WEA Section 1-8 was changed from "in the service of another" to "work for and under the direction of another", in order to highlight dependence and subordination as central characteristics. Section 1-8(2) further codified assessment criteria such as personal work obligation, the duty to make one's labour continuously available, and the degree of supervision, management and control. A statutory presumption of employee status was also added, in order to reduce the grey zone between employees and self-employed contractors and to ensure that the client would bear the burden of proof in establishing that a relationship was in fact one of independent contracting. This definition and presumption will strengthen the rights of vulnerable groups, including people working in the gig or platform economy.

Norway is currently working on transposing the EU's directive on improving working conditions in platform work, which will further strengthen the working conditions for platform workers on a general basis.

The National Institute of Occupational Health (STAMI) has in the past few years researched the risk factors connected to working from home and published their findings.[2] There has been work done to provide information and guidance about the risk factors, based on their findings.

The WEA obliges the employer to map and assess the risks connected to work and take the necessary action to lessen or remove the risk for damage or injury for the employee. This includes dangers and emotional challenges the employee might encounter at work, from individuals outside of the undertaking. Regulations concerning the Performance of Work

[2] Oppdatering av forskningsstatus for arbeid hjemmefra, arbeidsmiljø og helse – en sonderende oversikt - STAMI

Chapter 23A has specific provisions on how to identify and protect the employee from risk of exposure to violence and threats of violence. These provisions form a basis for protection for individuals working in jobs related to stress or traumatic situations at work, but are applicable to all employers and undertakings.

The NLIA apply a risk-based approach, directing efforts towards industries, enterprises and forms of work where the risks are greatest. Their knowledge base consists of external research, national statistics and reports, as well as experience from inspections and enforcement activities. This knowledge-based approach enables the identification of new and emerging risk areas, including psychosocial factors such as high job demands, low control, emotional strain, violence, threats and harassment.

The NLIA seeks to detect trends and changes in working life before they become apparent in accident or sickness absence statistics and adjusts its activities accordingly. Through analysis, guidance and targeted inspections, the authorities contribute to ensuring that enterprises work more systematically and preventively with both traditional and emerging risk factors.

Article 3§2 – Health and safety regulations

Question a)

Please provide information on:

- *the measures taken to ensure that employers put in place arrangements to limit or discourage work outside normal working hours (including the right to disconnect);*
- *how the right not to be penalised or discriminated against for refusing to undertake work outside normal working hours is ensured.*

The Working Environment Act does not specifically regulate the "right to disconnect", but it contains several provisions that set limits for working hours and aim to ensure predictability and work-life balance. It is the employer's responsibility to ensure compliance with the provisions of the Act, cf. Section 2-1.

The Act defines working time and time off (rest time), cf. Section 10-1. When an employee is off duty, they are, in principle, not at the employer's disposal. All working time arrangements must be reasonable and not expose employees to harmful physical or psychological strain, cf. Section 10-2.

The Act sets limits for both daily and weekly working hours (Sections 10-4 to 10-6). This applies to ordinary working hours, overtime, and total working hours – see also the reply above under Article 2§1.

The Act also requires daily and weekly rest periods (Section 10-8). As a general rule, employees must have at least 11 consecutive hours of rest within 24 hours and 35 hours within a week. The weekly rest period should, as far as possible, include Sundays. Employees are entitled to annual vacation according to the provisions of the Holiday Act. The WEA also regulates the right to breaks (Section 10-9).

The employment contract must include information about the length and placement of working hours (Sections 14-5 to 14-8). Where employees work at different times of the day, e.g. shift work, a work schedule must be prepared showing when each employee is to work (Section 10-3).

Work beyond agreed working hours must follow the rules for overtime (Section 10-6). Such work cannot be carried out unless there is a special and time-limited need for it. For overtime work, an additional payment of at least 40 per cent must be paid on top of the salary the employee receives for equivalent work during ordinary working hours. It is also common to agree on additional pay for night and weekend work, but this is not regulated by law.

Employees have the right to be exempted from performing work beyond agreed working hours when they request it for health reasons or significant social reasons. The employer is also obliged to exempt any employee who requests it when the work can be postponed or performed by others without harm.

Furthermore, there are restrictions on the use of night work and Sunday work (Section 10-10 and Section 10-11). Such work is not permitted unless the nature of the work makes it necessary.

The employer is obliged to keep a record of each employee's working hours (Section 10-7). This includes all working hours, including overtime. The record must be available to the NLIA and the employees' representatives. The purpose is partly for the enterprise itself to have the necessary overview of working hours and partly for the NLIA to be able to assess compliance with the provisions.

Working time arrangements are also part of the WEA's requirements for a fully satisfactory working environment. Amongst other requirements, the organisation, facilitation, and management of work, working time arrangements, pay systems, including the use of performance-based pay, technology, etc., must be such that employees are not exposed to harmful physical or psychological strain and that safety considerations are safeguarded (Section 4-1).

Employees in managerial or particularly independent positions are exempt from most of the working time provisions. However, the requirement that the working time arrangement is reasonable (Section 10-2(1)) also applies to these groups.

On behalf of the Ministry of Labour and Inclusion, a recent research project has examined employees' contact with and connection to work outside ordinary working hours.[3] The report shows that 30-40 per cent follow up on work-related inquiries during their free time at least one day a week. Certain sectors stand out, particularly education and property management, where employees are more often contacted during their free time.

The report shows that managers and employees in particularly independent positions are contacted and respond during their free time far more often than others. They also spend more time on such inquiries. Most employers state that it is not expected that employees respond to inquiries during their free time.

The report provides important knowledge about both the extent of received and answered inquiries during free time and employer expectations. These findings provide a better basis for monitoring this area going forward.

The Ministry of Labour and Inclusion has recently also initiated a research project on the practice and scope of the use of the exemptions from working time regulation for employees in managerial and particularly independent positions (WEA Section 10-12(1) and (2)). The project will include examination of the development in the scope of the use of these types of positions over time, the reasons employers give for considering an employee particularly independent, how many hours employees in these positions work on average, the degree of flexibility and control over their own work situation for these employees, and how reasonable working hours are ensured.

[3] See https://www.fafo.no/publikasjoner/summaries/the-right-to-disconnect for an English summary.

Several rules provide employees with protection against unfavourable or unjust treatment by the employer. The employer's scope of action to make decisions that affect employees is limited by law, unwritten legal principles, and agreements. The WEA contains a number of provisions that protect employees from negative treatment by the employer.

The WEA's rules on employment protection safeguard employees against unjustified dismissal and termination, cf. Section 15-7.

The employer's managerial prerogative is in general limited by an objective reasonableness standard: The employer's decisions must be based on sound reasoning, which cannot be arbitrary or motivated by irrelevant considerations. These limitations provide employees with protection against unjust unfavourable treatment and negative consequences.

The WEA's general requirements for a safe working environment also protect employees from reprisals and similar actions. The employer is responsible for ensuring that employees are provided with a fully satisfactory working environment. Furthermore, employees must not be subjected to harassment or other improper conduct (Section 4-3(3)).

The WEA prohibits retaliation against employees who report issues of concern within the enterprise (Section 2 A-4). In this context, "issues of concern" include violations of legal rules, written ethical guidelines, and ethical norms widely accepted in society. The prohibition covers any unfavourable act, practice, or omission that results from or is a reaction to whistleblowing.

A broad prohibition against discrimination applies in employment relationships, cf. the WEA Chapter 13 and the Equality and Anti-Discrimination Act, including prohibition of discrimination of part-time and temporary employees. The prohibition also applies to indirect discrimination.

The Norwegian Labour Inspection Authority ensures that enterprises fulfil their responsibilities under the Working Environment legislation. The NLIA provides information and guidance and supervises compliance with working time regulations (see the WEA Chapter 18). The NLIA issues orders and makes individual decisions as necessary to implement the provisions on working time, including coercive fines and administrative fines for violations. Violations may also result in criminal liability (Section 19-1).

The NLIA may, in case of violations of the working time legislation, issue orders to correct conditions that are contrary to the law, as well as impose coercive fines and, if necessary, administrative fines.

Violations of law or agreements may also be pursued through civil law remedies, possibly through the court system.

Question b)

Please provide information on:

- *the measures taken to ensure that self-employed workers, teleworkers and domestic workers are protected by occupational health and safety regulations;*

The WEA generally applies only to employees, defined as "*anyone who performs work for and is subordinate to another*", cf. Section 1-8(1). Chapter three and four of the WEA regulates occupational health and safety. According to Section 3-1(1), the employer is required to make sure "*systematic health, environment and safety work is performed at all levels of the undertaking*".

WEA Section 1-5(1) states that The Ministry may issue regulations "*concerning <u>work performed at the home of the employee</u> and the extent to which the Act shall apply to such work.*" Work performed at the home of the employee is, pursuant to this provision, regulated in Forskrift om arbeid som utføres i arbeidstakers hjem, FOR-2002-07-05-715. This regulation does not apply to short-term or sporadic work from the employees' home, unless the employee only works in their own home, cf. Section 1(2). The WEA applies for employees working from their own home, with the specifications and exemptions that follow from this regulation.

According to Section 3(3) of the regulation, WEA chapter three, except Section 3-1, and chapter four is <u>not</u> applicable to employees working from their own home. Instead, Section 3(1) of the regulation states that in order to safeguard the employee's safety, health and welfare, the employer should as far as possible make sure that the working conditions are fully satisfactory. This includes ensuring that the workplace, work equipment, and indoor environment do not cause adverse physical strain and that the psychosocial work environment is maintained.

According to WEA Section 1-5(2), the Ministry may issue regulations stipulating that the provisions of the Act shall "*wholly or partly apply to an employee who performs work in the home or household of the employer*." Such employment relationships are, pursuant to this provision, regulated by a separate regulation – Forskrift om arbeid i arbeidsgivers hjem og husholdning, FOR-2022-06-03-969. It follows from Section 6 in this regulation that the employer is obliged to secure domestic workers working in the employer's home a safe and healthy work environment, in special:

a) *that the workplace, work equipment, and indoor environment do not cause harmful physical strain,*
b) *that the work is designed to allow for variation,*
c) *that the work is organized and arranged with consideration for each employee's age, competence, work capacity, and other conditions,*
d) *that the employee is provided with necessary training, practice, and instruction,*
e) *that, as far as possible, emphasis is placed on giving the employee opportunities for self-determination, influence, and professional responsibility,*
f) *that the employee is, as far as possible, protected against violence and threats,*
g) *that the employee is not subjected to harassment or other improper conduct, and that his or her integrity and dignity are not violated,*
h) *that any accommodation provided to the employee is properly equipped, furnished, and maintained,*
i) *that the employee's right to privacy is respected. An employee living in the employer's home shall have a separate, private room.*

Section 2-2(1) of the WEA imposes certain duties of the employers towards persons other than own employees, including self-employed workers:

"When persons other than the employer's own employees, including hired employees or independent contractors, perform tasks in connection with the employer's activities or installations, the employer shall:

a. *Ensure that his activities and those of his employees are arranged and performed in such a manner that persons other than his employees are also ensured a thoroughly sound working environment.*
b. *Cooperate with other employers to ensure a thoroughly sound working environment."*

In relation to this provision, independent contractors shall be understood as individuals who carry out their professional activity without any form of employment relationship and without being subordinate to a third party.[4] This term includes both undertakings with no employees and independent contractors.[5]

WEA Section 6-1 requires all undertakings to have at least one safety representative. According to WEA Section 6-2, the safety representative shall safeguard the interests of employees in matters relating to the working environment. The safety representative shall ensure that the undertaking is arranged and maintained and that the work is performed in such a manner that the safety, health and welfare of the employees are safeguarded in accordance with the provisions of the WEA. The safety representative's duties also include independent contractors who perform work in close connection with the enterprise.

Further, the WEA Section 1-4(1) (Undertaking with no employees, etc.) states that the Ministry may provide in regulations *"that the provisions of the Act shall wholly or partly apply to undertakings with no employees."*

Pursuant to this paragraph, several regulations, which shall ensure the protection of occupational health and safety, have been made partly applicable to self-employed persons who do not employ any workers. The following regulations, are the most relevant:

- Forskrift om utforming og innretning av arbeidsplasser, arbeidslokaler og innkvartering (FOR-2011-12-06-1356) – The Workplace Regulations.
- Forskrift om utførelse av arbeid, bruk av arbeidsutstyr og tilhørende tekniske krav (FOR-2011-12-06-1357) – Regulations concerning the Performance of Work.
- Forskrift om tiltaksverdier og grenseverdier for fysiske og kjemiske faktorer i arbeidsmiljøet samt smitterisikogrupper for biologiske faktorer (FOR-2011-12-06-1358 - Regulation on Action Values and Limit Values for Physical and Chemical Factors in the Working Environment, as well as Infection Risk Groups for Biological Factors.
- Forskrift om organisering, ledelse og medvirkning (FOR-2011-12-06-1355) - Regulations concerning Organisation, Management and Employee Participation.
- Forskrift om HMS-kort på bygge- og anleggsplasser (FOR-2007-03-30-366) - Regulation on HSE Cards for Construction and Building Sites.

[4] Ot. prp. nr. 49 (2004-2005) page 304

[5] Ot. prp. nr. 49 (2004-2005) page 304

- Forskrift om helse og sikkerhet i eksplosjonsfarlige atmosfærer (FOR-2003-06-30-911) - Regulation on Health and Safety in Explosive Atmospheres.

- *whether temporary workers, interim workers and workers on fixed-term contracts enjoy the same standard of protection under health and safety regulations as workers on contracts with indefinite duration.*

The provisions of the WEA concerning health and safety apply wholly to all employees, regardless of the basis for their employment. This implies that temporary workers, interim workers and workers on fixed-term contracts are granted the same level of protection under health and safety regulations as workers on contracts with indefinite duration.

Article 3§3 – Enforcement of health and safety health regulations

Please provide information on measures taken to ensure the supervision of implementation of health and safety regulations concerning vulnerable categories of workers such as:

- *domestic workers;*
- *digital platform workers;*
- *teleworkers;*
- *posted workers;*
- *workers employed through subcontracting;*
- *the self employed;*
- *workers exposed to environmental-related risks such as climate change and pollution.*

Domestic workers

Work performed in a private employer's home, is regulated by Forskrift om arbeid i arbeidsgivers hjem og husholdning - FOR-2022-06-03-969. The regulation aims to safeguard labour rights for workers engaged in domestic work, supervision or care in private households. The regulation was updated recently, and the new provisions entered into force 1 January 2025. The regulation provides protection regarding working time, leave, non-discrimination and protection against violence and threats. It also authorises the NLIA to supervise compliance; however, inspections in private homes require the employer's consent. This does not preclude document-based inspections.

The NLIA have limited inspection activities directed to domestic workers. Domestic workers are not common in Norway and have traditionally limited itself to the au pair-system, which is now discontinued.

There are also some workers who work in a private employer's home, but through an undertaking. An example of this is the cleaning service. These workers are covered by the WEA. The NLIA have conducted information work related to cleaning services, and companies that provide cleaning services have to be approved through a NLIA approval system. There is also an OHS registration card system where employees in companies providing cleaning services have to be registered.

Digital platform workers

For relevant regulation and status, reference is made to the answer submitted under art. 3 §1.

As there is no NACE or occupational code for platform companies and platform workers, the NLIA are not able to quantify the number of inspections in this area.

Teleworkers

Telework or home office arrangements are regulated through the WEA and a dedicated Regulation on Work from Home.

The regulation requires a written agreement and sets provisions concerning the working environment and working time. It also authorises the NLIA to supervise that the employer fulfils its HSE obligations even when work is carried out outside the employer's premises. Inspections in private homes require agreement.

The inspectors have no structured data on this.

Posted workers

Posted workers are employees who are temporarily sent to Norway from another country to perform work, often within the EEA area, but also from third countries outside of the EEA.

For posted workers, the NLIA verify compliance with the Norwegian Regulation on Posted Workers, which implements Directive 96/71/EC.

Almost 7 500 of the inspections were done at undertakings employing foreign (possibly posted) workers. The NLIA also conducted 85 inspections specifically related to posted workers in the period. They have checked whether companies have documentation available in multiple languages for the posted workers. They have also verified whether the companies pay wages and per diems in accordance with the general application regulations within freight and passenger transport. Enforcement actions were taken in 28 per cent of the cases.

Year	Number of inspections
2022	27
2023	44
2024	8
2025	6
Total	85

Below is a summary of the checks based on posted workers that NLIA have inspected (2022-2025):

Checkpoint Title	Checkpoint (full description)	Number of Inspections Conducted	Proportion of Violations	Enforcement actions	Number of Reactions – Orders Issued	Number of Reactions – Work Stoppage as Pressure	Number of Reactions – Coercive Fine Issued
General Application – Road Freight Transport – Diet for Posted Workers	9152 Does the employer pay diet allowance in accordance with the regulation on general application of collective agreements for posted workers performing road freight transport?	49	14 %	10 %	6		
General Application – Road Freight Transport – Wages for Posted Workers	7872 Does the employer pay wages in accordance with the regulation on general application of collective agreements for posted workers performing road freight transport?	47	19 %	13 %	7		1
Posted Workers – Requirement for Documentation at the Workplace	8338 Does the business have employment contracts, an overview of working hours and payslips for posted workers available in Norwegian, Swedish, Danish or English at the workplace?	43	65 %	42 %	24	1	6
General Application – Passenger Transport by Coach – Wages	8621 Does the employer pay wages in accordance with the regulation on general application of	8	25 %				

for Posted Workers	collective agreements for posted workers performing passenger transport by coach?						
General Application – Passenger Transport by Coach – Board and Lodging for Posted Workers	8624 Are posted workers' board and lodging covered by the employer?	5	40 %				
Grand Total		**85**	**32 %**	**28 %**	**37**	**1**	**7**

In addition, the NLIA have used information about posted workers from the Norwegian Tax Administration's Assignment and Employment Register (OAR) in their enforcement activities concerning labour exploitation and work-related crime. However, the NLIA do not have specific or structured information about this in regard to posted workers *per se*.

Workers employed through subcontracting

We have defined this category as individuals who are employed by a temporary work agency or a subcontractor, but who perform work for another company.

Norway has a clear ambition that permanent, direct employment should be the general rule in the labour market. Permanent and preferably full-time positions are seen as essential for security and predictability for workers, as well as for productivity, competence development and a sustainable working life, and are therefore regarded as being in the interest of workers, enterprises and society at large.

On the basis of these assessments, the Norwegian authorities have found that the increased use of hired labour challenges the main rule of permanent employment and key elements of the Norwegian labour market model. The triangular relationship between the employee, the temporary work agency and the user undertaking tends to weaken employer responsibility, collective representation, cooperation between the social partners and the internal HSE structures in enterprises, particularly in sectors with extensive and more permanent reliance on hired labour, such as construction in the Oslo region.

Norway has therefore introduced stricter regulation on hiring from temporary work agencies, with the aim of reinforcing the main rule of permanent employment and promoting a well-regulated and decent working life. The changes include a substantial limitation on the option to hire from temporary work agencies and a ban on hiring for construction work in specified geographical areas, see WEA Section 14-12 and Forskrift om innleie fra bemanningsforetak, FOR-2013-01-11-33 Section 4. The NLIA has also been given authority to supervise compliance with the new rules and related regulations.

These measures are part of a broader policy to ensure that Norwegian pay and working conditions apply to all who perform work in Norway and to combat social dumping and labour market crime.

By looking at both hiring in and out, and the contractor's duty of information and supervision, the NLIA have conducted 3 331 inspections. This comprises of 60 separate legally based check points. Enforcement actions were taken in 45 per cent of the inspections.

Year	Number of inspections
2022	1 147
2023	638
2024	686
2025	860
Total	3 331

Norway has a system for making parts of collective agreements generally applicable, in order to ensure decent pay and working conditions in vulnerable and high-risk sectors. Through the Act on General Application of Wage Agreements, the Tariff Board may decide that provisions from nationwide collective agreements shall apply as statutory minimum standards for all workers performing work covered by the agreement, irrespective of whether they are unionised, non-unionised or migrant workers. This mechanism is used in sectors with a documented risk of social dumping, such as construction, cleaning, transport, agriculture, shipyards and hospitality.

Once a collective agreement has been made generally applicable, all employers in the relevant sector are required to ensure that workers receive at least the pay and other minimum conditions laid down in the relevant regulation, including for posted and hired-in workers. These minimum standards are binding throughout the entire supply and contracting chain.

Main contractors and other contracting entities have a specific duty to inform businesses in their supply chains about the applicable minimum terms and a corresponding duty to ensure that these terms are complied with, including by taking appropriate measures to check and follow up that the minimum conditions are respected throughout the supply chain.

The information and monitoring duties function as important supplements to the decisions on general application, helping to prevent minimum standards from being undermined through subcontracting, hiring of labour or cross-border service provision. This framework provides the authorities, in particular the NLIA, with a clear legal basis for supervision and enforcement of minimum pay and working conditions in exposed sectors and complex supply chains.

The self-employed

For self-employed persons who fall outside the scope of the WEA, emphasis is placed on guidance and cooperation with industry organisations. However, self-employed contractors are included in specific regulations where the work involves particular risks – such as the use of hazardous chemicals, work in potentially explosive atmospheres, construction and civil engineering, or other high-risk activities subject to specific safety requirements. In such sectors, self-employed contractors must likewise comply with established requirements for risk assessment, use of personal protective equipment, and technical and organisational safety measures, all of which are enforceable by the inspection authorities. See the answer to the question to Article 3 §2 b for more information.

From 2022 to December 7, 2025, the NLIA conducted 3 152 inspections of self-employed individuals – roughly 700-800 per year. Most inspections addressed pay, working conditions, and accident prevention. Enforcement actions were taken in about half of these cases, among them one coercive fine.

Year	Number of inspections
2022	695
2023	883
2024	765
2025	809
Total	3 152

Workers exposed to environmental-related risks such as climate change and pollution

NLIA's assessment of the Norwegian working environment found that climate change and pollution are not major environmental risk drivers. However, workplace chemical exposure is a significant risk factor for cancer.

For this category of workers, reference is made to the information provided under Article 3 § 1. The Norwegian regulatory framework is sector neutral, and all requirements relating to a fully satisfactory working environment apply equally to workers who are exposed to such risks. At present, research and available empirical data do not indicate that this group (climate change) requires specific, targeted measures from the Norwegian authorities beyond the existing risk-based approach.

Article 4 – The right to fair remuneration

Article 4§3 - Right of men and women to equal pay for work of equal value

Question a)

Please indicate whether the notion of equal work and work of equal value is defined in domestic law or case law.

The Equality and Anti-Discrimination Act Section 34, first paragraph, states that women and men in the same undertaking shall receive equal pay for the same work or work of equal value.[6] This applies regardless of whether the work relates to different branches or pay is governed by different wage agreements. The second paragraph clarifies how to assess whether work is of equal value. The paragraph states that this should be determined through an overall evaluation, taking into account the expertise required to perform the work, as well as other relevant factors such as effort, responsibility, and working conditions. The preparatory works of the Act, which are relevant legal sources when interpreting the law, provide further clarification of the notion of “work of equal value”. The preparatory works

[6] https://lovdata.no/NLE/lov/2017-06-16-51/§34

clarify that the value of the work in this context is not linked to its economic value for the employer, but rather to an objective assessment of the content and complexity of the tasks, see Prop. 81 L (2016-2017) page 335.[7] The preparatory works also elaborate on how the criteria of effort, responsibility, and working conditions should be understood in the evaluation of whether work is of equal value.

Question b)

Please provide information on the job classification and remuneration systems that reflect the equal pay principle, including in the private sector.

The Equality and Anti-discrimination Act Section 26 second paragraph requires all public undertakings, regardless of size, and private undertakings that ordinarily employ more than 50 persons shall, to review pay conditions by reference to gender every two years.[8] This also applies to private undertakings that ordinarily employ between 20 and 50 persons if requested by the employees or employee representatives. The results of the review are to be presented in anonymised form in the annual report or another document available to the general public, cf. Section 26a a.[9]

The preparatory works (Prop. 63 L (2018–2019))[10] establish minimum requirements for the pay review. Employers shall organise the review by grouping positions into job categories, where each category must consist of comparable positions. When assessing whether positions are comparable and should be placed in the same category, both "same work" and "work of equal value" must be included. This means that jobs which may appear different on the surface - such as those in different professional fields - can still be comparable and placed in the same category. To determine whether work is of equal value, factors such as required qualifications, responsibility, effort, working conditions, and organisational placement must be taken into account**.** Positions covered by different collective agreements may also be of

[7] Prop. 81 L (2016–2017) - regjeringen.no

[8] https://lovdata.no/NLE/lov/2017-06-16-51/§26

[9] https://lovdata.no/NLE/lov/2017-06-16-51/§26a

[10] Prop. 63 L (2018–2019) - regjeringen.no

equal value. The Norwegian Directorate for Children, Youth and Family Affairs (Bufdir) has developed guidance materials on pay reviews, which are available on their website.

Question c)

Please provide information on existing measures to bring about measurable progress in reducing the gender pay gap within a reasonable time. Please provide statistical trends on the gender pay gap.

The pay review described under answer b) is part of a broader activity and reporting duty. According to the Equality and Anti-discrimination Act Section 26, second paragraph, employers are also required to identify the causes of any identified risks, implement measures to counteract discrimination and promote greater equality and diversity within the enterprise, as well as evaluate the outcomes of these efforts.[11] This means that where gender-based pay differences are identified, the employer must investigate the causes, implement corrective measures, and assess the results. The legislation thus serves as a tool for measuring progress at the individual workplace level. However, there is no centralised reporting system that enables measurement of progress across all enterprises.

Commissioned by the Ministry of Culture and Equality, CORE - The Centre for Research on Gender Equality - has examined the possibilities of using digital solutions for gender pay reporting and assessed the potential for establishing a national overview of wage differences between women and men at the company level. One of the options they suggested involves establishing a portal for uploading reports and gender equality assessments.

The EU Pay Transparency Directive 2023/970 seeks to strengthen the principle of equal pay for equal work or work of equal value between men and women through pay transparency and enforcement mechanisms. The Directive is marked as EEA relevant by the EU, but it has not yet been incorporated into the EEA Agreement. The Government aims to incorporate the EU Pay Transparency Directive 2023/970 into Norwegian law.

Statistics Norway provides detailed data on gender-based wage disparities, including average earnings broken down by sector (public/private), occupation, industry, education level, and

[11] https://lovdata.no/NLE/lov/2017-06-16-51/§26

region. However, these statistics are not aggregated at the enterprise level. In addition, the Norwegian Government commissions research projects to study wage differences between women and men and to monitor developments over time.

In 2024, the Institute for Social Research launched the report *Equal Pay for Equal Work? Gender Differences in Wages, 2015-2022*, commissioned by the Government and the social partners. The study shows that the wage gap between men and women persists. In the period 2015-2022, the average difference in hourly wage has been almost unchanged at around 13 per cent. An important explanation is that men and women work in different parts of the labour market with different wage levels. The wage gap is eight per cent for men and women with equal work – that is, who are working in the same sector, industry, and occupation, and with the same length of education and experience and the same full-/part-time employment. Comparing employees within the same company, the wage gap is six per cent. The study also finds that the wage gap between women and men with children is three times larger than amongst those without children.

The report is now being followed up through the announcement of a new research project on the economic consequences of parenthood for women and men (announced on 9 October 2025). The purpose of the project is to generate more knowledge about how parenthood affects wage and income differences between women and men. The project aims to identify the mechanisms that may explain gender-based economic disparities resulting from parenthood in both the short and long term, as well as the factors that may reinforce or counteract such disparities.

A research project has also been announced to gather knowledge about gender differences in income, wealth, ownership, shares and entrepreneurship. The project is scheduled for completion in 2026.

Article 5 – The right to organise

Question a)

Please indicate what measures have been taken to encourage or strengthen the positive freedom of association of workers, particularly in sectors which traditionally have a low rate of unionisation or in new sectors (e.g., the gig economy).

The unionisation rate among workers in Norway has remained around 50 per cent for several years but has recently risen to 52 per cent. However, there is a marked variation between sectors, with union membership being very high in the public sector and considerably lower in certain private sectors. The Norwegian Government has undertaken a series of targeted initiatives to strengthen the positive freedom of association of workers.

On 1 August 2025, The Government launched a new action plan against work-related crime and social dumping. Several measures are aimed at reinforcing unionisation and promoting a well-organised labour market.

In 2022, the Government implemented a fiscal measure to introduce tax deductibility of union dues. This policy has effectively reduced the cost of union membership for workers and has been further strengthened through annual increases in the deduction threshold in subsequent fiscal years.

The Government continues to collaborate with trade unions and employer organisations to identify and implement measures to promote unionisation, especially in sectors with a low rate. Tripartite sectoral programmes have been established in industries with low unionisation rates, including a new programme launched in 2025 within the agriculture sector. These programmes aim to facilitate dialogue, and one of the goals is to find and implement measures to increase the unionisation rate.

The Ministry of Work and Social Inclusion organise an annual seminar dedicated to the topic of unionisation and promoting a well-organised labour market. The seminar in 2024 focused specifically on measures to increase union membership among foreign workers, who often work in sectors with low unionisation.

As part of the 2025 action plan against social dumping and work-related crime, the Government has introduced measures to strengthen the right of workers in the gig economy, acknowledging the evolving nature of employment and the need to ensure that all workers, regardless of contractual form, enjoy fundamental labour rights. The Government continues to monitor developments in platform-based work and engages actively with relevant stakeholders to prevent the erosion of labour standards and to promote access to collective representation.

The Government actively participates in multilateral efforts to promote these rights globally and supports civil society organisations working in this domain.

Question b)

Please describe the legal criteria used to determine the recognition of employers' organisations for the purposes of engaging in social dialogue and collective bargaining.

Social dialogue

Social dialogue has existed in Norway for more than a century and is a cornerstone of the Norwegian model. Institutionalised cooperation extends far beyond wage formation and collective bargaining. From the national level down to the enterprise level, there are numerous arenas for information, consultation and co-determination, ensuring that employers, employees, and the authorities can address challenges and find solutions together.

There are no statutory criteria for determining which employers' organisations or trade unions should be recognised for participation in social dialogue. In practice, the authorities relate in certain formal forums to the main organisations on both the employee and employer sides. Examples include the Contact Committee (Kontaktutvalget) and the Labour Market and Pension Policy Council (ALPR), where the four largest confederations on each side participate together with the Government.

At the same time, the authorities also engage in dialogue at the sectoral level with representative organisations within each industry. This dialogue takes place in both formal and informal meetings and covers a wide range of issues – from working environment and skills development to restructuring and equality.

At enterprise level, social dialogue is primarily ensured through statutory rights to information, consultation and co-determination under the WEA and the company law, please see further details below under question d).

Collective bargaining

There is no formal procedure in Norway for registering employers' organisations that grants the right to participate in collective bargaining.

The Labour Disputes Act regulates collective labour relations in the private and municipal sectors. The Act contains no provisions on the right to negotiate; instead, it leaves it to the parties themselves to decide whether they wish to negotiate a collective agreement and what content such an agreement should have. Where one party does not wish to conclude a collective agreement, or there is disagreement about its content, the parties may resort to industrial action to enforce their demands. The right to negotiate in the private sector is therefore, in practice, based on freedom of contract and the relative strength of the parties.

In the state sector, the right to negotiate is enshrined in the Public Service Disputes Act. The Act stipulates that the parties, under certain conditions, have a mutual right and obligation to negotiate with a view to concluding collective agreements on pay and working conditions. The right to negotiate in the state sector is limited to organisations that meet statutory requirements regarding size and representativeness (see details under question c). There are no corresponding requirements or recognition process for the employer side, as the state always acts as the employer party.

Question c)

Please describe the legal criteria used to determine the recognition and representativeness of trade unions for the purposes of engaging in social dialogue and collective bargaining.

<u>Social dialogue</u>

Regarding social dialogue, please see the reply under question b).

<u>Collective bargaining</u>

In the private sector, there is no formal procedure for registering or recognising trade unions that grants the right to participate in collective bargaining.

In certain areas where the WEA allows deviations from statutory provisions, it is required that the enterprise is bound by a collective agreement with a union that has more than 10,000 members. For a more detailed overview of these rules, please see the section below under Article 6 §2.

In the state sector, the right to negotiate is limited to organisations that meet statutory requirements regarding size and representativeness. This right may be granted to three types of organisations: confederations of civil service and professional organisations, civil service organisations, and professional organisations. Confederations have the right to negotiate if they either have at least 20,000 civil servants as members and represent at least five entities, or at least 40,000 civil servants and represent at least three entities. Civil service organisations have the right to negotiate if they have at least 50 civil servants as members, cover a service branch or entity, and their members constitute at least half of the civil servants in the country within that branch or entity. Professional organisations must be nationwide and organise employees from a single profession. They have the right to negotiate if they have at least 200 civil servants as members, and these constitute at least half of the civil servants in the country within the relevant profession.

The Ministry of Digitalisation and Public Administration is responsible for maintaining an overview of which organisations have the right to negotiate. Organisations that believe they meet the conditions set out in the Public Service Disputes Act must submit a notification to the Ministry. The notification must document that the requirements are met, including by providing membership figures.

Question d)

Please provide information:

- *on the status and prerogatives of minority trade unions;*

Minority trade unions in Norway have the same legal status as larger unions under the Labour Disputes Act. They are entitled to enter into collective agreements and participate in negotiations, and there are no statutory restrictions preventing them from bargaining. However, in practice, their influence in central negotiations is limited because the main confederations (LO, Unio, YS, and Akademikerne) dominate the major arenas for social dialogue. Smaller unions can represent members locally and take part in consultations at enterprise level, but they rarely participate in national formal tripartite forums.

- *on the existence of alternative representation structures at enterprise-level, such as elected worker representatives.*

The WEA does not impose a general obligation to appoint employee representatives. However, several consultation obligations under the WEA require employee representatives in order to be fulfilled.

In undertakings that regularly employ at least 50 employees, the employer must provide information on issues of significance for employees' working conditions and consult with their elected representatives. In groups of undertakings where the enterprises together regularly employ at least 50 employees, the parent company shall establish frameworks for cooperation, information, and consultation between the companies in the group and the employees in the group.

The purpose of these rules is to ensure that employers inform and consult with representatives of the employees. Employers must ensure that employees affected by decisions or by measures are represented during information and consultation processes. Often, the employee representative will be a shop steward elected by members of a trade union to act as spokesperson for the group at the workplace. However, a shop steward does not have to belong to a trade union – it may also be a person elected collectively by employees to represent their interests vis-à-vis management. This is often the case where employees are not organised in a union.

Under the WEA, safety representatives must be elected in all undertakings. In undertakings with fewer than five employees, the employees and the employer may agree on an alternative arrangement. Undertakings that regularly employ at least 20 employees shall establish a working environment committee, in which the employer, employees and the occupational health service are represented. Working environment committees shall also be established in undertakings with ten or more employees when requested by any of the parties at the undertaking.

Furthermore, the Norwegian Constitution grants employees the right to participate in the management of the workplace. Company law entitles employees to representation in the governing bodies. The right to representation and the number of representatives depends on the number of employees in the undertaking.

Article 6 – The right to bargain collectively

Article 6§1 – Joint consultation

Question a)

Please state what measures are taken by the Government to promote joint consultation.

The Norwegian Government actively promotes joint consultation through a longstanding tradition of tripartite cooperation involving the Government, employers' organisations, and trade unions. This cooperation is embedded in both formal and informal structures, including regular meetings, consultative processes, and participation in public committees and working groups. The Government ensures that social partners are systematically involved in the formulation and implementation of policies affecting employment, working conditions, and social welfare. The Government also facilitates the involvement of social partners in international processes, including those related to the International Labour Organization.

General information on the tripartite cooperation, in matters related to working life, is available on the governmental website (in Norwegian only): Trepartssamarbeid på arbeidslivsområdet - regjeringen.no

Question b)

Please describe what issues of mutual interest have been the subject of joint consultation during the past five years, what agreements have been adopted as a result of such discussions and how these agreements have been implemented.

The tripartite cooperation is embedded in the structure of policy-making in Norway. It is thus not possible to name a complete list of all the joint consultations that have taken place the previous five years.

In this period, joint consultation has addressed a wide range of issues of mutual interest, including, but not exclusive to:

- Labour market amendments, such as regulations on temporary employment and part-time regulations.

- Pension system developments, resulting in a broad cross-party agreement in Parliament, establishing a long-term framework for pension policy.
- Inclusive working life, through the renewal and adaptation of the IA Agreement (Inclusive Working Life), aimed at reducing sickness absence and increasing labour market participation.
- COVID-19 response measures, including temporary amendments to labour legislation, implementation of furlough schemes, and an increased employer responsibility for ensuring a safe and healthy working environment, including remote working.

Question c)

Please state if there has been any joint consultation on matters related to (i) the digital transition, or (ii) the green transition.

The Government initiates joint consultation in all aspects relating to transitions in the labour market, including the digital and the green transition. The consultations take place in regular meetings, such as in the Labour Market and Pension Policy Council, as well as in less formal fora.

One example from the area of green transition is the tripartite cooperation on energy with the social partners. The parties will collaborate on measures to ensure sufficient access to renewable energy at competitive prices for businesses and consumers in Norway towards 2030.

Article 6§2 – Collective bargaining

Question a)

Please provide information on how collective bargaining is coordinated between and across different bargaining levels including information on:

- *the operation of factors such as erga omnes clauses and other mechanisms for the extension of collective agreements;*

There is no general legislation in Norway on this matter; collective bargaining is regulated by the social partners. According to Norwegian legislation there are no erga omnes clauses. However, there is an Act on general application of extensions to collective agreements. When Norway entered the EEA-agreement and became part of the common European labour market, Norway introduced a system where, upon request by a trade union or employer organisation, parts of collective agreements can be made generally applicable to all firms and workers in the same sector. The goal is to ensure workers' social protection and counter low wage competition (social dumping) in order to maintain a level playing field. Sector-wise, bargained minimum wages are currently applicable to all workers in nine areas in the private sector.

Decisions on general application of an extension to collective agreements are made by the Tariff Board, which is an independent body, with expert members and representatives from the social partners.

- *the operation of the favourability principle and the extent to which local/workplace agreements may derogate from legislation or collective agreements agreed at a higher level.*

In Norway, the application of the favourability principle is left entirely to the discretion of the bargaining parties.

The WEA contains certain semi-dispositive provisions, meaning rules that allow deviations from the Act through collective agreements. The purpose of these provisions is to give the social partners flexibility to adapt working time arrangements and the use of temporary agency workers to local needs, while safeguarding health and safety considerations. The requirement for a collective agreement ensures that such deviations occur through collective bargaining, which helps to balance the power between employer and employee.

The Act allows this type of deviation for working time rules: it sets limits on working hours but also provides opportunities to agree on extended hours. The Act is structured as a "step model": minor deviations can be agreed with the individual employee, more extensive deviations can be agreed with elected representatives in undertakings bound by a collective agreement, and the most extensive deviations can be agreed with trade unions entitled to nominate members to public committees, i.e., unions with more than 10,000 members.

The Act also permits, under certain conditions, agreements on hiring temporary agency workers beyond the statutory limits in undertakings bound by a collective agreement concluded with a trade union entitled to nominate members.

A trade union with such nomination rights is any union with more than 10,000 members. This includes all national confederations in Norway and most of their affiliated unions. Excluding purely local unions ("house unions"), approximately 98 per cent of all unionized employees in Norway are affiliated with a union that holds nomination rights.

The right to derogate from collective agreements agreed at a higher level is left entirely to the discretion of the bargaining parties.

Question b)

Please provide information on the obstacles hindering collective bargaining at all levels and in all sectors of the economy (e. g. decentralisation of collective bargaining).

In Norway, there are generally few obstacles to collective bargaining, but there are some challenges, particularly with the development of new sectors, such as the platform and gig economy. Typically, these areas have less tradition for collective agreements, and many workers operate as self-employed rather than as employees, making collective bargaining more complex. Overall, this is not a major concern in Norway.

Question c)

Please provide specific details on:

- *the measures taken or planned in order address those obstacles;*
- *the timelines adopted in relation to those measures;*
- *the outcomes achieved/expected in terms of those measures.*

Please see the reply under the next question, as well as to the questions under Article 5.

Question d)

Please provide information on the measures taken or planned to guarantee the right to collective bargaining of (i) economically dependent (self-employed) persons showing some similar features to workers and (ii) self-employed workers.

In Norway, the right to conclude collective agreements is restricted to associations composed of employees. This follows from the Labour Disputes Act, which defines collective agreements as agreements between employers and employee organisations. As self-employed persons – including economically dependent contractors – are not considered employees, they cannot enter into collective agreements.

To ensure correct classification of individuals in the grey zone between employee and independent contractor, the WEA was amended as of 1 January 2024. The amendment clarifies the definition of "employee" and introduces a presumption rule: an employment relationship shall be assumed unless the principal can make it more likely than not that the relationship is one of independent contracting. The purpose is to ensure that individuals who are in fact subordinate and dependent are treated as employees and thereby entitled to protection and collective bargaining rights.

For self-employed persons who do not fall under the definition of employee, the Norwegian Competition Authority has adopted the EU's new 2022 guidelines. These state that collective bargaining for certain categories of self-employed persons – particularly those economically dependent on a single client or working via digital platforms – should not be considered a violation of competition law. This means that cooperation on working conditions (such as minimum pay and social rights) is permitted.

Article 6§4 – Collective action

Question a)

Please indicate:

- *the sectors in which the right to strike is prohibited;*
- *those sectors for which there are restrictions on the right to strike;*

- *sectors for which there is a requirement of a minimum service to be maintained.*

Please give details about the relevant rules concerning the above and their application in practice, including relevant case law.

The right to organise and to engage in collective bargaining is recognised as a fundamental principle in Norwegian law and is supported by legislation that establishes procedural rules and institutions for dispute resolution. The right to industrial action, including the right to strike, is regarded as an integral part of free collective bargaining.

The legal framework governing the right to strike is set out in the Labour Disputes Act for the private and municipal sectors and the Public Service Disputes Act for the state sector. Under these acts, strikes are permitted in interest disputes – those concerning the establishment or revision of collective agreements – but prohibited in rights disputes, which concern the interpretation of existing agreements. Industrial action may only be initiated following mandatory mediation by the National Mediator, and peace obligations apply for the duration of a collective agreement.

There is no general prohibition on strikes in Norway. The only exceptions apply to senior civil servants (embetsmenn) appointed by the King in Council and to military personnel in the Armed Forces. These groups do not have the right to strike or to be subject to lockout, but they retain the right to organise and to engage in collective bargaining.

Norwegian law contains no provisions requiring trade unions or employers to maintain a minimum level of staffing or service during a strike. The system is based on the principle that the social partners themselves are responsible for ensuring that industrial action does not endanger life, health, or safety, or cause other serious societal consequences. This responsibility is exercised through voluntary arrangements, such as exemptions and careful selection of employees called out on strike.

The possibility of introducing formal minimum service requirements has been considered on several occasions. In 2001, an official committee composed of representatives from the main trade union and employer organisations, as well as independent experts, examined whether such measures should be introduced. The committee concluded that the existing system was functioning well and did not propose any changes.

More recently, in 2023-2024, a tripartite working group was established to review the system of compulsory wage arbitration and explore ways to reduce the need for government intervention in labour disputes. The group discussed the idea of minimum service requirements but did not recommend introducing such arrangements. Both the Government and the social partners agreed that imposing minimum services would represent a significant departure from the Norwegian model of collective bargaining and could disrupt the balance between the parties.

Question b)

Please indicate whether it is possible to prohibit a strike by seeking injunctive or other relief from the courts or other competent body (administrative body or arbitration body). If affirmative, please provide information on the scope and number of decisions in the last 12 months.

If a labour conflict – such as a strike or lockout – escalates to the point where it endangers life, health, or vital public interests, the Government may intervene through compulsory arbitration. Such intervention requires a separate Act of Parliament or, if Parliament is not in session, a provisional ordinance. In these cases, the dispute is referred to the National Wage Board (Rikslønnsnemnda), an independent arbitration body established under the Act on Wage Arbitration in Labour Disputes. The Board's decision has the same legal effect as a collective agreement.

Government intervention through compulsory arbitration is strictly limited to situations where industrial action poses a risk to life, health, or safety, or causes other serious societal consequences. Before any intervention is proposed, the authorities conduct a comprehensive professional assessment of the potential impact of the strike, including whether it threatens essential public interests. These assessments form the basis for the Government's proposal to Parliament.

There has been one instance of compulsory arbitration in the last 12 months. The strike concerned rescue personnel in helicopter services on the Norwegian continental shelf and resulted in the suspension of search and rescue preparedness in five out of six areas. This was deemed to pose an unacceptable risk to life and health, as such preparedness is essential for the safety of offshore personnel. On this basis, Parliament adopted a law on compulsory arbitration, and the dispute was referred to the National Wage Board.

Article 20 – Right to equal opportunities between women and men

Question a)

Please provide information on the measures taken to promote greater participation of women in the labour market and to reduce gender segregation (horizontal and vertical). Please provide information/statistical data showing the impact of such measures and the progress achieved in terms of tackling gender segregation and improving women's participation in a wider range of jobs and occupations.

<u>The Activity and Reporting Duty</u>

The Equality and Anti-discrimination Act Section 26 obliges employers to make active, targeted and systematic efforts to promote equality and prevent discrimination based on inter alia gender.[12] According to the provision, such efforts shall encompass the areas of recruitment, pay and working conditions, promotion, development opportunities, accommodation and the opportunity to combine work with family life. The obligation entails ensuring that personnel policies actively contribute to equal opportunities.

All public undertakings, regardless of size, and private undertakings that ordinarily employ more than 50 persons shall follow a four-step method in this work. Those undertakings shall a) investigate whether there is a risk of discrimination or other barriers to equality (including by reviewing pay conditions with reference to gender and the use of involuntary part-time work every two years) b) analyse the causes of identified risks, implement measures, and evaluate the results of the efforts made. This also applies to private undertakings that ordinarily employ between 20 and 50 persons if requested by the employees or employee representatives.

Employers obliged to follow the four-step method shall issue a statement on the actual status of gender equality in the undertaking and what the undertaking is doing to comply with the

[12] https://lovdata.no/NLE/lov/2017-06-16-51/§26

activity duty pursuant to Section 26. The statement on the actual status of gender equality must at a minimum include information on gender balance within the organisation, the results of the wage mapping broken down by gender, and the results of the mapping of involuntary part-time work, the proportion of part-time work, the proportion of temporary employment, and the proportion of parental leave within the organisation.

Together with the main confederations (LO Stat, YS Stat, Unio, and Akademikerne), the Ministry of Digitalisation and Public Governance (as the employer party) has decided that the main collective agreements for 2023-2025 and the Basic Agreement in the state sector shall specifically refer to the duty to act and report (ARP). In the main collective agreement (2023-2025) and the Basic Agreement, it is specified that *"local parties shall work actively, purposefully, and systematically to promote equality and diversity and prevent discrimination, in accordance with the Equality and Anti-Discrimination Act. Employee representatives shall be involved in the work related to the employer's duty to act and report (ARP), including the planning and follow-up of the equal pay review."*

This formalises equality obligations in collective agreements and contributes to good cooperation between employers and employee representatives in the state sector to actively promote equality.

Greater participation of women in the labour market

In 2024, the Norwegian Government presented the first-ever Strategy for Gender Equality. The strategy serves as a framework to coordinate national efforts to address key challenges for gender equality. It sets the direction for the Government's comprehensive efforts with six objectives.

Objective number one is financial independence and equality in the labour market, including 12 goals, one of which is a higher percentage of full-time and permanent positions in the public and private sector.

Norway generally has a well-functioning labour market, characterised by high employment and low unemployment. Employment rates among women, older adults and young people are also high compared to many other European countries. However, fewer women than men are in employment, and more women than men work part-time. In 2024, 67 per cent of women aged 15-74 years were in employment, compared to 73 per cent for men in the same age group. The proportion of women in part-time work is significantly higher than that of men. The potential to reduce gender disparities in labour force participation lies in decreasing the share of part-time work among women.

In connection with the strategy, a set of indicators have been developed to measure progress annually on the goal of a higher percentage of full-time and permanent positions in the public and private sector. The indicators are:

- Percentage of employed and unemployed women and men, broken down by region
- Working hours for women and men in employment, broken down by age, industry and county of workplace
- Percentage of men and women in part-time employment who are working part-time involuntarily
- Recipients of disability benefit in the population, broken down by sex and age

The indicators enable the implementation of further measures should the development move in the wrong direction.

The Norwegian Government has set a clear ambition for full-time employment to be the prevailing standard in the national labour market. This approach is considered essential for an individual's ability to achieve financial independence, as well as for ensuring employee participation, security, and predictability in working life. To support this objective, the Government has established *Heltidspotten* (a fund for promoting full-time work), a three-year initiative with an annual allocation of NOK 15 million. These funds are available for organisations seeking to implement pilot projects aimed at reducing part-time positions and increasing full-time employment, and for trialling research on the pilot schemes. Currently, 17 organisations across both public and private sectors have been granted funding through *Heltidspotten*. These projects will generate valuable insights through practical trials initiated by the organisations themselves.

In addition, resources have been earmarked for follow-up research to evaluate the outcomes of these initiatives. This will enable the dissemination of knowledge and best practices regarding the most effective measures for promoting full-time work. However, the Norwegian Government is of the opinion that it is important that everyone can partake in working life, therefore part-time work is also encouraged. For individuals with a reduced ability to work, part-time employment could be a way into the labour market. The WEA

Section 14-14a was adopted in June 2023 and obliges the employer, at least once a year, to "*discuss with the elected representatives the use of part-time*". The discussion should amongst other things "*include the basis, scope and consequences for the working environment*"[13]. This is not to prohibit part-time work, but rather an act to raise awareness about the use of part-time employment and prevent its unnecessary use.

Horizontal gender segregation in the labour market

Another goal in the strategy is to increase the number of women in male-dominated occupations and the number of men in female-dominated occupations (goal 1.5).

Only 15 per cent of the working population in Norway work in a gender-balanced occupation, i.e. one with more than 40 per cent of both sexes. However, research from CORE – The Centre for Research on Gender Equality shows that the gendered dimension of the labour market is decreasing, as women are increasingly choosing occupations that were previously dominated by men. In contrast, men are less likely to choose occupations that have traditionally been female dominated.

In connection with the strategy, a set of indicators have been developed to measure progress annually, enabling the implementation of further measures should the development move in the wrong direction. The indicators are:

- Percentage of women and men employed in the public sector (government administration, municipal administration, county administration and publicly owned companies) and private sector, broken down by county
- Percentage of men in female-dominated occupations (nursing associate, intellectual disability nurse, psychologist, nurse, kindergarten teacher and primary/lower secondary school teacher)
- Percentage of women in male-dominated occupations (carpenter/joiner, electrician/ electronics technician, engineer/technician, software developer/programmer)

Percentage of men in female-dominated occupations*

[13] https://lovdata.no/NLE/lov/2005-06-17-62/§14-14a

	2021	2022	2023	2024
Nurses	9,3	9,5	9,8	10,3
Intellectual disability nurses	23,3	23,5	23,9	24,4
Primary/lower secondary school teachers	25,8	25,9	26,2	26,5
Kindergarten teachers	9,8	10,1	10,3	10,5
Psychologists	20,9	19,9	19,4	19,2
Nursing associates	15,3	16,3	17	17,5

*(Female-dominated occupations are selected service professions in which women constitute more than 70 per cent of the workforce.)

Percentage of women in male-dominated occupations

	2021	2022	2023	2024
Software developer/programmer	19,7	20,8	21,2	20,9
Engineer/technician	16,8	17	17,5	17,8

	2021	2022	2023	2024
Carpenter/joiner	1,7	1,8	1,9	2,1
Electrician/ electronics technician	3,2	3,4	3,6	3,8

Nationwide, most women and men are employed in the private sector. In 2024, 76 per cent of men and 51 per cent of women worked in the private sector.

Compared to men, a larger share of women is employed in central and local government administration. Nationwide, 15 per cent of women work in central government and nearly 30 per cent in local government. In comparison, 8 per cent of men work in central government and 7 per cent in local government.

The Government is implementing targeted measures to improve gender balance in sectors with significant gender disparities (horizontal gender segregation). In 2023, the Government launched a Gender Equality Strategy for the Maritime Industry, aiming to increase the proportion of women in a traditionally male-dominated sector. In 2023, the Government launched an Action Plan for Gender Equality and Diversity in the Norwegian Armed Forces.

According to estimates, two-thirds of the gender distribution in the labour market is directly attributable to gendered educational choices. One of the sub-goals under the main objective of reducing gender-segregated educational choices is to achieve better gender balance in vocational education, training and higher education. The following initiatives are financed by the Government to improve gender:

- Men in Health (Menn i helse). This is a national project aimed at recruiting unemployed men aged 25-55 into a dedicated education pathway to become nursing associates.
- The Boys into Health Studies (Gutter til helsefag) project was expanded in 2024 into a regional initiative in the three northernmost counties in Norway, with a goal to recruit more boys into the health and care sector. The goal is to be achieved by highlighting role models for boys. This includes ensuring that boys in lower and upper secondary

school receive comprehensive and nuanced information about opportunities in the sector. It also entails helping school staff to gain a deeper understanding of how educational choices are influenced by gender and to recognise that the initiative is a valuable tool.

- The National Project for Teacher Recruitment. The project involves relevant actors and aims to ensure that more people seek teacher training and start in the profession, and that there is greater diversity among teachers in kindergartens and schools.
- Girls and Technology (Jenter og teknologi). This is a national project aimed at encouraging more girls to apply for technology education.
- For several decades the admission to higher education has had a regulation under the Universities and Colleges Act, that allows the Ministry of Education and Research to grant specific study programmes the possibility to give additional points to the underrepresented gender, in admission to higher education. These additional points are currently given to male applicants in several health-related study programmes, while points are given to female applicants in some technical and science degrees. A new regulation on admission to higher education has been adopted and this will implement a change from additional points to quotas to ensure a minimum of both genders in specific study programmes, from 2027 onwards.

In connection with the strategy, a set of indicators have been developed to measure progress annually, enabling the implementation of further measures should the development move in the wrong direction. The following indicators have been developed to measure progress in gender balance in higher education:

- Women’s and men’s education levels, broken down by county
- Percentage of female and male students in higher education
- Gender distribution in selected gender-skewed education programmes
- Highest degree attained in higher education within eight years, broken down by sex

<u>Vertical gender segregation in the labour market</u>

Another goal in the Strategy for gender equality is to increase the percentage of women starting businesses, on company boards, in executive and management positions with financial responsibility in publicly and privately owned companies and in the voluntary sector (goal 1.7).

The gender imbalance in management positions is a challenge for equality, and it is particularly pronounced in the private sector. Women make up 20 per cent of board members and 17 per cent of managing directors in limited companies. In 2024, 17.5 per cent of CEOs in Norway's 200 largest companies were women. Working conditions are one of the contributing factors to this imbalance. If companies want to achieve a gender balance in management, they need to rethink career paths and employee availability outside of working hours. In the government sector, there is a gender balance among senior executives.

The Government supports the CORE Norwegian Gender Balance Scorecard. The scorecard examines the gender composition of boards and executive committees in the 200 largest companies in Norway, ranked by total revenue. More than 1,600 executive committee positions are mapped, with distinctions made between operational/line roles, staff/support functions, and intermediate positions. These developments are tracked over time, with attention to differences in gender composition between companies subject to board gender quota legislation and those not covered by such regulations. The mapping is based on name and image, not gender identity.

The Strategy for Gender Equality defines the following measures to achieve the goal of improving gender balance in leadership positions:

1. New legislation limiting the proportion of board members of the same gender to a maximum of 60 per cent in medium-sized and large companies
2. Follow gender balance developments in management positions by continuing to fund the CORE Norwegian Gender Balance Scorecard
3. Follow up on central government's expectations for companies that are wholly owned by the Norwegian state
4. Follow up on adherence to legal requirements for gender balance on the boards of companies wholly owned by the Norwegian state
5. Follow up on the White Paper on business founders and start-ups. The White Paper includes a chapter on female entrepreneurship, with initiatives for improving the proportion of women in new growth companies in Norway
6. Monitor gender balance developments on boards and among senior executives in the voluntary sector

In connection with the strategy, a set of indicators have been developed to measure progress annually, enabling the implementation of further measures should the development move in the wrong direction. The following indicators have been developed to measure progress in the percentage of women starting businesses, on company boards, and in executive and management positions with financial responsibility in publicly and privately owned companies and in the voluntary sector.

- Gender distribution on boards of private companies with at least three board members
- Gender distribution among executive management groups, boards, board chairs and CEOs in the 200 largest companies in Norwegian business, with and without legislation on gender balance
- Attitudes to the higher number of male senior executives, broken down by sex
- Gender distribution in management positions and boards of companies where the Norwegian state has direct ownership (CEOs, the management group overall, board chairs and boards overall)
- Gender distribution among founders of newly established sole proprietorships, private limited companies (AS) and public limited companies (ASA)
- Gender distribution among senior executives in public administration, advocacy groups and CEOs

For statistics on gender distribution on the boards of private companies, see the answer to question c below. When looking at the gender composition in the 200 largest companies (Indicator 2), men continue to dominate top leadership positions. Among Chief Executive Officers (CEOs), 17.5 per cent are women, while 82.5 per cent are men. The role of Chair of the Board is held by women in 14.5 per cent of cases, compared to 85.5 per cent by men.

Executive committees are slightly more balanced but still male-dominated, consisting of 28 per cent women and 72 per cent men.

Question b)

Please provide information on:

- *measures designed to promote an effective parity in the representation of women and men in decision-making positions in both the public and private sectors;*
- *the implementation of those measures;*
- *progress achieved in terms of ensuring effective parity in the representation of women and men in decision-making positions in both the public and private sectors.*

For many years, Norway has implemented legislation to ensure gender balanced representation in decision making systems in many areas. Examples include the Public Limited Liability Companies Act, the Private Limited Liability Companies Act, the Partnerships Act, the Local Government Act, the Cooperatives Act, the Health Trusts Act, the Intermunicipal Companies Act, the State Enterprises Act, the Foundations Act, and the Universities and University Colleges Act.

Parliament passed a law, making gender balance mandatory in public limited company boards in 2008. According to the act, both men and women must be represented by approximately 40 per cent. The law also applies to all State-owned companies and other companies with public ownership. The legal regulations from 2008 have led to a positive development regarding the gender balance on Norwegian boards. At present all public limited companies fulfil the rules, thus, more than 40 per cent of the board members are women, see answer to question c below. However, in the last 20 years, the share of women board members in private limited liability companies (LLCs) in Norway has only increased by five percentage points (from circa 15 per cent to circa 20 per cent), see answer to question c below. The progress has been moving forward too slowly. Despite the fact that Norway has had gender balance requirements for board members in public limited companies for many years, the regulations have not led to gender balance in the companies' senior management groups. These groups still consist of a majority of men, see the answer to question a. This is also true for companies subject to gender quota legislation. Further, the regulations have not led to gender balance in company boards not subject to the legislation. As of January 2024, the gender balance requirements have been expanded to also include the boards of large Private Limited companies. This will be implemented through a phased introduction. From 2025, 8000 companies will be required to have gender balance. Subsequently, the regulations will be expanded annually. In 2028, around 20 000 companies will be subject to the gender quota regulations.

The Equality and Anti-Discrimination Act Section 28,[14] mandates gender balance in the composition of state-appointed bodies (such as committees, boards, councils, delegations etc.). The provision requires that appointing authorities must ensure representation of both genders, typically interpreted as at least 40 per cent of each. If a body cannot meet this requirement due to a lack of qualified candidates of one gender, the appointing authority must document efforts to find suitable candidates and notify the Ministry of Culture and Equality, which has final oversight on the composition. The most recent evaluation of the effectiveness of this provision was conducted in 2009.

See also the answer to question a.

Question c)

Please provide statistical data on the proportion of women on management boards of the largest publicly listed companies, and on management positions in public institutions.

Statistical data on the proportion of women on management positions in the state sector

In 2024, 45 per cent of the top executives in the directorates were women. Among the Permanent Secretaries in the ministries, 59 per cent were women. Furthermore, 49 per cent of the Director Generals in the ministries were women, and at foreign missions, 45 per cent of the heads of station were women. Looking at all state leadership positions combined, the majority were women – 53 per cent.

Statistical data on the proportion of women on management boards of the largest publicly listed companies

As referred to under question b, public limited companies in Norway are subject to requirements on the gender composition of boards. If the board consists of three or four members, no more than two members may be of the same gender. If the board consists of five or six members, no more than three members may be of the same gender. Where the board has seven members, no more than four members may be of the same gender, and where it has eight members, no more than five members may be of the same gender. For boards with nine

[14] https://lovdata.no/NLE/lov/2017-06-16-51/§28

or more members, no more than 60 per cent of the board members may be of the same gender.[15]

The proportion of women on boards is expected to be similar in both large and small public limited companies. A company must be organised as a public limited company in order to be eligible for listing on the stock exchange. However, being a public limited company does not obligate it to be listed.

We seek to provide the relevant statistical data available regarding women on management boards. However, the statistical data available is general data on the proportion of women on management boards, and not especially on “the largest publicly listed companies”.

Board Representatives and Chief Executives in Limited Companies (AS) and Public Limited Companies (ASA)- 2025

According to Statistics Norway (SSB), women make up 21.1 per cent of board members in private limited companies (AS) and 44.1 per cent of board members in public limited companies (ASA) as of January 1, 2025. The statistics were published on March 4, 2025.[16]

	Total	**Percentage Men**	**Percentage Women**
Board Representatives			
Limited Company (AS)	740,313	78.9	21.1
Public Limited Company (ASA)	1,377	55.9	44.1
Chief Executives			
Limited Company (AS)	278,711	82.3	17.7
Public Limited Company (ASA)	226	89.4	10.6

[15] https://www.brreg.no/hva-onsker-du-a-registrere-eller-endre/nye-regler-for-kjonnsbalanse-i-styrer/

[16] https://www.ssb.no/virksomheter-foretak-og-regnskap/eierskap-og-roller/statistikk/styre-og-leiing-i-aksjeselskap

Board Representatives in Private Limited (AS) and Public Limited (ASA) Companies, by Number of Board Roles and Gender (2025)

In 2025, there were a total of 363,791 board representatives in private limited (AS) and public limited (ASA) companies. Of these, 263,192 were men and 100,599 were women.[17]

Number of board roles	Total	Men	Women	Total Precentage	Percentage Men	Percentage Women
Total	363,791	263,192	100,599	100.0	100.0	100.0
1 board role	231,721	156,932	74,789	63.7	59.6	74.3
2–3 board roles	92,785	72,202	20,583	25.5	27.4	20.5
4–5 board roles	21,445	18,166	3,279	5.9	6.9	3.3
6–9 board roles	11,106	9,810	1,296	3.1	3.7	1.3
10–19 board roles	4,982	4,488	494	1.4	1.7	0.5
20–49 board roles	1,527	1,389	138	0.4	0.5	0.1
50–99 board roles	189	172	17	0.1	0.1	0.0
100 or more board roles	36	33	3	0.0	0.0	0.0

17 https://www.ssb.no/virksomheter-foretak-og-regnskap/eierskap-og-roller/statistikk/styre-og-leiing-i-aksjeselskap