



# The reporting duty

Experiences with the first year of equal pay mapping

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# Background

- All public and private companies with more than 50 employees are set by law to conduct an equal pay review
- The review is intended to see if there is a need for measures for prevention of wage discrimination between the sexes
- Studies show that transparency in wage setting will contribute to reduce the wage gap





## 2. Legislation: The Activity and Reporting Duty for employers

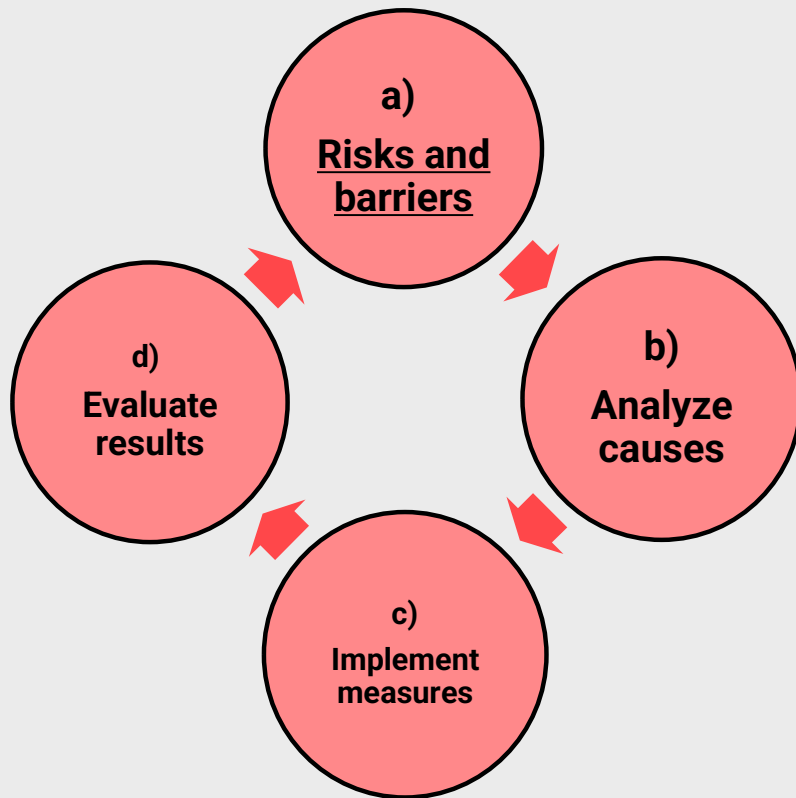
Active measures and reporting on equality and anti-discrimination practices for employers.

Section 26

a) investigate whether there is a risk of discrimination or other barriers to equality, **including by reviewing pay conditions by reference to gender** and the use of involuntary part-time work every two years



# The specified activity duty (section 26 second paragraph)



- Working method that applies to all public employers, and private employers with more than 50 employees(20-50)
- This work is to be done continuously and in cooperation with employee representatives

# Step a) Risk and barriers



- Investigate whether there are risks and barriers to equality

## Practical tips:

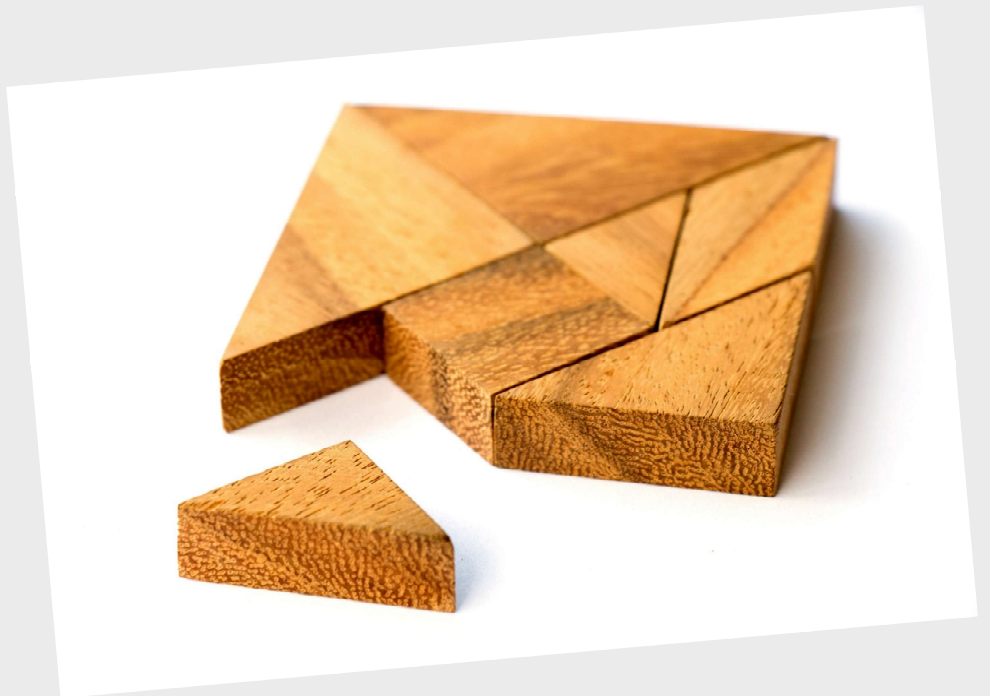
- Gather management and trade union reps for workshop
- Identify risks and obstacles
- Seek help in public material such as Bufdir (In Norwegian)



# Step b) Analyze causes

## Practical tips

- Use the risks and obstacles identified in the workshop and discuss
- What can be the cause of this in our company?
- Try to have an open and honest discussion in order to find the accurate measures



## Step c) Implement measures

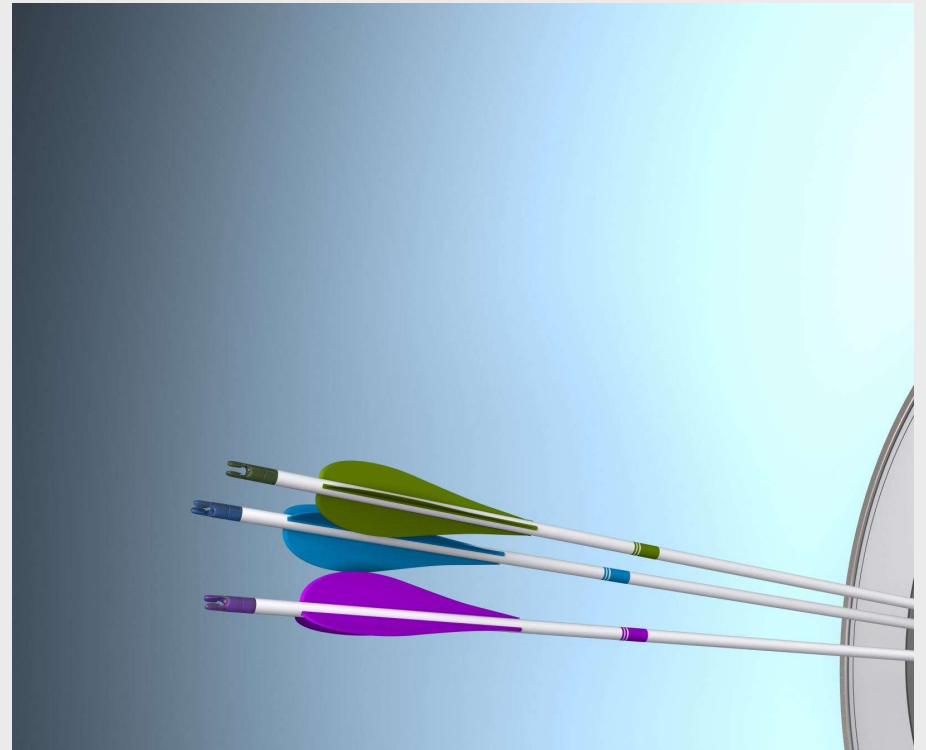


- Implement measure based on the risks and obstacles in your company.
- NB! Measures must follow the law!



## Step d) Evaluate measures

- What has been successful measures and what has not? Why not?
- Which goals did we not reach and why?
- What do we need to continue to work on?
- What work is completed?





# The duty to report

▶ 154.178

▶ 245.57

# Duty to issue a statement (§26 a)

- In annual report or other publicly available document
- The Anti-Discrimination Tribunal enforces this section of the act

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the actual status of gender equality in the undertaking

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what the undertaking is doing to comply with the activity duty pursuant to section 26



# Equality report

## PART 1 Minimum requirements

- Gender balance
- Men / women in part time
- Men / women on temporary contracts
- Men's and women's parental leave
- Results of the equal pay review
- Results of the involuntary part time review

## PART 2

- Principles, procedures and standards
- What has been done to comply with the activity duty

Biannually





# Mapping pay conditions by gender

## Intention

- Employees are set to be able to compare their own wage with other employees in the same job category
- Provide hard facts and transparency
- Is to be published in the annual report or another public document



# Step 1: Find suitable job categories

- Agreeing on common benchmarks when creating suitable job categories for the company
- Legal benchmark: An evaluation of equal work of equal value and work of equal value. (**Section 34 in the Act**)





- Whether the work is of equal value is determined by means of **an overall assessment** in which emphasis is given to the expertise that is required to perform the work and other relevant factors, such as **effort, responsibility and working conditions.**

# Content

- Include all the employees in the company
- Show men and womens' wages in each job category
- Either shown in Norwegian kroners or share womens' of men's wage
- Annual wage and variables, either together or seperate
- The job categories must be developed in accordance to equal pay for work of equal value and work of equal value





# Internal and external reviews

- The internal review in the company must state wages in Norwegian kroners (average per job category)
- Must be available for all employees and LDO
- The public review shall be anonymous and included in the annual report or another public document
- States womens' share of men's wages



# The annual reports



2020



9 companies from  
private and public sector



Formal inquiry



Digital meetings



# Findings from 2020 reports



Covid pandemic presented factor in all municipalities day-to-day functioning



Large private companies had to some extent been able to report due to a broader picture of reporting requirements such as sustainability



None of the companies were submitted to the tribunal for the reporting in 2020



A hand holding a magnifying glass over a city street at night, with a pink text box overlaid on the left. The background is a blurred city street at night with colorful lights and buildings. The magnifying glass is held over a specific area of the street, showing a clearer view of the buildings and lights. The text box is pink and contains the title of the report.

**The Oslo Economics  
(2022) Report on  
wage mapping in the  
state**

# Findings: Planning and process



**Planning and  
process**



What is work of  
equal value?



Data and  
statistics



In annual report



Review if there  
is need of action



# Findings: What is work of equal value?



Planning and  
process



**What is work of  
equal value?**



Data and  
statistics



In annual report



Review if there  
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# Findings: Data and statistics



Planning and  
process



What is work of  
equal value?



**Data and  
statistics**



In annual report



Review if there  
is need of action



# Findings: Annual report



Planning and  
process



What is work of  
equal value?



Data and  
statistics



**In annual report**



Review if there  
is need of action





# Findings: Review is there is need for action



Planning and  
process



What is work of  
equal value?



Data and  
statistics



In annual report



**Review if there  
is need of action**



# Sanctions

→ «Only» to report the annual report to the Tribunal – not be done yet

- You have a gender pay gap
- Companies are finding this challenging
- We are considering if there is a need for a more precise definition of how to interpret the requirements in the law («forskriftsfesting»)





# Vi hjelper deg

Gratis juridisk veiledning

Finn oss på nett: [www.ldo.no](http://www.ldo.no)

Ring oss: 23 15 73 00

E-post: [post@ldo.no](mailto:post@ldo.no)

