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### IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Second periodic reports submitted by States parties to  
the Covenant concerning rights covered by articles 6 to  
9, in accordance with the first stage of the programme  
established by the Economic and Social Council in its  
resolution 1988 (LX)

#### Addendum

NORWAY\*\*

[15 February 1984]

#### INTRODUCTION

1. In the drafting of the report, the general guidelines prepared in accordance with resolution 1988 (LX) of the Economic and Social Council (E/1978/8, annex) have been used as guiding principles.
2. In Norway's first two-year report on the rights covered by articles 6 to 9, submitted on 1 June 1977, an account of how Norway implements the obligations it has pursuant to international law was given. The same principles as explained in the first two-year report can still be claimed as valid.

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\* E/1984/30.

\*\* The initial report submitted by the Government of Norway concerning rights covered by articles 6 to 9 of the Covenant (E/1978/8/Add.12) was considered by the Sessional Working Group of Governmental Experts at its 1980 session (see E/1980/WG.1/SR.5).

3. In paragraph E of the general guidelines mentioned above, there is a request for a discussion of the relation to articles 1 to 5. A brief presentation of the Norwegian rules governing industrial democracy is also requested. This will be apparent from the survey given below of the relation between articles 6 to 9 of the Covenant and its article 2, paragraph 2, and article 3. There is also a brief presentation of Norwegian industrial democracy rules.

4. For information it may be added that the draft of this report has been submitted to the Norwegian Government's Advisory Committee on Human Rights. This Committee was established in 1980 and its members are appointed by the Foreign Ministry. The Committee is composed of Members of Parliament from various political parties, and representatives of government ministries and non-governmental organizations concerned with the protection of human rights.

5. According to its terms of reference the Committee may take up general problems and current issues. It shall also assess and recommend to the Government and the organizations the implementation of practical measures, and give them advice when human rights questions are concerned. Reports to international bodies are submitted to the Committee, which makes an assessment of the contents of the report and influences its formulation.

#### ARTICLE 6: THE RIGHT TO WORK

##### A. Principal laws

6. The right to work is established in article 110 of the Constitution, which reads: "It is the responsibility of the authorities of the State to create conditions enabling every person capable of work to earn a living by his work".

7. The Act of 27 June 1947 relating to Measures to promote Employment, with subsequent amendments, contains the following seven chapters, with indications of their main contents:

Chapter I: The Directorate of Labour and local employment services

Paragraph 1. The Directorate of Labour shall closely observe national developments in conditions relating to employment, work to achieve steady and sufficient employment, and advise the Ministry on matters relating to employment and unemployment.

Chapter II: Public placement services and vocational guidance

Paragraph 6. The Government shall organize nationwide placement services.

Chapter III: Special rules governing the registration, placement and signing on of seamen

Chapter IV: Private placement services etc.

Chapter V: Support in accordance with chapter 4 of the National Insurance Act: Administrative provisions, appeals etc.

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(Unemployment benefits.)

Chapter VI: The use of public funds for special measures

Chapter VII: Miscellaneous provisions

## B. Employment

8. The Government's aim is to ensure employment in both the short and long term. In order to solve the long-term unemployment problem, the Government has implemented a number of measures.

These relate to:

- (a) Changes in economic policy;
- (b) Specific measures to improve the profitability and competitive ability of enterprises;
- (c) Increased emphasis on research and higher education in technology and economics;
- (d) Simplification of legislation and regulations which inhibit productivity and new establishments.

9. The long-term strategy is to create new growth in business and industry. The Government is aiming at an economic policy which will again make Norway competitive in relation to its trading partners. An important element of this policy is to slow down rising costs and inflation. Increasing unemployment is to a considerable extent due to difficulties in those branches of industry, mining and shipping which are most vulnerable to competition, and their difficulties relate to the high level of costs. A relatively restrictive economic policy has been necessary to gain control over the levels of prices and costs.

10. To provide favourable conditions for a moderate wage agreement and increased incentives to work, the Government has recommended tax reductions for individuals and companies. In the Government's opinion, such changes in economic policy will improve the earning potential of the commercial sector and thereby make jobs safe.

11. Long-term developments in employment also presuppose active readjustment in industry. The present labour market shows considerable maladjustment. For instance, expanding branches have difficulty in finding qualified manpower, while there is stagnation, excess capacity and unemployment elsewhere. That employee qualifications do not match employer requirements is chiefly a question of education and training.

12. The Government therefore sees a main objective in expanding those facilities which provide education and training for the labour market. The Government will also place more emphasis on in-house training, so that the necessary industrial adaptation can take place as far as possible without any corresponding increase in registered unemployment.

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13. The Government hopes that manpower adjustments can be managed chiefly by means of vocational adaptation rather than by moving or excessive commuting.

14. The instruments for realizing the Government's political aims are defined in the annual fiscal and national budgets. The Government also submitted a separate report to Parliament in May 1983 relating to employment and labour market policy (Report No. 85 (1982-83) to the Storting).

15. The Government regards the prevention of discrimination on the grounds of sex, race, age etc. as a major objective. Norwegian work with immigrants and refugees is founded on the principle of integration, but in a form which leaves the individual free to retain his own culture. Integration must imply equal value and equal opportunities, the same rights and duties for immigrants and Norwegians. Emphasis is therefore placed on informative activities and the promotion of favourable attitudes.

16. Norwegian efforts to ensure women formal rights to work have achieved a great deal. In 1978, an Act was adopted relating to equality between the sexes, and aiming particularly to improve the position of women. Paragraph 4 of this Act deals with equality in appointments etc. Unless there are obvious reasons, vacancies must not be announced only for one sex.

17. Although women in Norway today have access in principle to most kinds of work, the labour market is still divided along traditional lines into women's and men's jobs. Not only are women employed in different trades from men, they also choose between a smaller number of trades. It is also often the case that branches or trades that chiefly employ women offer lower levels of pay than those which chiefly employ men.

18. The Government considers it an important task to break down this sexual division of the labour market, and will in that connection be making special efforts to provide girls with information and motivate them to make untraditional choices of work.

19. The placement services also adopt special measures to help female job applicants into working life and to counteract sexual barriers in the labour market. These have chiefly consisted of information and motivation, and have included vocational guidance courses and other forms of instruction. In addition there is a system of grants which can be awarded in connection with the appointment of women and men to posts which have traditionally been the preserve of the opposite sex.

20. Through its labour market policy, the Government is seeking to maintain a high level of employment and to ensure that all who want to can obtain and keep paid full-time or part-time employment. Another aim of the labour market policy is to ensure that employers can at any given time find manpower in the numbers and with the qualifications which they need. The overriding objective of labour market policy is to create and maintain the greatest degree of balance possible between supply and demand, not only in the labour market as a whole, but also within the various industries, branches, trades, geographical regions etc.

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21. To achieve these aims, an administrative structure has been built up, and a broad range of measures have been adopted aimed at:

- (a) Helping unemployed persons to obtain regular work;
- (b) Helping job-seekers and those seeking education to obtain suitable education;
- (c) Initiating temporary employment and training measures for unemployed persons and job applicants to activate them until more permanent work can be found and to make them easier to place;
- (d) Supplementing the general economic policy by means of selective measures aimed at maintaining employment during recessions;
- (e) Easing the process of adaptation and renewal necessary in many industrial sectors, including the transfer of workers from stagnating to expanding sectors;
- (f) Helping those groups which traditionally have the greatest difficulties in finding suitable work, including measures to:
  - (i) Help young people to make the transition from school to work;
  - (ii) Provide special education and work training for young people with weak school backgrounds;
  - (iii) Contribute to increased equality between the sexes in working life, including giving women the necessary information, training and work experience prior to the transition to paid work;
  - (iv) Help as many handicapped and elderly people as possible to continue in normal working life;
  - (v) Provide instruction, pre-job training etc. to vocationally handicapped people who need it to be able to manage normal work;
  - (vi) Offer sheltered employment to vocationally handicapped people who cannot find employment on the open labour market.

Survey of the various labour market measures

(a) Individual jobs in the public sector

22. The beneficiaries are unemployed persons under 20, unemployed women, and elderly men who have been unemployed a long time. The arrangement does not cover the months of July and August, and no one can hold such an individual job for more than 10 months.

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(b) Grants for extraordinary municipal projects

23. The Government can give grants to municipal employment projects in municipalities where the employment situation is particularly difficult, and unemployment is a burden and is traceable to structural or economic circumstances.

(c) Grants to employers who employ young people (Nkr 5,000 - jobs)

24. Support is given to private employers who employ young people under 18 in extraordinary jobs. For a full grant to be given, the appointment must be of at least 13 weeks' duration.

(d) Grants towards employment of long-term unemployed

25. This arrangement permits financial support to be given to employers who employ job-seekers aged over 50. Applicants must have been registered as unemployed for at least three months. The appointment must be of a permanent nature, and the employee must be given normal wages and working conditions.

(e) Cash grants for new recruitment in certain labour market regions

26. This applies to certain labour office districts where unemployment is relatively high. Grants are given to enterprises which employ people in excess of their normal workforce, if the appointments last at least three months. The measure is intended to help to maintain settlement patterns.

(f) Equal rights grants

27. These are given to employers who appoint members of the sex which has not traditionally been employed in the trade concerned. Grants are given for up to six months. Employees must be given permanent appointments under normal terms of employment.

(g) Support for work related to the environment in industry

28. An arrangement has been established whereby support is given to work of an environmental nature in industrial enterprises. The support is primarily intended for industrial enterprises with particular employment problems arising out of economic conditions or structural conditions in the industry. The environmental work is chiefly thought of as an alternative to laying off workers. The projects must be extensive enough to contribute to a real solution of employment problems.

(h) Support for bankrupt enterprises

29. Support can now be given to bankrupt enterprises for the purpose of maintaining employment in such enterprises for a transition period. The object of such support is:

(a) To delay the termination of employment, to give the labour services more time to prepare and implement the measures necessary for solving the labour market problems;

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(b) To encourage a delay of the termination of employment to a season of the year when the general labour market situation is easier;

(c) To keep operations going through a transitory period, to provide time and opportunity for considering the possibility of reorganizing the enterprise. The support in question will chiefly be available in cases where 20 or more people are under notice.

(i) Rehabilitation measures

30. These are intended to provide vocationally handicapped persons with employment in normal working life, to prevent them from losing their jobs, or to offer them short-term or long-term sheltered employment if they cannot find employment in normal working life.

(j) Information and training measures

31. Measures relating to information and training are described below.

Organization of the labour market services

32. The political objectives and the general guidelines of labour market policy are drawn up by the Ministry of Local Government and Labour. The executive agency is the Directorate of Labour, which is responsible for the day-to-day management of the labour market services.

33. The Government is responsible for organizing public employment services and vocational guidance throughout the country. The employment services comprise 18 county employment offices, 81 employment offices, 7 combined employment and seamen's offices, and 5 work psychology offices. The employment services must be neutral and impartial, and they charge no fees.

34. The Ministry of Local Government and Labour and the Directorate of Labour have delegated a certain amount of authority to the county employment offices by allocating grants within specified limits to individual measures. Control is exercised by means of regulations issued by the central authorities.

Labour market courses

35. Labour market courses are particularly intended to make it easier to find employment for persons aged over 19 who need training in order to find suitable work. Training is in the form of relatively short courses tailor-made to cover the needs of business and industry, and not limited to special types of trade or special levels of education. The unemployment services assess the need for courses and recruit participants, while the education authorities are responsible for the content and teaching methods of the course and for running it. Participants are given financial support during the training period.

36. The considerable structural changes we are being confronted with in business and industry call for the retraining or further training of employees for new jobs within enterprises or in branches and industries. The labour market courses are among the most important measures for securing new jobs for people who have become unemployed.

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Employment resulting from labour market measures, at the end of each month  
 (absolute numbers)

	1982							1983				
	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March
Employment measures in the public sector <u>a/</u>	3 607	2 751	2 080	386	470	2 408	3 665	4 586	4 738	4 903	5 952	6 371
Support for work related to the environment in industrial concerns	30	7	55	82	51	23	122	632	370	835	821	1 086
Education and training <u>b/</u>	4 421	3 114	486	273	2 508	4 054	5 481	7 461	5 662	7 988	8 984	8 351
Vocational guidance programmes <u>c/</u>	2 241	1 200	56		115	4 530	5 408	3 443	55	4 055	5 133	4 323
Supported individual jobs for young people in private enterprises	376	366	300	194	160	225	336	661	663	525	413	408
Support for bankrupt enterprises	26	59	19		48	48		190	165	81	52	91
Grants towards employment of long-term unemployed over 50	44	47	48	39	34	29	32	28	27	25	30	29
Cash grants for new recruitment in certain labour market regions	131	91	31	4	1	1	13	95	123	121	179	216
Equal rights grants	122	132	147	126	134	115	111	103	103	109	97	105
Rehabilitation measures	7 495	7 487	7 466	7 340	7 224	7 299	7 393	7 499	7 786	7 689	7 939	8 127
<b>Total</b>	<b>18 493</b>	<b>15 254</b>	<b>10 688</b>	<b>8 444</b>	<b>10 745</b>	<b>18 732</b>	<b>22 561</b>	<b>24 698</b>	<b>19 692</b>	<b>26 339</b>	<b>29 600</b>	<b>29 107</b>
Women aged 20 and over	5 440	4 311	3 253	2 458	3 121	5 009	6 241	6 160	5 101	6 737	7 687	7 750
Young people under 20	4 500	3 154	1 702	661	888	6 102	7 736	6 811	3 900	7 166	8 120	7 375
Women under 20	2 303	1 516	741	244	357	3 115	4 143	3 568	1 964	3 592	4 025	3 714

a/ Municipal, county municipal and government projects.

b/ Vocational training for adults and on-the-job training for adults and young people.

c/ For young people, unemployed women and the vocationally handicapped.

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On-the-job training for young persons and adult women

37. The arrangement applied to unemployed young people under 20 and to adult women. Support for on-the-job training was initiated to make it easier for these groups to enter working life. Training courses have an upper limit of 13 weeks. Participants receive financial support from the labour services.

On-the-job training

38. Support for on-the-job training is given when individual enterprises carry out training programmes as alternatives to laying off or dismissing employees because of economic or structural circumstances. For support to be given, there must be concrete plans to recommence operations, and the enterprise must appear viable in the longer term. The system must not be used if it contributes to binding manpower to enterprises which do not need their normal workforce. The training is intended to help to promote natural adaptation within the enterprise, and must follow an approved course plan. Support is also given for training recruits in enterprises which have been unable to meet their manpower needs in the normal way.

Vocational training programmes

39. The arrangement is open to unemployed young people under 20, adult women, vocationally handicapped discharged military personnel, immigrants and refugees. The measure is designed to give participants personal advice and practical vocational guidance by means of temporary placement in various enterprises, lectures, visits to enterprises etc. Each programme last eight weeks.

40. The right to work is established in the Constitution (see sect. A above). The Government is making special efforts to make offers of education, work training, or work available to everyone in the 16 to 19 age-group.

41. Individual employees are also protected against unfair dismissal. As mentioned, numerous unemployment measures have also been adopted to help the unemployed.

42. So as not to leave unemployed people with no income, daily allowances are given for up to 40 weeks in the calendar year. To be entitled to such an allowance, one must previously have earned a certain income. The income must have been earned during the last completed calendar year, or be an average of earnings during the last calendar year before unemployment began.

C. Statistical and other available information

43. In 1975, 37 per cent of all those in employment were women. In 1982, according to manpower surveys, the figure was 42 per cent. Whereas in 1972 43 per cent of married women were in employment, this has risen to 60 per cent in 1982. Of the women in employment in 1982, 52 per cent were working part-time. Expansion in those sectors which traditionally employ large numbers of women is among the factors which have made it possible for larger numbers of women to enter employment during this period.

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44. At the same time, government allocations to kindergartens rose from NKr 146 million in 1977 to NKr 490 million in 1982. In 1977, the allocations covered 30 per cent of kindergarten running expenses as against roughly 36 per cent in 1982. In 1982, there were places for 22 per cent of the children under 7, compared to 12 per cent in 1977. Nevertheless, the need for kindergarten places is still far from being met.

45. Among the major remaining obstacles where the employment of women is concerned are the insufficient number of full-time kindergarten places and the traditional division of responsibilities in the home. Another factor is that women's education is less vocationally directed.

46. Other groups who are facing difficulties on the labour market are immigrants, refugees, adolescents, the elderly and the disabled. If unemployment does not hit them, the work they obtain is often in sectors where pay and working conditions are poor and chances of promotion are negligible. A number of measures have been implemented to counteract this trend.

47. In the first half of 1983, average registered unemployment was distinctly higher than a year before. At the end of March 1983 the employment services had registered 67,400 completely unemployed, of whom 45,700 were men and 21,700 women. The figure for March 1983 was 39,600 higher than the average for March from 1978 to 1982. Unemployment was 4 per cent of the entire labour force. Current registered unemployment is much higher than it was in the previous year.

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Numbers registered as completely unemployed at the end of each month

	1982												1983		
	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Jan.	Feb.	March		
Men	23 030	23 808	18 660	18 078	20 419	25 267	23 996	27 012	31 310	41 279	44 864	45 554	45 832		
Women	13 406	13 965	12 540	13 372	13 553	19 896	17 804	18 165	18 964	21 554	22 475	21 804	21 685		
Total	36 452	37 773	31 171	31 474	33 971	45 140	41 801	45 192	50 271	62 853	67 343	67 477	67 431		

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48. The proportion of registered unemployed who are women has in recent years remained relatively constant. Compared to 23 per cent in 1970 and 35 per cent in 1975, that proportion was 41 per cent in 1981 and 39 per cent in 1982 of the total number of people unemployed.

49. In March 1983, 13,700 of those unemployed (or 20 per cent) were laid off, or 8,200 more than in March 1982. In addition to those registered as completely unemployed, 21,300 were working short hours (mostly 4-day weeks) in March 1983, as against 6,700 in March 1982.

Numbers of people affected by lay-offs or short time (annual average)

	Laid off			Short time			Laid off and short time		
	Men	Women	Total	Men	Women	Total	Men	Women	Total
1981	2 004	1 009	3 031	2 733	3 204	5 937	4 737	4 213	8 950
1982	4 783	1 865	6 648	5 489	3 466	8 955	10 272	5 331	15 603
March 1983	11 186	2 545	13 731	13 874	7 445	21 319	25 060	9 990	35 050

50. Of those registered as completely unemployed, 7,800 were young people under 20, as against 4,600 in March 1982.

Numbers completely unemployed aged under 20

	March 1980	March 1981	March 1982	March 1983
Men	1 706	2 447	2 668	4 795
Women	1 195	1 731	1 951	2 968
Total	2 901	4 178	4 619	7 763

51. The Government regards the large numbers of unemployed young people as one of the most serious single features of the present economic situation. In the last year, the numbers have continued to rise despite the increase in labour market measures. One reason for this is the rising number of young people, which will continue to rise, though not quite so steeply as in previous years, until 1985.

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52. The trades which show the highest unemployment figures are in industry and building and construction, where 30,400 are registered as unemployed, but the figures have risen for all trades.

53. The main reasons for the rise in unemployment in the last two years are:

- (a) A fall in demand for manpower due to:
  - (i) The recession abroad;
  - (ii) High levels of costs/poor competitive ability and reduced market shares for our export-competing and import-competing trades, principally industry, which has resulted in structural difficulties for several branches, such as shipbuilding and textiles and clothing;
  - (iii) Somewhat tighter regulation of demand in general resulting from domestic economic policy aimed at combating inflation and rising costs and improving the position of activities which are exposed to competition;
  - (iv) Reduced growth in municipal and county-municipal budgets;
- (b) An increased supply of manpower because of:
  - (i) The rising number of women in working life;
  - (ii) Demographic factors, larger numbers of young people and adults;
  - (iii) Increased net immigration;

(c) A greater degree of registration, among other things because of the increase in the labour market facilities available.

54. There are at present no entirely reliable statistics covering developments in total employment. The quarterly manpower surveys (AKU) 1/ carried out by the Central Bureau of Statistics suggest, however, that from 1981 to 1982 the number of people in employment rose by 14,000, a drop of 4,000 for men and an increase of 19,000 for women. The number of completed working hours, on the other hand, fell by 1.2 per cent from the fourth quarter (the week 22 to 28 November) of 1981 to the fourth quarter of 1982.

55. According to AKU, the average number of people in employment in 1982 was 1,946,000, of whom 1,129,000 were men and 818,000 were women. The total amounted to 66 per cent of all people in the 16 to 74 age group. The employment percentages in 1982 were 76.4 for men and 55.6 for women.

56. Registered unemployment is less than real unemployment, as can be seen from AKU documentation. Concealed unemployment is particularly widespread among women and young people. The reason why few women and adolescents register as unemployed is the conditions which have to be met in order to draw unemployment insurance. Adolescents and married women with responsibilities for children have often not earned any income as employees, which means that they do not qualify for benefits.

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The relation between article 6 and article 2, paragraph 2, and article 3

(a) Appointments in the private sector

57. No general principle of non-discrimination applies. There are, however, a number of specific bans on discrimination.

58. Paragraph 4 of Act No. 45 of 9 June 1978 relating to Equal Status between the Sexes (see also para. 3 of the Act) forbids discrimination between men and women in connection with appointments. Differential treatment in the interests of equality is permitted. A vacancy must not be advertised only for one sex unless there are "obvious reasons for doing so". An explanation of the Act and its application is enclosed (see the annex below).

59. Paragraph 55 A of Act No. 4 of 4 February 1977 relating to Worker Protection and Working Environment, which applies to most types of activity, establishes that it is forbidden to require or by other means to obtain information concerning the attitude of applicants to political, religious, or cultural questions. A corresponding ban applies to information on whether or not applicants are members of workers' organizations.

60. It must be assumed that paragraph 55 A also implies a ban on attaching importance to such information when making appointments. The prohibition in paragraph 55 A does not apply if the nature of the post justifies such information or if the post is of importance in connection with the promotion of particular political, religious, or cultural views. Some wage agreements contain provisions designed to prevent unfair discrimination in connection with appointments. No other bans on discrimination apply to private appointments.

(b) Dismissals in the private sector

61. Subsection 1 of paragraph 60 of the Working Environment Act (see the annex below) contains a general prohibition against the dismissal of employees without objective grounds in the situation of the enterprise, the employer or the employee. Discriminating dismissal which conflicts with paragraph 2 of article 2 would normally be regarded as unjustified under paragraph 60, subsection 1.

62. There are also certain specific bans on discriminatory dismissals. The rules of the Equal Status Act, mentioned in paragraph 58 above also apply to dismissals. It must also be presumed that the principle in paragraph 55 A of the Working Environment Act applies to dismissals (see the judgement delivered on 19 May 1978 by the Labour Disputes Court-ARD 1978, p. 65). 2/

(c) Appointments and dismissals in the public sector

63. The rules governing the private sector mentioned in paragraphs 57-62 above also apply to the public sector. This is, however, not so important, because the public sector is also subject to an absolutely general principle, not codified in law, concerning the proper, impartial and non-discriminatory exercise of authority. This principle also applies to appointments. It can therefore be assumed that the demands under paragraph 2 of article 2 are fulfilled in the public sector.

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64. For appointment to government service a normal requirement is that the applicant knows Norwegian. Under special provisions it also follows that only Norwegian nationals can be appointed to the police and to senior government posts etc.

(d) Foreign nationals

65. For foreign nationals to be able to obtain and keep work in Norway, a general prerequisite is that they are granted permission to stay and work in Norway in pursuance of the rules of the Aliens Act. Since 1975 immigration into Norway has been strictly regulated. It has as a general rule not been possible to obtain first-time work permits. Certain exceptions are made; for instance, in the case of refugees or families, specialized manpower, or when it is considered reasonable to grant a work permit. As a consequence of the Nordic Convention concerning a joint labour market, Nordic nationals do not require work permits in Norway.

ARTICLE 7: THE RIGHT TO JUST AND FAVOURABLE CONDITIONS OF WORK

The relation between article 7 and article 2, paragraph 2, and article 3

Conditions of employment: the private sector

66. No general ban on discrimination applies to the terms and conditions of employment in the private sector, and few specific bans. Paragraph 4 (see also para. 3) of the Equal Status Act establishes that women and men must be treated differently in connection with lay-offs and promotions, and paragraph 5 establishes that "Women and men in the same enterprise shall have equal pay for work of equal value". Paragraph 55 A of the Working Environment Act can probably to some extent be applied by analogy to the conditions of employment. Wage agreements can also provide some protection against discrimination. The same is true of the rules described below governing participation in decision-making.

Conditions of employment: the public sector

67. The rules which apply to the private sector apply correspondingly. The principle of equality mentioned above under (c) also applies to conditions and terms of employment.

A. Remuneration

Statistical data showing the evolution of the levels of remuneration and the cost of living

68. The relationship between the increase in the level of pay and the change in cost of living (consumer price index) over a 10-year period is apparent from the figures below. The figures give the increase in pay for workers, comprising all adult men and all adult women within the pay sphere covered by the Norwegian Employers' Confederation. Average wages include special supplements such as piece-rate pay, bonuses etc.

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Developments in wages and real incomes, 1972-1982  
 (Percentage)

Period	Increase in average hourly wage		Rise in the consumer price index	Increase in real income	
	Men	Women		Men	Women
1972-73	10.4	11.5	7.6	2.6	3.6
1973-74	16.8	18.1	9.4	6.8	8.0
1974-75	19.9	21.8	11.6	7.4	9.1
1975-76 a/	16.1	18.6	9.2	6.3	8.6
1976-77 a/, b/	11.2	11.5	9.0	2.0	2.3
1977-78	8.4	8.4	8.2	0.2	0.2
1978-79	3.4	3.2	4.8	- 1.3	- 1.5
1979-80	9.3	11.6	10.9	- 1.4	0.6
1980-81	10.0	11.3	13.6	- 3.2	- 2.0
1981-82	10.8	11.5	11.3	- 0.4	0.2

a/ Calculation of real income corrected to take account of the effect of shorter working hours from 1 April 1976.

b/ Calculation of real income corrected to take account of the effect of shorter working hours for two-shift workers from 1 January and 1 April 1977.

69. Allowing for the effects of the reductions in working hours in 1976 and 1977, the average increase in real income over the 1972 to 1982 period was about 1.9 per cent per year for men and about 2.9 per cent per year for women. In 1982 real incomes fell by 0.4 per cent for adult men and rose by 0.2 per cent for adult women.

70. The pay of employees in the local and central administration may be assumed to have followed the same trend.

71. The Equal Status Act (Act No. 45 of 9 June 1978), referred to in the initial report (E/1978/8/Add.12), contains a special section (para. 5) about equal remuneration for work of equal value. The content of the Act, and the Equal Status Commissioner's practice of the law, are contained in document UDA 147/83 ENG (see the annex below).

72. Norway's report to the International Labour Office (ILO) concerning Convention No. 100 on equal remuneration was submitted in 1983. The report contains a comprehensive analysis of women's pay conditions compared to men's.

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C. Equal opportunity for promotion

73. There are no provisions in the Working Environment Act directly relating to promotion. According to paragraph 12 of the Act, however, conditions must be such as to allow employees reasonable opportunities for professional and personal development through their work.

74. The Equal Status Act of 1978 is intended among other things to ensure equality between men and women with regard to promotion in working life.

75. In addition, the Norwegian Employers' Confederation and the Norwegian Federation of Trade Unions have entered into a general agreement concerning the equal status of men and women in working life. The purpose of the agreement is to bring about a situation in which all employees regardless of sex have the same opportunities for work, wages, training and promotion.

76. The following provisions govern equal status between men and women for government employees according to the Basic Agreement:

(a) All government activities shall enter into equal status agreements;

(b) Five-year plans shall be prepared aimed at increasing the proportion of women in male-dominated fields and in top jobs;

(c) Quotas are to be applied in recruitment to ensure more even distribution of men and women at places of work. If fewer than 40 per cent of the employees where a position is vacant belong to one sex, that sex which is under-represented shall take precedence if qualifications otherwise are equal. Changes in the rules governing quotas shall be negotiated between the Government and the labour organizations.

D. Rest, leisure, limitation of working hours, and holidays with pay

77. In 1980 the Act was amended so as to allow employers and employees' representatives, in order to arrive at appropriate work schedules, to agree on average weekly time off of 36 hours. There must not be less than 28 hours off in any single week. The main rule is that there shall be 36 continuous leisure hours per week.

78. Concerning daily rest, the main rule is for working hours to be scheduled so as to give the employee at least 10 hours off between two periods of work. In 1980, the Act was amended to allow employers and employees' representatives to agree that, when necessary for efficient work organization, the period off work can be reduced, but not to less than 8 hours.

79. Annual holidays were extended by one working day by an amendment in 1981, with effect from the 1982/83 holiday year. Annual holidays are accordingly 25 working days.

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80. Holidays were also lengthened for employees aged over 60, who now have annual holidays of 31 working days.

81. A corresponding increase has been carried out where rights to holiday pay are concerned. Holiday pay is calculated on the basis of 9.9 per cent of wages earned in the income year. Employees over 60, who are entitled to extra holidays, receive 12.2 per cent holiday pay.

The right of employees to co-determination at their work place

82. The requirements in article 7 are easier to meet when employees are able to influence their own working situation. A number of rules have gradually been adopted in Norwegian legislation governing the right of employees to co-determination at their own places of work. In view of this development, which has been viewed with general favour, the Storting resolved in 1980 to add a provision to the Constitution on the right of employees to co-determination. The provision was added as the second paragraph of the Constitution's Article 110, and reads as follows: "Specific provisions concerning the right of employees to co-determination at their work place shall be laid down by law". The provision is primarily a declaration of political principle, and its immediate legal consequences are therefore limited. The provision contains no stipulations concerning the form of legislation governing co-determination. If the parties in working life themselves arrive at co-determination agreements, the provision does not require the enactment of legislation.

83. Provisions governing the right of employees to co-determination are including Act No. 57 of 4 June 1976 (paras. 8-17 and 8-18) relating to Joint Stock Companies, Act No. 3 of 25 June 1965 (paras. 17 and 24) relating to certain Government Enterprises and Act No. 45 of 5 June 1981 relating to Employees' Representation in Steering Bodies etc., in the Public Sector. The last-mentioned Act has not entered into force. A number of wage agreements in the private sector also contain rules governing co-determination.

84. A common feature of legal provisions and agreements regulating co-determination by employees is that they normally give employees minority representation in at least one of the managing agencies of the enterprise.

ARTICLE 8: TRADE UNION RIGHTS

The relation between article 8 and article 2, paragraph 2, and article 3

85. The requirements in paragraph 2 of article 2 and in article 3 are met in their entirety in relation to paragraph 1 (a)-(c) of article 8. Any restriction on the freedom of organization would require a basis in statutory provisions, and there is no such basis.

86. Mention has been made above of the rule prohibiting employers from obtaining or attaching importance to membership of labour organizations. As previously mentioned, dismissal on the grounds that the employee was a member of an

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organization would be illegal. It is also worth mentioning that in its paragraph 1, the main wage agreement in Norway establishes the principle of the freedom to join or not to join a labour organization.

87. For the record, it can be added that the Act mentioned by Norway in its initial report in connection with articles 6 to 9 (E/1978/8/Add.12), Act No. 4 of 14 December 1951 relating to the right of work supervisors in private enterprises to be organized, has now been repealed by Act No. 35 of 26 May 1978. The repeal is not likely to have significant legal consequences.

88. As mentioned in the initial report on articles 6 to 9, Norway has made reservations where paragraph 1 (d) of article 8 is concerned. It can nevertheless be said as a matter of information that the limitation on the right to strike is in full accordance with article 2, paragraph 2, and article 3. The same is true of paragraph 2 of article 8.

#### ARTICLE 9: RIGHT TO SOCIAL SECURITY

89. The principal laws which apply to the right to National Insurance are:

Act No. 12 of 17 June 1966 relating to National Insurance;

Act of 24 October 1946 relating to Family Allowances.

90. The National Insurance Scheme covers, with a few exceptions, all persons domiciled in Norway, irrespective of their citizenship. Persons who are not domiciled in Norway but are paid employees in this country are also included.

91. National Insurance as a whole is financed by contributions from the members, the employers and the Government.

92. Norway has assumed obligations in accordance with a number of ILO conventions, and in so far as information has already been given in periodic reports relating to these conventions, reference will be made below to such reports.

##### (a) Medical care

93. See the report for the period up to 30 June 1982 on ILO Convention No. 130 concerning medical care and sickness benefits. No recent changes of any significance.

##### (b) Sickness cash benefits

94. See the report for the period up to 30 June 1982 on ILO Convention No. 130 concerning sickness benefits. Since the report was presented, the minimum income limit for entitlement to sickness cash benefits has been raised from Nkr 4,000 to Nkr 10,000.

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95. Sickness benefits are now only paid in respect of incomes up to eight times the basic amount. The former permission to include parts of one's income between 8 and 12 times the basic amount when establishing the basis for calculating benefits has been withdrawn. As at 1 May 1983, the basic amount is Nkr 22,600.

(c) Maternity benefits

96. Norway has not ratified ILO Convention No. 103 of 1952 concerning maternity care. However, we refer to the survey in our answer to ILO's inquiry D. 1/1982 concerning revision of the Convention. We also refer to the report for the period up to 30 June 1982 on ILO Convention No. 130 concerning medical care and sickness benefits, because in that connection information was also given concerning maternity grants and cash benefits in connection with adoption.

97. In addition to what is mentioned in these reports, assistance is also given in connection with pregnancy and births to women who are not employed, in the form of a lump sum grant of Nkr 3,480, in connection with births or adoptions.

98. Single mothers receive lump sum grants of Nkr 7,020 in connection with births whether they are in employment or not.

99. As mentioned, medical care in connection with pregnancy and births is completely free of charge. When a woman gives birth at home, a special grant is given of Nkr 1,044.

(d) Invalidity benefits

100. See the report for the period up to 30 June 1980 on ILO Convention No. 128. Changes have been made in the rates mentioned in the report, because the basic amount is Nkr 22,600 as of 1 May 1983.

(e) Old-age benefits

101. See paragraph 100 above.

(f) Survivors' benefits

102. See paragraph 100 above. See also the report for the period up to 30 June 1983 on ILO Convention No. 118.

(g) Employment injury benefits

103. See the report for the period up to 30 June 1980 on ILO Convention No. 102.

(h) Unemployment benefits

104. As regards unemployment benefits, the following points characterize the Norwegian system.

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105. The unemployment scheme is an integrated part of our National Insurance Scheme. It is a part of the National Insurance Act of 1966, chapter 4. In addition, administrative regulations issued by the Ministry of Local Government and Labour and the Labour Directorate complement the text of the Act on the basis of authorization given in the Act. There are no collective agreements, as the scheme is solely based upon the National Insurance Scheme and no trade union schemes.

#### Main features of the scheme

##### Scope of coverage

106. The unemployment benefit scheme only covers persons who are employees and have earned their income as employees. All employees are covered. The insured workers pay no special contribution to the unemployment insurance scheme.

##### The nature and level of benefits

107. To become eligible for a daily cash benefit the insured person must have been in public or private employment. In such employment he must have earned income amounting to not less than 75 per cent of the basic amount either in the last completed calendar year or on an average in the last three completed calendar years (Nkr 16,950).

108. The daily cash benefit is paid for a maximum of 40 weeks in the course of a calendar year. It is paid for all days of the week except Sundays. No allowance is paid for the first three days after an unemployed person has registered for employment.

109. The daily cash benefits are the equivalent of 0.2 per cent of the unemployed person's income in the last completed calendar year or on average in the last three complete calendar years under eight times the basic amount plus 0.0667 per cent of income between 8 and 12 times the basic amount. The benefits are liable to taxation.

110. A supplement of Nkr 6 per day is payable for each supported child.

111. Generally speaking, unemployment benefits cover between 65 and 75 per cent of the earlier income. The exact figure is dependent on the taxation level of each person.

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Family benefits

112. Concerning family allowance, see the report for the period up to 30 June 1980 on ILO Convention No. 102 and the report for the period up to 30 June 1983 on ILO Convention No. 118. As at 1 January 1983, family allowances are granted according to the following annual rates:

	<u>NKr</u>
First child	3 816
Second child	4 644
Third child	5 772
Fourth child	6 204
Fifth child and each child thereafter	6 516

113. Single parents are granted allowances for one more child than they have.

114. Sickness cash benefits in connection with the illness of small children were mentioned in the initial report (E/1978/8/Add.12), to which we refer, as well as to our report on ILO Convention No. 130 (see paras. 94 and 95 above).

115. In addition to what is mentioned under this heading and in paragraphs 96-99 above, other benefits are also given pursuant to the National Insurance Act to single persons supporting dependents:

(a) A man or woman who is supporting a child or children alone is entitled to benefits if unmarried, divorced or separated and not living with the other parent or with another person who may be the other parent;

(b) The person concerned must have been insured for the last three years and must be resident in Norway with the child when the claim for benefits is submitted;

(c) Grants to single persons supporting dependents comprise child care benefits, education benefits and transitional benefits according to the same rules as apply to survivors' benefits.

116. With regard to the Norwegian report for 1977, we would point out the following:

117. The Working Environment Act of 4 February 1977 is mentioned in the 1977 report as one of the Acts relating to social insurance. This is misleading. Although it is true that the Act establishes certain rights to leave, etc. in connection with births and with child care generally, the right to cash benefits in such cases is regulated by the National Insurance Act directly.

Notes

1/ It must be noted that AKU are selective investigations, so that both levels and trends are uncertain.

2/ See the annex below.

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Annex

Reference material a/

- Annex 1. Explanation and application of Act No. 45 of 9 June 1978 relating to Equal Status between the Sexes - Royal Norwegian Ministry of Foreign Affairs, Oslo, March 1983.
- Annex 2. Act of 4 February 1977 relating to Worker Protection and Working Environment.
- Annex 3. Judgement delivered on 19 May 1978 by the Labour Disputes Court.

Notes

a/ The reference material is available for consultation in the files of the Secretariat in the original language as received from the Government of Norway.

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