

The Norwegian Association of Researchers' policy on gender equality

Approved by the Executive Board on 6 September 2017



1. Definitions and perspectives

1.1 Background

“The Norwegian Association of Researchers’ policy on gender equality” is a tool for union representatives and members to use in their gender equality work.

“The Norwegian Association of Researchers’ policy on gender equality” is approved by the Executive Board, and supplements the association’s work programme which states that the association works actively to:

- uncover areas of unequal treatment
- ensure that employees do not experience discrimination on the basis of gender, ethnicity, age, functional capacity or sexual orientation
- educate union representatives with regard to provisions in legislation and collective agreements regarding discrimination
- increase the proportion of women in executive positions by 2 percentage points annually
- make sure public authorities and institutions set target figures to increase the share of women in executive positions in research and academia
- encourage institutions to have strategies for the recruitment of underrepresented gender and population groups among both students and staff.

The first part of this document sets out general definitions and perspectives for the work on gender equality, gender balance and the challenges associated with the gender-divided labour market.

The second part presents an overview of provisions laid down in legislation and collective agreements with the intention of promoting gender equality and combating discrimination in the labour market.

1.2 Gender balance and gender equality

Gender equality entails the right to equal participation, genuine equality, equal opportunities, accessibility and adaptation. This, in turn, involves freedom from discrimination, exclusion and violations. Gender balance has to do with equal representation of the genders in different fora and undertakings, and on different levels in society. Gender balance and gender equality are often considered mutually interdependent, and this is also a premise taken as a basis in the presentation here.

Both gender balance and gender equality are considered fundamental and embedded values in Norwegian society, and they are particularly important in areas where the skills and knowledge of the future are being developed and shaped.

There are several perspectives that emphasises the importance of promoting gender equality in all areas of society:

- **The perspective of resources:** has to do with making use of all available resources in society.
- **The perspective of democracy:** has to do with ensuring that men and women enjoy equal representation and can participate in the public area on equal terms.
- **The perspective of fairness:** has to do with values; for example, men’s and women’s work should be accorded equal value.

- **The perspective of quality:** in principle, a heterogeneous environment is the key to improved quality as it provides the best guarantee that all good ideas come to light when new solutions are being developed, and when society is to change for the better.

1.3 A gender-divided labour market

Gender equality on the labour market means that men and women are to be evaluated equally for appointments, receive equal pay for work of equal value, enjoy the same rights regarding promotion, skills development and periods of leave, as well as equal rights for qualification, etc. Even though men and women are almost equally represented on the labour market in Norway, the country has had one of the most markedly gender-divided labour markets in Europe for many years.

The gender division of the labour market is *horizontal*, in that men and women are typically to be found in different labour areas. For example, women dominate in the public sector, whereas men are more prevalent in the private sector.

The gender division is also *vertical*, on account of warped gender distribution in job hierarchies. This is clearly demonstrated in that men dominate the executive layers, while women are typically relegated to lower level positions, staff and auxiliary functions. Around a third of executives in Norway are women.

The degree of horizontal and vertical gender division varies between the different sectors of the labour market. Women also tend to work part time to a much greater degree than men, a factor that will inevitably have long-term consequences for their pensions. Statistics Norway prepares an annual set of key figures regarding [gender equality in Norway](#).

Women currently account for the majority of higher education students (60%) and PhD candidates (51%) in Norway. The female dominance in the field of education is not reflected in the gender-divided labour market, however. Nor is it having a positive effect on the salary gap. In 2016, women's monthly salary for full-time employment was 87.5% of men's on average.

The gender-divided labour market is also reflected in the application figures for higher education. An overwhelming majority of men are offered university places for technological subjects (maritime subjects, 83% and engineering subjects, 79% men), as well as IT subjects, where 74% of offers are made to men. In contrast, women dominate in study programmes related to healthcare: 94% on orthopaedic subjects, 93% on veterinary and animal care courses, 86% on nursing courses, 83% on social work courses, and 82% on child welfare, pharmacy technician and bio-engineer programmes. Kindergarten teacher courses also feature a disproportionately high share of women.¹ Any work to ensure a more balanced labour market will therefore likely require early input.

1.4 Gender-divided academia

Uneven distribution of genders in jobs is also apparent in the university and college sector. This is reflected, for example, in men's and women's different choices of subject area, where men constitute the majority in subjects such as mathematics, natural sciences and technology. Equal representation of men and women in all jobs and positions is one of the Norwegian Association of Researchers' goals.

¹ All figures from the 2017 fact sheet on principal acceptance to higher education, CERES.

Table 1 Share of women at universities and colleges

Positions	Share of women, 2016
Teaching and research positions, total	44.5%
Professor	28%
Professor (Norwegian: <i>Dosent</i>)	40%
Associate professor	47%
Senior lecturer	55%
University college lecturer	66%
University lecturer	58%
Researcher 1108	44%
Researcher 1109	43%
Researcher 1110	33%
Researcher 1183	44.5%
Research fellow and postdoc positions, total	53%
Research fellow 1017	52.5%
Research fellow 1378	64%
Postdoc	45%
Management positions, total	48.1%
Middle manager positions, total	53.9%
Case officer and reporter positions, total	72.8%
Office positions, total	63.7%

Source: DBH

Gender balance challenges clearly remain in the field of professorships, and in the “case officer and reporter positions” group, even though development is moving towards greater gender balance in positions centred on teaching, researching and communication.

In this regard, surveys from the Young Academy of Norway show that in 2016, women account for 27% of tenure track positions². In Finland – like in Norway – women account for half of all research fellowships, but only 16% of employees in tenure track positions from 2000–2011 at Aalto University³.

In Norway, the share of women among researchers is 36%. The average for the EU is 33%. The largest gender imbalance among researchers is to be found in the business community, where the female share is 23%. The average for the EU is 20%, while Germany is way ahead of the field with almost 50%. Looking at the share of women in academic senior positions, Norway recorded a figure of 25.2% in 2013, placing the country fourth on the list of EU 28 countries (*Indikatorrapporten 2016*).

² Tenure track positions are a trial scheme, where people can be awarded a temporary appointment for six or seven years – either as a postdoc or an associate professor – with a view to qualifying as an associate professor and professor, respectively. The Norwegian Association of Researchers is committed to ensuring that the scheme is properly evaluated, and that it does not simply result in an increase in temporary appointments.

³ Rebecca Lund (2015): *Idealakademikeren* (The ideal academic) and the everyday life of female academics in *the heart of the welfare state. En invitasjon til institusjonell etnografi*, (An invitation to institutional ethnography) Karin Widerberg (ed.) Cappelen Damm.

1.5 Recruitment processes

Appointment procedures and recruitment processes have been highlighted as a cause of gender imbalance. Open appointment procedures have a key role to play in uncovering gender imbalance and combating favouritism. The work done before advertising a position is important in raising the share of women. The use of search committees, the preparation of the advertising text, and the choice of criteria are all key instruments.

Initiatives designed to improve the gender balance can be both subject-specific and general. It may also be necessary to introduce various measures to counteract gender imbalance for women and men. Good salary and working conditions, a healthy working environment and a sound work culture are all important factors when men and women choose a career. This is also the case with regard to the opportunity to maintain a healthy balance between work and family life.

1.6 Gender and career development

Building up a career in the knowledge sector is a demanding task, and both men and women may find it challenging to juggle career and family commitments. Combining a career as a researcher with a family life is conditional upon gender-equal lives, where in many cases men and women define conditions for each other's involvement in the labour market. Gender equality in private life is thus a key premise for equal opportunities for career development in working life.

Challenges linked to an internationalised labour market mean that different life situations can have a decisive impact on employment and careers in the academic world. Being able to accept a position at an institution abroad has gradually become a precondition for building a career. Prioritisation of a partner's career is a factor that leads to lower career mobility for women than men in academia (Schibinger *et al*, 2008). Women's career opportunities are seldom accorded top priority when they have to fit in with family life, for example, and other obligations.

Maintaining the "father quota" as a part of the parental leave scheme, such that both parents share the care obligations for their child, is crucial to the issue of gender equality on the labour market. The father quota diminishes expectations that parental leave is reserved exclusively for women and also reduces gender bias in favour of men during appointment processes.

There is a tendency to reward men to a greater extent than women for their research, with men being prioritised when research awards are presented. Literature in the field has established a concept for designating gender bias in academic work: the Matilda Effect⁴. This concept refers to the systematic failure to credit the work of female researchers, and to the fact that women's work is often credited to their male colleagues, while men are prioritised when research awards are distributed, and so on.

Studies also reveal that at both national and global level, women are published and quoted to a lesser extent than men.⁵ Female researchers also participate less often than men in

⁴ A.E. Lincoln *et al* (2012): The Matilda Effect in Science: Awards and prizes in the US, 1990s and 2000s. *Social Studies of Science*, 20 February 2012.

⁵ Vincent Larivière *et al* (2013): Global gender disparities in science. *Nature*, 11 December 2013.

international research work, in peer reviews of journal articles, and in evaluation committees in connection with doctorates. Moreover, women consider themselves to be less included and to have less influence over their own time than men (NIFU 2009, AFI 2012). The proportion of Norwegian women in the EU projects under the EU's seventh framework programme indicates that the female share is below the average for the EU 28 countries.⁶ Research institutions have a responsibility with regard to promoting women's career opportunities. Gender equality plans are a tool to be used in this work. In Norway, 62% of research institutions currently have gender equality plans in place (ERA Survey 2014).

According to reports from the European Research Council (ERC), men dominate when it comes to receiving funding for projects in all areas of research. Not only do women make fewer applications to the ERC, but they also have a lower aggregate percentage on all ERC research programmes⁷. Women account for 25% of the applications and 20% of the funding awarded. Norway has a poor gender balance with regard to receiving ERC grants⁸. Just a little over 6% of the Norwegian researchers who received an ERC grant in the period 2007–13 were women. The Research Council of Norway's own analyses show that it is not only in the context of the ERC that the gender balance is skewed – there is appreciable gender bias in the grants awarded at national level⁹.

Time consumption surveys in the university and university college sector, (The Norwegian Association of Researchers 2009, AFI 2012; NIFU 2012)¹⁰ reveal that "*The battle for a career in this sector is fought outside the normal working day*", that women work less than men, that they are influenced to a greater extent by care obligations, and that they systematically have less occasion or willingness to devote their free time to work. This does not mean that women are not dedicated to their careers, but it may indicate that they have to deal with several competing dedications, which result in them having to devote time to different areas. In the Norwegian Association of Researchers' survey (2009), both male and female employees in the university and university college sector state that they have too little time for R&D within their normal working day.

It does not seem that women leave the university and university college sector more readily than men once they have entered this sector, but they do advance more slowly. The AFI survey also reveals that a lack of time for R&D affects women to a greater extent than men. This can make it harder for women to qualify for senior positions. Helping women advance more quickly – by ensuring they have time for R&D within their normal working hours, for example – would therefore be an efficient way to raise the share of women at senior level.

Figures from DBH show that women are over-represented in temporary appointments at academic institutions. A long series of temporary appointments is not only unfavourable for the individual employee, but also diminishes predictability and security. Permanent appointment is also beneficial in securing a long-term perspective in professional work, and allows room for trial and error. Permanent appointment is good for both the individual and the professional undertaking. Reduced reliance on temporary appointments is not just a

⁶ The Norwegian research and innovation system – statistics and indicators 2014.

⁷ With the exception of one area in 2013.

⁸ ERC funding activities 2007–2013. European Union 2015.

⁹ The Research Council of Norway (2009): Gender equality in research – what works? An analysis of the allocation processes in the Research Council of Norway's quality initiatives YFF, SFF and SFI.

¹⁰ Norwegian Association of Researchers Publication Series 4/2009, AFI-report 1/2012, NIFU Report 9/2012.

question of framework conditions; it also has to do with local culture and practice regarding appointments. Reduced reliance on temporary appointments therefore requires the launch of initiatives at institution level.

1.7 Gender equality and gender relevance in research themes

Gender equality and the gender perspective are important when it comes to who is conducting the research, what is being researched, how it is being researched, and how the results are used. It is a stated objective that gender equality and gender perspective are to be integrated into processes to advertise and allocate positions, and the gender perspective should be taken into account, as well as the significance the research has regarding gender equality and gender balance, where this is relevant. Integration of the gender perspective into research involves taking into account the fact that men and women behave differently and have different needs and attitudes. The Norwegian Research Council (NCR) demands that the gender equality perspective be included in its projects. It also requires including the gender perspective as a mandatory checkpoint in drawing up programme plans. It is important to ensure that the gender perspective is not overlooked.

Requirements on gender equality and the gender perspectives in research applies both at overarching level – as regards the guidelines laid down in the various programmes, etc. – and to the individual undertaking and researcher, with regard to ensuring that the gender and gender equality perspectives are integrated where relevant.

Showing consideration for differences, diversity and differentiation also applies within the gender categories. Women and men are not homogeneous groups; each is made up of individuals with different experience, needs, attitudes, lives and socioeconomic status. The world of research must reflect this if it is to remain as relevant as possible.

2. Objectives for the Norwegian Association of Researchers' gender equality policy

The Norwegian Association of Researchers will:

- strive to ensure gender equality and gender balance in the labour market
- strive to ensure recruitment processes that help improve the gender balance
- act to improve working conditions that make it easier for women and men to balance their care responsibilities and a career in academia
- work to reduce the use of temporary appointments in academia
- actively combat unequal treatment of men and women, as well as gender prejudice in academia
- emphasise the gender perspective and gender relevance in research
- promote improved gender balance in student recruitment.

3. Gender equality initiatives

- Actively encourage men and women to apply for positions, and recruit representatives from the under-represented gender in areas marked by gender imbalance.
- Tailor initiatives for skills development for women in teaching and research positions.
- Set up mentor schemes for the under-represented gender.
- Highlight female role models in male-dominated arenas, and male role models in female-dominated arenas.
- Be aware of gender imbalance in the context of new appointments and adaptation processes.
- Recruit managers who are conscious of the importance of working with gender equality and gender balance.
- Prepare action plans for gender equality at institution level in all research undertakings.
- Make sure that the gender equality action plans are deployed in all areas of the undertaking.
- Ensure that responsibility for the systematic work with gender equality is placed with the senior management.
- Set up a separate committee for gender equality in the undertakings, with reporting requirements as well as follow-up and driver responsibility.
- Work to promote gender balance in the composition of awards committees and when awarding research prizes.
- Work for an improved balance between time for R&D and other duties during the normal working day.
- Introduce higher salaries for female-dominated groups of jobs.
- Assure the “father quota”.
- Actively utilise regulations from legislation and collective agreements that promote gender equality and counter discrimination.
- Combat salary differences attributable to gender in the context of salary negotiations.

4. Legislation intended to promote gender equality and to counter discrimination in the labour market

Despite the fact that we have a strong set of laws and regulations designed to boost gender equality and hinder discrimination in the labour market, discrimination still exists at Norwegian workplaces. If a person is confronted with worse conditions than his/her colleagues on account of his/her gender, this person is likely the object of gender discrimination. Both men and women may experience gender-based discrimination. Differential treatment on account of gender can take the form of being passed over for promotion, favouritism or exclusion in work or study situations. It can be more or less obvious or pronounced.

When talking about protection against discrimination on the grounds of gender, we tend to refer to the Norwegian Gender Equality Act, which applies to all sectors. The Norwegian Gender Equality Act states that it is not permitted to treat people differently on account of gender. This prohibition applies to all aspects of the employment relationship, from the time the job is advertised, through appointment, the ongoing work relationship, relocation, promotion, salary and working conditions, training and skills development, to the end of the relationship in the form of termination or retirement. The following sections present key provisions from the Norwegian Gender Equality Act, which are of relevance to the work with gender balance and gender equality.

THE NORWEGIAN GENDER EQUALITY ACT – ACT OF 21 JUNE 2013 NO. 59 RELATING TO GENDER EQUALITY

Section 5, Prohibition against direct and indirect discrimination

Direct discrimination is prohibited and defined as follows:

“Direct differential treatment” shall mean an act or omission that has the purpose or effect that a person is treated worse than others in the same situation, and that is due to gender.

The prohibition thus applies to both acts and omissions. An example of a discriminatory *act* may be to terminate the contract of a woman who has become pregnant. An example of a discriminatory *omission* could be the failure to call a pregnant applicant in for an interview.

It is not a requirement that the person in question actively intends to discriminate against someone; the prohibition against discrimination also applies to unintentional discrimination, hence the wording “purpose or effect”.

The act also requires a *causal relationship* between the act/omission and the discrimination basis. In the examples above, this means that pregnancy (gender) must be assumed to be the reason why the person was not called in for an interview. If there are reasons other than pregnancy (gender) behind the decision not to issue an invitation for an interview – lack of qualifications, for instance – this will not be viewed as discrimination under the gender equality act (there is no causal relationship between pregnancy and not being offered an interview).

Prohibition of indirect discrimination

The prohibition against indirect discrimination is defined in Section 5 of the Norwegian Gender Equality Act:

“Indirect differential treatment” shall mean any apparently neutral provision, condition, practice, act or omission that results in persons being put in a worse position than others, and that occurs on the basis of gender.

An example of indirect discrimination are pension regulations which result in part-time employees who do work over and above that required by their actual position not having this additional work included as pension-generating income, cf. Equality and Anti-Discrimination Ombud case no. 15/1299. In this matter, the Ombudsman found that the pension regulations were discriminatory, given that a significantly larger number of women than men are regular part-time employees, and that the regulations are therefore designed to put a significant number of women in a worse position than men by withdrawing pension entitlement from additional work over and above the regular part-time position.

NORWEGIAN GENDER EQUALITY ACT (Ctd.)

Pregnancy discrimination

The prohibition against discrimination on the grounds of gender also includes a prohibition against discrimination on the grounds of pregnancy, childbirth, adoption and decision to take parental leave. This is explicitly stated in Section 5 of the Norwegian Gender Equality Act.

The prohibition against discrimination on the ground of pregnancy, etc. also means that the employer may not ask question/collect information about pregnancy, adoption or family planning during the appointment process, cf. Section 18 of the Norwegian Gender Equality Act.

Employee's rights in connection with parental leave

The Norwegian Gender Equality Act, Chapter 20:

Chapter 20. Workers' rights in connection with parental leave –

A worker who is or has been on parental leave pursuant to Section 12-5 of the Norwegian Working Environment Act shall be entitled to:

- a) return to the same, or a corresponding, position,
- b) benefit from improvements in working conditions to which the worker would otherwise have been entitled during the absence, and
- c) make pay claims and, in pay negotiations, be assessed in the same way as the other workers in the undertaking.

The first clause does not influence the agreement of or changes to salary and working conditions that result from conditions other than the period of parental leave.

This section applies correspondingly to other forms of leave linked to pregnancy and childbirth, cf. Sections 12-5 to 12-8 of the Norwegian Working Environment Act.

Equal pay

Section 21 of the Norwegian Gender Equality Act states that women and men at the same undertaking are to receive equal pay for the same work or work of equal value. Pay shall be set in the same way for women and men without regard to gender. This does not necessarily mean that men and women are to receive absolutely identical pay down to the last cent, but the provision means that men's and women's pay is to be assessed using the same criteria.

Harassment

Section 8 of the Norwegian Gender Equality Act prohibits harassment on the basis of gender, and sexual harassment.

Harassment on the basis of gender is defined in Section 8-2 as follows:

"Harassment on the basis of gender" shall mean acts, omissions or statements that have the effect or purpose of being offensive, frightening, hostile, degrading or humiliating.

Sexual harassment is defined in Section 8-2 of the Norwegian Gender Equality Act as:

"Sexual harassment" shall mean unwanted sexual attention that is troublesome to the person receiving the attention.

Sexual harassment may be physical, verbal and non-verbal. As there is no requirement for an intent to harass – see the wording "that have the effect or purpose of being", great emphasis is placed on whether the receiver of the statement finds it offensive. This means, for example, that statements made with the intention of being humorous may be covered by the prohibition against harassment.

The employer and the management of organisations and educational institutions have a duty to prevent and seek to hinder sexual harassment within their areas of responsibility, cf. Sections 15 and 25 of the Norwegian Gender Equality Act.

In this context, "prevention" is taken to mean implementing measures designed to prevent harassment taking place. Examples of this include setting up internal complaints or control systems, and drawing up guidelines.

In addition to the Norwegian Gender Equality Act, rules and regulations concerning gender equality on appointment are laid down in the Norwegian Act Relating to Universities and University Colleges.

NORWEGIAN UNIVERSITIES AND UNIVERSITY COLLEGES ACT – ACT OF 1 APRIL 2005 NO. 15 RELATING TO UNIVERSITIES AND UNIVERSITY COLLEGES

Chapter 6 of the Norwegian Universities and University Colleges Act sets out special regulations concerning academic appointments.

Universities and university colleges are obliged to promote gender equality.

Section 6-2 of the Norwegian Universities and University Colleges Act states:

Universities and university colleges shall make active, targeted and systematic efforts to ensure gender equality in all categories of employment at the institution.

Encouragement for members of the under-represented gender to apply

If there is a lack of gender balance within a given academic area, the advertisement for the position in question must encourage the under-represented gender to apply, cf. Section 6-3(2) of the Norwegian Universities and University Colleges Act:

If one sex is clearly under-represented in the category of post in the subject area in question, applications from members of that sex shall be specifically invited.

Gender representation in expert assessment

Norwegian Universities and University Colleges Act, Section 6-3(3)

When an expert assessment is conducted, both sexes shall be represented among the experts.

Obligation to emphasise gender equality in appointments

Norwegian Universities and University Colleges Act, Section 6-3(3)

When the appointment is made, importance shall be attached to gender equality considerations.

Gender equality is a management responsibility at the individual institution. Experience from gender equality work indicates that the measures have the greatest effect when the theme of gender equality is firmly deployed within the management. The employer therefore has a key role to play in the work to establish a more even distribution of genders in academia. The Norwegian Association of Researchers must work hard at local level to encourage employers to launch initiatives.

5. Collective agreements intended to promote gender equality and to counter discrimination in the labour market

Many of the Norwegian Association of Researchers' key agreements contain provisions concerning gender equality. At state level, gender equality provisions have been used, for example, in the work to recruit women to management positions. A number of collective agreements and other agreements do not contain gender equality provisions, however. The most important provisions in collective agreements of relevance to members of the Norwegian Association of Researchers are highlighted here:

Agreement	Provision	Description/Use
Basic agreement for state employees	Chapter 6 Section 20, Recruitment	Opens the opportunity to implement conditions for recruiting under-represented groups to the undertaking.
	Section 21 Gender equality	The employer is responsible for taking the initiative for, executing, and reporting on gender equality measures at the undertaking. The gender that accounts for less than 40% of employees in the position group in question is under-represented.
	Section 31 Mutual rights and obligations	Both employer and employee have a duty to ensure compliance with the provisions of the basic agreement.
Adaptation agreement to the basic agreement for State employees	Chapter 2	The provisions of the main agreement are to be adapted to suit the specific nature of the undertaking.
Master collective agreement for state employees	Clause 2.5.3 no. 3	This is a legal basis for negotiations in cases where documented differences in pay cannot be accounted for by any factor other than gender.
	Joint provisions Section 3-5	Salary interview designed to promote equal pay for both genders, for example.
	Joint provisions Section 3-6	Salary interview on return to work following parental leave.
Basic agreement for the Association of Local and Regional Authorities (KS)	Part B, Section 7 Promote gender equality and prevent discrimination	<ul style="list-style-type: none"> - Equal rights for development, appointment, salary - Recruiting women for management positions - Recruiting men for female-dominated professions

Agreement	Provision	Description/Use
Document 24, City of Oslo (Basic agreement)	Separate agreement on gender equality in Document 24	Deployment of gender equality work at all levels at the City of Oslo Women and men to have equal rights to salary, career and family life.
Basic agreement between Spekter and Unio	No provisions on gender equality.	
Agreement Spekter	A – General provision on gender equality	The parties are to work to set up conditions for gender equality and diversity. Integration and life phase needs.
	Other, area 9 (museums, research institutes): No provisions	Part B. The Norwegian Association of Researchers is the local party
Agreement, Norwegian Association of Researchers – Abelia	(Research institutes) No provisions Appendix 3: Addresses the issues of diversity, equality, gender equality	

Increased schooling in and awareness of legislation and collective agreements with regard to gender equality provisions would make an important contribution to ensuring equal treatment of employees, irrespective of gender.



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