

Article 22 of the Constitution of the ILO

Report for the period ending 30 April 2022,
made by the Government of Denmark, on the

EQUAL REMUNERATION CONVENTION, 1951 (NO. 100)

(Ratification registered on 10 June 1960.
The ratification does not cover Greenland and the Faeroe Islands)

I

Reference is made to previous reports.

II

Reference is made to previous reports.

III

Reference is made to previous reports.

IV

Decisions from the Board of Equal Treatment

2019

File number 19-15829

A foster family consultant was the only one of the department's four consultants not to receive a one-off supplement of DKK 5,000 in connection with the salary negotiation in 2018. The reason for this was that she had not been included in the work due to her maternity leave and partial sick leave most of the year. The other three foster family consultants were all given a one-off supplement because, due to a lack of maternity replacement during the complainant's leave, they had made an extraordinary contribution. The board assessed that the complainants had established facts that indicated that there had been discrimination due to her maternity leave. Defendant had not lifted the burden of proof that the complainant's maternity leave had not been included in the decision not to award her a lump sum. Complaints were therefore upheld and a compensation of DKK 10,000 was awarded.

2020

File number 19-17158

A woman complained that she received a lower monthly salary than her male colleague. The woman was hired as a Sales Assistant by the defendant company on July 1, 2015. At the time of employment, she had worked alone in a clothing store for four months and she had no management experience. In 2017, the woman was promoted to Store Manager. On 1 July 2018, the

woman's monthly salary was increased to DKK 34,000. On 1 April 2018, the defendant company employed a male Store Manager whose monthly salary was DKK 42,500. The male Store Manager had 20 years of store experience. On that basis, the Board assessed that the complainants had not established factual circumstances that gave reason to believe that there had been discrimination on the grounds of the woman's gender. The woman (complaint) was therefore not upheld in the complaint. [Lika arbete](#)

File number 18-64972

An office assistant, born in 1957, was fired in August 2017 on the grounds that she did not live up to the requirements of the position. The woman claimed that she had been discriminated against in connection with the dismissal due to disability and age. The woman also claimed that she had been discriminated against because of her disability in relation to further education and harassment during employment. The woman suffered from a metabolic disease, diabetes and problems with her knees and feet. The board assessed that the woman had not proved that she had a disability within the meaning of the law. The Board further assessed that the woman had not demonstrated factual circumstances that gave reason to believe that she had been discriminated against on the grounds of age in connection with the dismissal. The woman further claimed that she had been discriminated against on the grounds of sex in connection with a male colleague receiving a higher salary than her. The Board assessed that the woman had not demonstrated factual circumstances that indicated that her gender played a role in relation to the pay gap. The woman (complaint) was therefore not upheld in the complaint. [Lika arbete](#)

File number 19-35897

A female waiter who had served as chief of staff lodged a complaint with the Equal Treatment Board alleging discrimination on grounds of sex and alleging pay discrimination. The waiter claimed that she was not respected at the workplace. The board assessed that there was no information that gave reason to suspect that the waiter during her employment had been discriminated against on the grounds of sex. In support of the allegation of pay discrimination, the waiter claimed that, as chief of staff, she had a lower salary than a male chief of staff. The Board assessed that the servant had not established facts that indicated that her gender played a role in relation to her salary and that she should therefore have been subjected to pay discrimination on the grounds of sex. The waiter therefore did not uphold the complaint. [Lika arbete](#)

2021

File number 20-41301

One woman and five men were employed as locomotive driver students at the same time. The five men were each awarded an individual qualification supplement, while the woman was not awarded a qualification supplement. This meant that the female driver's monthly salary was lower than the five male driver's monthly salary. The woman argued to the Board that she had been discriminated against on the grounds of sex because she was the only one of the newly hired locomotive driver trainees who was not awarded an individual qualification supplement. Among other things, the woman claimed that she had relevant work experience on an equal footing with the five male locomotive driver trainees, and that it was therefore not the five locomotive driver trainees' work experience that was the reason why they were each awarded an individual qualification supplement. The board assessed that the woman, unlike the other

male locomotive driver students, did not have a professional education or significant work experience that could justify a qualification supplement. On that basis, the Board assessed that the woman had not demonstrated factual circumstances that gave reason to believe that the wage difference between the woman's salary and the five male locomotive driver's salaries was justified by the woman's gender. The woman was therefore unsuccessful in the complaint. **Lika arbete**

V

Reference is made to previous reports.

VI

Workers' and employers' organisations which have receive a copy of this report

Copies of this report have been communicated to Local Government Denmark (KL), The Confederation of Danish Employers (DA), The Danish Trade Union Confederation (FH), and The Danish Confederation of Professional Associations (AC).

Employers' organisations:

- The Danish Employers' Confederation, Vester Voldgade 113, DK-1790 Copenhagen V
- Local Government Denmark, Weidekampsgade 10, P.O. Box 3370, DK-2300 Copenhagen S

Workers' organisations:

- The Danish Confederation of Trade Unions, Islands Brygge 32D, DK-2300 Copenhagen S
- The Danish Confederation of Professional Associations, Nørre Voldgade 29, P.O. Box 2192, DK-1358 Copenhagen K

The social partners have been consulted and no substantial comments to the report have been received.