



FORSÆTISRÁÐUNEYTIÐ

Prime Minister's Office

**Act on Equal Treatment on the Labour Market,
No. 86/2018.**

Where mention is made in this Act of 'the minister' or 'the ministry' without further definition, the reference intended is to the Prime Minister or to the Prime Minister's Office, which is responsible for the implementation of this Act. Information on the division of responsibilities between ministries according to a presidential decree may be found [here](#).

SECTION I

Scope, aim and definitions.

Article 1

Scope.

This Act shall apply to the equal treatment of individuals on the labour market, irrespective of their race, ethnic origin, religion, life stance, disability, reduced working capacity, age, sexual orientation, gender identity, sexual characteristics or gender expression, for example as regards:

- a. access to jobs, self-employment or occupational sectors, including as regards engagement and promotion,
- b. access to educational and vocational counselling, vocational education and vocational training,
- c. decisions in connection with wages, other terms of service and notice of termination, and
- d. participation in workers' and employers' organisations, including the prerequisites that they provide to their members.

This Act does not cover differences in the treatment of individuals on the labour market on the basis of their nationality or position as stateless persons. Furthermore, this Act does not cover measures that are prescribed in law and that are necessary with reference to public order, public safety, public health or to protect the rights or freedoms of others. In addition, this Act does not apply to various conditions regarding age in connection with pension rights in pension funds.

This Act does not apply to rights and services within public systems, e.g. as regards rights under the Social Insurance Act, the Local Authorities' Social Services Act, the Unemployment Insurance Act and the Maternity and Paternity Leave Act.

Article 2

Aim.

The aim of this Act is to combat discrimination and to establish and maintain equal treatment of individuals on the labour market, independent of the factors mentioned in the first paragraph of Article 1.

Article 3

Definitions.

For the purposes of this Act, the following terms are used as defined below:

1. *Equal treatment*: When individuals suffer neither direct nor indirect discrimination due to any of the factors mentioned in the first paragraph of Article 1.
2. *Direct discrimination*: When an individual receives less favourable treatment than another individual receives, has received or would receive in comparable situations, due to any of the factors mentioned in the first paragraph of Article 1.
3. *Indirect discrimination*: When an apparently neutral provision, criterion or practice would put some individuals at a disadvantage, due to any of the factors mentioned in the first paragraph of Article 1, compared with others, unless this can be objectively justified by a legitimate aim, and the means of achieving that aim are appropriate and necessary.
4. *Harassment*: Conduct which is unwelcome to the person affected by it and is intended to violate the dignity of the person concerned, particularly when the conduct results in situations that are intimidating, hostile, degrading, humiliating or offensive.
5. *Wages*: Ordinary remuneration for jobs and all forms of additional remuneration, direct or indirect, whether in the form of perquisite payments or in another form, which an employer pays to his or her worker for his or her work.
6. *Terms of service*: Wages together with pension rights, holiday rights and entitlement to wages in the event of illness and all other terms of employment or entitlements that can be evaluated in monetary terms.
7. *Life stance*: A stance based on a secular view of life, particular ethical values and morals, together with a defined morality and epistemology.
8. *Disability*: The consequence of impairments and obstacles of various types which occur in the interaction between persons with impairments and their environment and attitudes which prevent them from participating fully and successfully in the community on an equal footing with others. The impairments affecting the individuals concerned are long-term, and the obstacles are of such a nature that the individual will suffer discrimination due to physical, mental or cognitive impairments or impaired sensation.
9. *Reduced working capacity*: A permanent physical, mental or cognitive condition which is inherited or originates subsequently and reduces the individual's working capacity on the labour market.
10. *Age*: A person's age from birth.
11. *Sexual orientation*: An individual's ability to be attracted to or become enamoured of another individual.
12. *Gender identity*: An individual's experience of his or her own gender.
13. *Sexual characteristics*: An individual's chromosomes, sex glands and anatomical features.
14. *Gender expression*: The day-to-day expression by an individual of his or her gender identity.

SECTION II **Administration.**

Article 4

Supervision.

The minister shall exercise supervision of matters under this Act.

Article 5

The Centre for Gender Equality.

The Centre for Gender Equality shall be in charge of the application of this Act, and Article 4 of the Gender Equality Act shall apply, as appropriate, including as regards the provisions on per diem fines made in the fifth to the eleventh paragraph of that Article.

Article 6

Authorisation for appeals.

Individuals, companies, institutions or non-governmental organisations that consider that violations of this Act have been committed against them or their members may, in their own name or that of their members, as appropriate, submit their case to the Gender Equality Complaints Committee. Articles 5-7 of the Gender Equality Act shall apply, as appropriate.