



FRØY

## Anti-discrimination Policy

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## Anti-discrimination Policy

**Approved by:** Chief Executive Officer**Executive party:** Head of HR and Administration

### POLICY

#### General

Prohibitions against discrimination in working life are regulated in the Working Environment Act and the Equality and Anti-Discrimination Act.

The Equality and Anti-Discrimination Act prohibits discrimination that applies to discrimination due to:

- gender
- pregnancy
- leave at birth or adoption
- care tasks
- ethnicity (between national origin, skin color and language)
- religion
- spirituality
- disability
- sexual orientation
- gender identity
- gender expression
- age

The Working Environment Act regulates prohibitions against discrimination on the basis of age, sexual orientation, political opinions and membership in trade unions or political organizations, part-time employees and temporary employees.

The prohibition against discrimination applies to the vast majority of aspects of the employment relationship. The prohibition applies to the entire employment relationship – from the time the position is announced, via the appointment and the ongoing employment relationship, until it is terminated in the form of termination or pension.

The prohibition against discrimination also applies to how the employer chooses to treat self-employed and hired workers. The same applies to enrollment and participation in employee, employer or professional organizations.

#### **When is there illegal discrimination?**

The prohibition covers both direct and indirect discrimination based on criteria mentioned above.

*Direct discrimination* will be to ask someone inferior to others, for example by failing to summon a person to an interview even if the person in question is professionally on par with other applicants.

The same applies to asking job seekers for information such as religious affiliation or political views, without this having a specific basis for one of the exceptions to the prohibition in the laws. A current exception may be when someone seeks a position as a priest in a denomination.

*Indirect discrimination* will be to impose a general requirement on all add-ons, but which will obviously affect a particular group. An example of this is refusing employees to wear headgear at work, when it will particularly affect Muslim women who wear hijab as part of their religious practice.

If a person has applied for a job, he or she may require knowing what qualifications the applicant who got the job has.

Harassment based on these same conditions is regarded as discrimination and is prohibited.

### **Exemptions**

In some cases, discrimination is allowed. It is in those cases where the discrimination is objectively grounded in the purpose of the enterprise and necessary for the performance of the work or profession.

The discrimination should not be unreasonably invasive towards the person affected.

The Act provides some concrete examples where differential treatment for appointments is regarded as factual and thus permitted:

- Discrimination due to age when this can be grounded objectively. For example, in age limits based on health and safety requirements.
- Differential treatment due to membership in an employee organization regarding pay and working conditions in collective agreements.

### **Specific advice**

#### *Who can you complain to?*

- If you find that you are unlawfully discriminated against, you can initially raise the matter with the elected representatives, safety delegates or the immediate manager.
- If this does not help, you can bring the case before the Anti-Discrimination Tribunal.
- The Equality and Anti-Discrimination Ombud provides advice on the regulations.

#### *How are you going to complain?*

You can appeal in writing or orally. We recommend that you describe the relevant relationship as concretely as possible and, if possible, attach documentation or examples if possible.

#### *Responsibility for the complainant*

The person receiving a complaint related to discrimination shall ensure that the matter is raised with the general manager or with the Director HR or Director Maritime Staffing. The person concerned also has a responsibility to ensure that this does not have negative consequences for the person concerned.

Where the employee reports discrimination orally, the person who receives this is responsible for having this registered in writing.

#### *Processing of complaints*

Complaints related to discrimination shall be assessed as soon as possible, and within a reasonable time, so that necessary investigations and measures can be implemented. What investigations and measures this is must be assessed specifically based on what the case concerns.

The person who has lodged a complaint must as soon as possible, and no later than within 1 week, receive confirmation that the complaint has been received and the case is being considered. At the same time, the case officer shall give the complainant an estimate of the expected processing time, and when a conclusion can be available. The case officer shall ensure that the complainant is informed of changes in the expected processing time along the way.

The complainant is not entitled to information about the content of the assessment being made or what measures may be implemented. However, the person concerned shall nevertheless receive feedback on the conclusion, i.e., whether the employer believes that there has been misconduct or not, and whether measures will be taken to rectify the situation.

#### *Follow-up of affected workers*

The employer shall ensure that the working environment for the complainant is fully justifiable. It will also be considered whether measures must be taken to ensure that complaints are not subjected to retaliation. Relevant measures may be follow-up meetings with complaints or targeted investigations of the working environment.

If the complainant believes that they are subjected to any form of retaliation as a result of the complaint, it is encouraged to notify their line manager immediately.