
Í dag hafa konur 15,7% lægri laun en karlar hjá einkafyrirtækjum en 11,7% lægra hjá hinu opinbera. Samkvæmt lögum er bannað að mismuna fólk eftir kynhneigð, trú eða kynferði, en þrátt fyrir lögum, er munur á launum kynjanna. Eitt af því sem gerir fyrirtækjum auðveldara fyrir að brjóta lög nr. 96/2000 er launaleyndin. Vegna samningafrelsис geta starfsmenn samið við vinnuveitenda sína um launaleynd, en þá er þeim bannað að gefa þriðja aðila upplýsingar um laun sín. Launaleyndin gerir það að verkum að menn eiga erfiðara að bera sig saman við samstarfsmenn og geta því ekki tekið góðar ákvarðanir um launakröfur þar sem ekki allar upplýsingar eru á yfirborðinu. Þar sem konur eru oft hlédrægari en karlar, biðja þær oft um lægri laun en karlar, og launaleyndin gerir þeim erfitt fyrir að bera sig saman við karla, og því gæti gerst að konur séu jafnvel að semja um laun sem eru undir jafnvægislaunum en karlar yfir jafnvægislaunum.

Niðurstaðan er sú að markaðslaun brjóta lög númer 96/2000, þar sem starfsmenn geta samið um launaleynd, en það gerir það að verkum að fyrirtæki geta í meira mæli mismunað starfsfólk sínu. Þar sem starfsmönnum er bannað að ræða launamál sín við þriðja aðila, þá standa ekki allir jafnfætis þegar þau ætla að semja um markaðslaun sín.

Today, women have 15,7% lower wages than men at private companies in Iceland. After taking into account factors such as occupation, age, work, experience and amount of work, the gender pay gap is still there. This same pay gap is 11,7% in the public sector. According to law it is illegal to discriminate between people based on their sexual orientation, religion or by gender, but despite the law, there remains this difference in the wages of men and women. One of the reasons which makes it easier for companies to break the Law number 96/2000 of equal pay is the practice of income secrecy. Because of the freedom of negotiation, the employee has the possibility to negotiate with his employer “income secrecy”, which means that the employee cannot discuss his salary with any third party. Income secrecy makes any comparison of income harder. One result of income secrecy is that the employee can't make good decisions about his wage requirements because of the lack of information. Women tend to be more reticent than men and ask for lower wages than men, and income secrecy makes it harder for them to compare themselves with their fellow male coworkers. That makes it a possibility that women could ask for wages that are under the equilibrium wage. Meanwhile, men are asking for wages which are above the equilibrium wage.

My conclusion is that the market forced wages, which usually include the secrecy of income, go against the Law number 96/2000. With the income secrecy and the individual negotiation, we are not doing anything to prevent discrimination. Income secrecy allows companies to discriminate between their employees, and the result is inequality between the employees when they are negotiating their market forced wages with their employer

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8 References

Aileen McColgan. *Discrimination Law. Text, Cases and Materials.* 2005. Oxford and Portland, Oregon.

Anne-Marie Mooney Cotter. *Gender Injustice. An International Comparative Analyses of Equality in Employment.* 2004. Ashgate Publishing Limited, England.

“Guðrúnarbók.” Hið íslenska bókmenntafélag. Article by Sif Konráðsdóttir Barrister.

Akureyri Town Council. (2007) *Reglur um tímabundin viðbótarlaun.* Retrieved on 26. july 2007 from: http://64.233.183.104/search?q=cache:phh6s-KoVL4J:www.akureyri.is/media/vefmyndir/akureyri/office/Reglur_um_timabundin_vidb_ottarlaun_9.doc+reglur+um+t%C3%ADmabundin+vi%C3%B0b%C3%B3tarlaun&hl=is&ct=clnk&cd=1&gl=is

Lilja Mósesdóttir, Andrea G. Dofradóttir, Þorgerður Einarsdóttir, Kristjana Stella Blöndal, Einar Mar Þórðarson og Sigurbjörg Ásgeirs dóttir. *Mælistíkur á launajafnrétti á Norðurlöndunum.* Febrúar 2006.

Ministry of social affairs in Iceland. *Kynbundinn launamunur og launamyndun.* www.felagsmalaraduneyti.is – Reasearch report.

Per Norberg. *Market analysis in competition and equal pay cases.* Lecture at Bifröst 25. august 2006.

Women and Equality Unit. http://www.womenandequalityunit.gov.uk/pay/pay_facts.htm

The Act on Equal Status and Equal Rights of Women and Men no.96/2000. Council Regulation.

No named author. *Tímamótadómur.* Vera. Verurnar ehf. 2005. Page, 36.

Mósesdóttir, Lilja (2003) ‘*Equal pay – main debates and key factors*’ in Lars Magnusson, Lilja Mósesdóttir and Amparo Serrano Pascual (eds.) *Equal pay and gender mainstreaming*, Brussels: ETUI, 33-64.

Barth, Erling, Marianne Røed and Hege Torp (2002) *Towards a closing of the gender pay gap. A compartive study of three occupations in six European countries.* Available at:
<http://www.likestilling.no/genderpaygap/EuroDimFinal.pdf>

Blau, Francine D. and Lawrence, M. Kahn (2000) ‘*Gender differences in pay*’, Journal of Economic Perspectives, 14(4). Page 75-99.

Blau, Francine. D. and Lawrence, M. Kahn (1992) ‘*The gender earnings gap: learning from international comparisons*’, American Economic Review, 82 (2). Page 533-538.

Blau, Francine, D. and Lawrence, M. Kahn (1997) ‘*Swimming Upstream: Trends in the Gender Wage Differential in the 1980s*’, Journal of Labour Economics, 15. Page 1-42.

Blau, Francine D. and Lawrence, M. Kahn (2001) *Understanding international differences in the gender pay gap, working paper 8200*, Cambridge MA: National Bureau of Economic Research.

Council Regulation (EC) No 530/1999 of 9 March 1999 . Structural Statistics on Earnings and on Labour Costs. Available at: http://www.logos-net.net/ilo/195_base/en/instr/eu_23.htm.

European Commission (2005) Second version. *Indicators for monitoring the employment guidelines 2004-2005 compendium*. Latest update: 09/01/2006, Brussels: European Commission. Available at: http://europa.eu.int/comm/employment_social/employment_strategy/indic/compendium_jer2004_en.pdf.

Hagstofa Íslands (2005) Landshagir 2005, Reykjavík: Hagstofa Íslands.

Þorgerður Einarsdóttir og Kristjana Stella Blöndal (2004) ‘*Kynbundinn launamunur. Umræðan um skýrðan og óútskýrðan launamun kynja í gagnrýnu ljósi*’ in Irma Erlingsdóttir (ritstj.) Fléttur II. Kynjafræði – Kortlagnningar, Reykjavík: Rannsóknastofa í kvenna- og kynjafræðum. Page 247-271.

Rubery, Jill, Damian Grimshaw and Hugo Figueiredo (2002) *The gender pay gap and gender mainstreaming policy in the EU member states, a synthesis report of the Group of Experts on Gender and Employment commissioned by the Equal Opportunities Unit in the European Commission*. Manchester: Manchester School of Management. Available at: <http://www.mbs.ac.uk/research/centres/european-employment/projects/gender-social-inclusion/documents/paysynthesis.pdf>.

Grimshaw, Damian and Jill Rubery (2002) *The adjusted gender pay gap: a critical appraisal of standard decomposition techniques*, EWEREC, Manchester: Manchester School of Management, UMIST.

Oaxaca, R. (1973) ‘*Male-female wage differential in urban labour markets*’, International Economic Review, 14 (3). Page 693-709.

Labour Court cases 2001 nr. 13 and 2001 nr. 76. Sweden.
<http://www.eiro.eurofound.eu.int/2001/03/feature/se0103187f.html>

Hagstofan. <http://www.hagstofa.is/temp/temp/VIN010022007510341152.xls>

Ingólfur V. Gíslason. *Fæðingar- og foreldraorlof á Íslandi. Próun eftir lagasetninguna árið 2000.* Ásprent, Akureyri 2007. Rafræn útgáfa.
http://www.jafnretti.is/D10/_Files/F%C3%A6%20ingarorlofssk%C3%BDrsla.pdf

N. Gregory Mankiw. *Principles of Economics*, Third Edition. 2004. Harvard University, USA. (printed at Thomson, South Western).