

Employment Law Briefing: Special Edition

Law 5316/2026 on Pay Transparency and Equal Pay

- A. Introduction
- B. Scope and Definitions
- C. Pay Transparency Obligations
- D. Gender Pay Gap Reporting
- E. Joint Pay Assessment
- F. Data Protection
- G. Enforcement
- H. Transitional and Delegating Provisions

A. Introduction

Law 5316/2026¹ (the **Law**) was voted by the Greek Parliament on 2 July 2026. It transposes Directive (EU) 2023/970 into Greek law by amending several Articles of the Greek Labor Code.

The purpose of the Directive is to eliminate the gender pay gap for equal work or work of equal value, create transparent conditions for pay determination and progression, strengthen enforcement mechanisms and ensure access to effective remedies and restoration for affected workers.

B. Scope and Definitions

The Law's equal pay provisions apply to all employers and employees with dependent employment contracts in the private sector as well as the public sector (new Article 47 of the Labor Code), whereas the rest of the provisions apply also to self-employed individuals. Pre-employment pay transparency provisions apply to persons seeking employment.

¹ Government Gazette A'105/06-07-2026.

Key new definitions introduced (new Article 35 of the Labor Code) include:

1. **Remuneration** — ordinary basic or minimum wages and any other consideration in cash or kind received directly or indirectly by an employee;
2. **Gender pay gap** — the difference in mean pay levels between female and male workers of an employer, expressed as a percentage of male workers' mean pay;
3. **Category of workers** — workers performing equal work or work of equal value, grouped on the basis of objective, gender-neutral criteria.

C. Pay Transparency Obligations

Pay structures (new Article 37 of Labor Code): Employers must have documented pay structures ensuring equal pay, based on objective, gender-neutral criteria (skills, effort, responsibility, working conditions).

Employers with fewer than 50 employees may be exempt from the obligation to provide information on pay progression.

Pre-employment transparency (new Article 41 of Labor Code): Job applicants have the right to receive information on:

1. the initial pay or pay range for the position, based on objective, gender-neutral criteria; and
2. relevant provisions of any applicable collective bargaining agreement.

Employers are prohibited from asking job applicants about their pay history during current or previous employment relationships.

Right to information during employment (new Article 56A of Labor Code): Employers must provide employees, upon written request, with information on their individual pay level and the mean pay levels, broken down by gender, for categories of workers performing equal work or work of equal value.

Employers may refuse if the request is manifestly disproportionate or abusive.

D. Gender Pay Gap Reporting

Employers with at least 100 employees must report specified information on the gender pay gap (new Article 56B of Labor Code). The accuracy of the information must be confirmed in writing by management, after consultation with workers' representatives and the reports must be communicated to the Ombudsman.

Reporting deadlines and frequency follow:

1. ≥250 employees — by 7 June 2027 and then annually;
2. 150–249 employees — by 7 June 2027 and then every 3 years;
3. 100–149 employees — by 7 June 2031 and then every 3 years.

Employers with fewer than 100 employees may report voluntarily every three years.

E. Joint Pay Assessment

Employers subject to reporting obligations must conduct a joint pay assessment with workers' representatives when:

1. reporting reveals a gender pay gap of at least 5% in any category of workers;
2. the employer has not justified the gap with objective, gender-neutral criteria; and
3. the employer has not corrected the gap within 6 months of reporting (new Article 56C of Labor Code).

If no trade union exists, the 3 longest-serving employees represent workers for joint pay assessment purposes.

F. Data Protection

Processing of personal data under pay transparency provisions must comply with the GDPR² and the national data protection law (new Article 56D of Labor Code).

Personal data processed under the equal pay provisions may not be used for any purpose other than the application of the principle of equal pay.

G. Enforcement

Right to full compensation (new Article 53 of Labor Code): Violations of the equal pay principle and pay transparency obligations give rise to a right to full compensation, covering positive and consequential damages and moral harm, with no upper limit.

Administrative sanctions: Breaches constitute violations of labor legislation, subject to administrative fines. Sanctions must take into account aggravating or mitigating circumstances, particularly intersectional discrimination.

Compliance orders by the Labor Inspectorate (new Article 573, par. 3A of Labor Code): In cases of breach of equal pay and pay transparency obligations, the Labor Inspectorate, in cooperation with the Ombudsman, may order the employer to:

² Regulation 2016/679.

1. cease the violation; and
2. take measures to comply.

Recurring fines are imposed every 3 months for non-compliance with orders.

Burden of proof (new Article 54, pars. 3–6 of Labor Code): The reversal of the burden of proof applies when the employer has failed to comply with pay transparency obligations, unless the breach was manifestly involuntary and minor.

Limitation period: The limitation period for equal pay claims does not start until the injured party knew or could reasonably have been expected to know of the violation.

Protection against victimization (new Article 44 of Labor Code): Dismissal or any other adverse treatment is prohibited in retaliation for: filing an internal complaint, initiating administrative or judicial proceedings, or exercising any rights related to the principle of equal pay.

Labor dispute resolution before the Labor Inspectorate (new Article 570A of Labor Code): A specific procedure is introduced for labor disputes involving alleged pay discrimination.

H. Transitional and Delegating Provisions

The following provisions enter into force on 1 November 2026:

1. pay transparency obligations;
2. gender pay gap reporting;
3. joint pay assessment;
4. data protection;
5. social dialogue on equal pay;
6. remedies and enforcement; and
7. labor dispute resolution for pay discrimination before the Labor Inspectorate.

The rest of the provisions enter into force immediately upon publication in the Government Gazette. During the first application of the reporting obligation, the reference period for employers with 150+ employees extends from the Law's entry into force until 31 December 2026³.

The new limitation rule (Article 53, par. 3 of the Labor Code, as amended) applies only to claims arising after the Law's entry into force⁴.

³ Article 30.

⁴ Article 30.

A number of ministerial decisions are to be issued to regulate implementation details, including rules for the public sector, technical specifications of the electronic platform, coordination of public sector reporting and details of the Ombudsman's judicial representation⁵.

KEY CONTACTS

Maria Kloni
Counsel
mkloni@bernitsaslaw.com



Fotis Bregiannis
Associate
fbregiannis@bernitsaslaw.com



Sophia Chryssakopoulou
Associate
schryssakopoulou@bernitsaslaw.com



Stella Vasdeki
Associate
svasdeki@bernitsaslaw.com

This Briefing is intended to provide general information and is not meant to constitute a comprehensive analysis of the matters set out herein or to be relied upon as legal advice. It is not meant to create a lawyer-client relationship. Legal and other professional advice should be sought before applying any of the information in this Briefing to a specific situation.

Bernitsas Law Firm is a partnership of attorneys regulated by Presidential Decree 81/2005 and Law 4194/2013, as currently in force, with its registered address at 5 Lykavittou Street, Athens 106 72, Greece. If you no longer wish to receive Briefings from us, please click here to [Unsubscribe](#).

⁵ Article 31.