

Welcome to Norway as a new jobholder!



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English version

Introduction

We welcome you to Norway as a new jobholder. Many working situations here are certainly going to be different from what you are used to at home. You are probably aware of many “rules of the game” in Norwegian building and construction already.

This document contains a little information about the most important workplace regulations, information about what you may demand as an employee, as well as what is expected of you. It is important that you understand these rules in order to enjoy a safe and meaningful workplace environment – on the same level as Norwegian and other foreign colleagues.

This brochure is not an absolute “Book of Law”, rather more like a guidebook pointing out the most important areas of consideration in the Norwegian Labor Market.

You will find important tips about personal safety equipment at the end of the brochure, as well as information about safety harnesses, working at heights, working with chemicals, datasheets, machines, and often used equipment.

Content

The Labour Inspectorate is on your side.....	4
9 Fundamental rules	5
The Labor Inspectorate's answering service.....	6
Safety Representatives	7
The Working Environment Act.....	9
Fundamental rules for working hours	10
Identity Cards at your place of work.....	12
The company's health services/sickness/injuries.....	13
About unlawful dismissal	14
Concerning taxation and residence permits	15
The employment contract	16
Occupational injury insurance	18
Current salary and pay provisions.....	19
Payment of wages and deductions	20
What do I do if I do not receive payment for work?.....	21
Checklist for your own place of work.....	22
New in 2009 - About temporary employment agencies.....	35

The Labor Inspectorate is on your side

The Labor Inspectorate's main task is to support and help you as an employee, so that your workplace can be as safe and secure as possible. The Labor Inspectorate will ensure that business enterprises follow the rules and regulations of the Working Environment Act. The inspectors of the Labor Inspectorate carry out inspections so that the Acts and Provisions of the Working Environment Act and employment regulations are followed across the entire country.

If the workplace conditions are in breach of the current regulations, the inspectors of the Labor Inspectorate may order improvements to the workplace, and even possibly terminating the work in progress.

If you have any problems or questions, you may consult the Labor Inspectorate. The inspectors are required to maintain confidentiality in all such cases. This duty of confidentiality is also valid for the employers as well.



9 Fundamental rules

1. Norwegian Law applies to Norwegian and foreign jobholders.
2. As a job hunter in Norway, you must have applied for a residence permit before you begin to work.
3. If you are a dispatched employee you must have a residence permit if you are to work here longer than 3 months.
4. You must hold a written employment contract.
5. You must have a Norwegian tax card (skattekort).
6. Your employer must arrange for occupational injury insurance coverage.
7. The conditions in workers' sheds and dwellings must be satisfactory.
8. As an employee in the building trade, you have the right to a minimum wage.
9. As an employee in the building trade, you are committed to carry a special Identity Card at your place of work.

There are various types of employment conditions:

- Employment in a Norwegian enterprise
- Employment in a foreign enterprise, where you are sent to Norway to work for the foreign business – under their care and pay (dispatched employees).
- Employment by a Temporary Staffing Bureau – either Norwegian or foreign - and hired out to another business.
- Self-employed persons (one-person businesses).
A separate folder exists that directs information to self-employed persons in particular.

Should you have any questions concerning your place of work, or if you wish to receive more information about something in this brochure, you may call or write to the Labor Inspectorate's answering service,

Telephone 815 48 222

email: svartjenesten@arbeidstilsynet.no

Opening hours Monday to Friday from 9:00 to 15:00. Every Friday the answering service is attended by a polishespeaking person. You may also contact the safety representative or elected person at your place of work.

Safety Representatives

A safety representative must be chosen for all enterprises. In special circumstances, other arrangements may be made in writing for business with less than 10 employees.

The safety representative's tasks:

The safety representative must ensure that the health, safety, and welfare of employees are cared for.

The safety representative ensures these aspects in particular:

- that the employee is not exposed to dangerous situations.
- that protection devices are installed where required, and personal protective gear is available.

The safety representative may terminate and stop any work in progress, if an immediate danger exists for the employee's life and health.

Regional Safety Representatives

In addition to local measures applied for the existence of safety representatives, arrangements for regional safety representatives exist as well.

Regional safety representatives should play a role in ensuring that the health, safety, and working conditions for building and construction sites are in accordance with the Working Environment Act and its appurtenant regulations.

As of today, there are 27 regional safety representatives in Norway working directly with health, safety, and environment.

These individuals are employed by the Fellesforbundet (Norwegian United Federation of Trade Unions) and Norsk Arbeidsmandsforbund (the Norwegian Union of General Workers, or NAF), which are located around the entire country.

They receive assignments just like ordinary safety representatives. There is a high risk for personal injury and accident in the building and construction trade. The regional safety representatives also work at building and construction sites where more than one employer is found on the same site.

The regional safety representative's role is, among other things, to assist employees who work for companies that do not have their own safety representative.

All the safety representatives are subject to a duty of confidentiality – relating to employers as well as the employees.

The Working Environment Act

Among other things, the Working Environment Act has as its objective:

- * to ensure that workplace environments lay foundations for promoting health and meaningful working conditions, which safeguard employees against physical and mental harm.
- * to ensure secure employment conditions and equality at work.

Employers shall ensure that the provisions in the Working Environment Act are complied with.

If you have problems at work, or believe corrections should be made, you should first speak with your employer or his/her representative. If this does not help, you may then ask the safety representative / elected representative for advice. You may also ask your employer if he/she could procure a short written version of the Working Environment Act in your own language.

If you believe the task you perform at work cannot be done without risk to your life or health, then you should stop fulfilling the assignment and get in touch with a representative from your employer, or a Region Safety Representative.

Fundamental rules for working hours

In Norway, rules for working hours are determined by The Working Environment Act. The main rule is that you as a jobholder can work up to 9 hours within a 24 hour period, and 40 hours within seven days.

However, you and your employer can in a written agreement decide that you may work up to 48 hours within seven days. Average weekly hours on a 52-week basis must still not be more than 40 hours.

Special arrangements can be negotiated between employer, workers, their safety representatives or The Labour Inspectorate.



The employer's obligation to assist

You should be personally active as an employee in influencing health, safety, and environment work being done at your company. This is done by complying with the directions established at the company in the use of safety equipment, and cooperating to avoid personal injury. It is also important that tasks and work be performed in such a way that other employees at the workplace are safeguarded in connection to their own work. Remember to notify your employer immediately about faults or deficiencies that could lead to danger for life or health.

Essential for your health, safety, and workplace environment

All businesses that have employees must maintain a system for complying with regulations regarding health, safety, and environment work. The employer is responsible for seeing that this system be introduced and practiced at your place of work. Rules should exist in writing, and working instructions should be present in an understandable language.

The intention here is to map out the dangers for health, safety, and environment, as well as other problems at the enterprise, and to establish routines to prevent these, so that the workplace becomes as safe and secure as possible.

Identity Cards

All enterprises in the Norwegian building and construction trades – both Norwegian and foreign ones – are committed to support their employees with Identity Cards. This demand also apply to self-employed persons (one-person businesses). To achieve a valid ID card, the enterprise and employees must be correctly registered. The ID card is formal, and exclusively produced by Oberthur Technologies (formerly NORSIK), on behalf of Norwegian authorities.

To order ID cards: www.byggekort.no

Additional information: www.arbeidstilsynet.no/IDcard



The company's health services

All enterprises operating in the Norwegian building and construction trades are required to have a company health plan – regardless of how many workers the enterprise employs. The company's health plan consists of health and safety personnel assisting at the place of business – primarily working with areas of prevention in health and the working environment matters.

What happens if I become sick or injured?

If you pay taxes in Norway, and have been employed in a Norwegian business for at least 4 weeks before receiving a doctor's sickness certificate, then you have the right to receive sickness benefits. If an occupational injury happens, you have the right to receive sickness benefits from the very first day.

Can I be dismissed because of sickness or injury?

An employee who is away from work because of an accident or sickness may not be dismissed because of this injury during the first 12 months of disability.

What happens if I am fired or dismissed without good reason?

The Working Environment Act includes provisions regarding the termination of working conditions, for the loss of jobs, and resignations. This assumes that written conditions for employment exist.

- Dismissals and resignations are to occur in writing, and shall contain information regarding the employee's right to demand negotiations and enact legal proceedings, as well as the right to remain in his/her position.
- The employer may discharge an employee with orders for immediate dismissal if the employee is guilty of serious breach of his/her employment conditions. The employee may make a claim for monetary compensation if the loss of employment or the dismissal was unlawful. If you believe you were fired or dismissed without proper reason, then you need to make a demand for negotiations - in writing - within 2 weeks after dismissal. The safety representative at your place of work can help you with this.

You may be held responsible for monetary damages if you abandon work illegally by not complying with the notice for discharge.

The employment contract

You must as soon as possible have a written employment contract with your employer. In working conditions with duration less than one month – or where manpower is hired out – the written employment contract shall be established immediately. The Labor Inspectorate has worked up an example of what such a contract should contain. You can find a copy of this example on pages 16 - 17.

Residence permits

If you are a citizen in one of the new EU-10 countries, you have the right to stay in Norway for up to 6 months, when you are seeking work. You can start working when a complete application form is submitted to the local Police or foreign service mission. Full time work and rated wages are essential. The Residence Permit can be cancelled if the required conditions cannot be verified.

If you are a dispatched employee, you are required to have a residence permit if you are to work in Norway beyond a 3-month period. To receive a residence permit you are required to present a written contract between your Norwegian employer and your own employer from home – as well as your own contract with the conditions for employment stated.

More information: www.udi.no

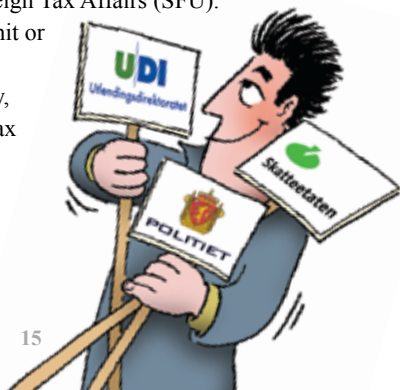
Concerning taxation and work permits

If you work on assignment in Norway, your employer is required to notify the Central Office – Foreign Tax Affairs (SFU).

You need not have a work permit or residence permit if you are an employee of a foreign company, nevertheless you must have a tax card from SFU.

More information: telephone
51 96 96 00.

postkassesfu@skatteetaten.no



Standard arbeidsavtale/Standard Contract of Employment

Beholdes av arbeidsgiver – kopi til arbeidstaker / To be retained by the employer with a copy to the employee

1. Firma / Company	Daglig leder / Chief executive
Navn / Name	
Adresse / Address	
2. Ansatt/ Employee	
Navn / Name	
Adresse / Address	
3. Arbeidsplass jf. arbeidsmiljøloven § 14-6(1) b / Place of work (cf. section 14-6 (1) b) of the Working environment act)	
Adresse / Address	
4. Ansatt som (arb. oppgaver/stilling/tittel/arbeidskategori)/ Job description (title, post, category of work)	
5. Tariffavtale/verneombud / Collective pay agreement, safety representative	
Følgende tariffavtale(r) gjelder / The following collective pay agreement(s) apply	
Tariffpartier / Parties to collective wage agreements	Verneombud / Safety representative
<i>Sjekk alle punkter nedenfor med tariffavtalen / Check that all of the following points comply with the collective pay agreement</i>	
6. Ansettelsesforholdets varighet og arbeidstid / Duration of employment, working hours	
Ansettelse fra / First day of employment	Eventuelt til / Last day of employment (if applicable)
Ukentlig arb.tid / Weekly working hours (duration/disposition)	Daglig arb.tid / Daily working hours (duration/disposition)

Eventuell særlig arbeidstidsordning / Other working hours arrangement	Pauser(lengde) / Breaks (length)	
Arbeidstakers oppsigelsestid / Notice period applicable to the employee	Arbeidsgivers oppsigelsestid / Notice period applicable to the employer	
Ferie tid, fastsettes i henhold til ferielovens bestemmelser / Holidays are to be decided according to the provisions of the Act relation to Holidays		
7. Eventuell prøvetid / Probationary period (if applicable)		
Prøvetidens lengde / Duration of probationary period	Oppsigelsestid i prøvetiden / Notice during probationary period	
Ev. forlengelse av prøvetid (jf. arbeidsmiljøloven § 15-6 (4) / Extension of probationary period(cf. section 15-6 (4) of the Working Environment Act)		
8. Lønn / Pay		
Lønn pr. time/mnd / Hourly/monthly pay	Utbetalingsmåte / Method of payment	Utbetalingsstidspunkt / Payment intervals
Overtidstillegg (min 50 %) / Overtime supplement (minimum50%)	Helge-/ nattillegg / Public holiday/ night allowance	Andre tillegg / Other supplements
Godtgjørelse / diett / Allowances/expenses		
Feriepenger kommer i tillegg til lønn, jf. ferieloven / Holiday pay is additional to pay, cf. Act relating to Holidays		
9. Andre opplysninger / Other information		
10. Underskrifter / Signatures		
Dato / Date	Underskrift arbeidsgiver / Employer's signature	Underskrift arbeidstaker / Employee's signature

Occupational injury insurance

Enterprises registered in Norway must have mandatory occupational injury insurance for their employees. Enterprises registered abroad must also have similar insurance for their employees, when they work in Norway. As a one-person business, you are required to have your own insurance policy.

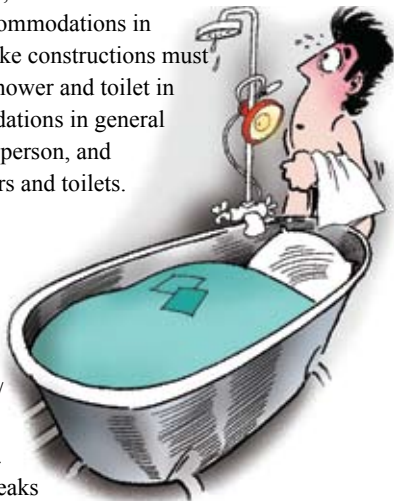
Living conditions – overnighting / accommodations

The accommodations made available to employees must be safe and properly executed, furnished, and maintained in accordance with normal good standards. Accommodations in worker's-shed or barracks-like constructions must be of a single room with a shower and toilet in each room. Other accommodations in general must have one bedroom per person, and satisfactory access to showers and toilets.

Rooms for lunches and breaks

The lunchroom should be separated from the lavatory / changing room, and have daylight entering if possible.

The rooms for eating and breaks must not be used for overnighting. The employer shall care for cleaning - both for overnighting accommodations and day riggings.



Current salary and pay provisions

Common wage agreements for the building trade are publicized for the entire country. The minimum wage established for the trade per 01.11.2008 being:

Skilled workers have the right to basic minimum wage of:

141,75 NOK an hour.

Unskilled workers without previous trade experience get:

127,50 NOK an hour.

Unskilled workers with at least one-year of trade experience:

132,50 NOK an hour.

Workers less than 18 years of age, get 85 NOK an hour.

Wage scales for overtime are also published, with a 50% addition to wages after 21:00. Overtime wages beyond this for work executed between 21:00 and 06:00, as well as work done on Sundays and holidays, shall give an addition of 100% to the base hourly wage.

Traveling, room and board, and work-wear

For work assignments where staying away from home overnight is necessary, the employer is to cover necessary travel expenses at the beginning and end of the work assignment according to further agreements, and provide for a reasonable number of total trips to visit home.

Arrangements concerning room and board are to be agreed upon before an employer sends an employee on assignment away from home. As a rule, the employer should cover the costs for room and board, but a fixed traveling and subsistence allowance or payment by billing and the like may be agreed upon.

The employer must provide the necessary work-wear and protective footwear adapted to the seasons of the year, climate, and work site.

Payment of wages and deductions

You are required to pay taxes and social security just as all other employees in Norway do. Your employer will deduct these from your salary and deposit them with the authorities. Beyond this, your employer does not have the right

to deduct anything from your paycheck, for example room and board, work-wear, transportation, etc.

– without a written agreement existing between the two parties.

Upon payment, you should receive a written statement about the method of calculation for pay and deductions that were taken.



What do I do if I do not receive payment for work?

It is customary in Norway to have your salary deposited into your bank account every 14 days - or once a month - if no other agreement exists between you and your employer.

If your salary does not arrive as agreed, you should contact the Labor Inspectorate as soon as possible, or contact Fellesforbundet or NAF - both of which can give you guidance in how you should proceed. If your employer goes bankrupt, you may have your salary and vacation allowance covered through the State Wage Guarantee Scheme.

If your employer does not pay what he/she owes you, then it is possible to demand and petition his/her bankruptcy. However, if you wait too many days before acting, you may risk that your claim for payment expires, and not be covered by the Wage Guarantee Scheme.

For additional information, contact NAV Lønnsgaranti.

Phone(+47) 78389040

E-mail: nav.lonnsgaranti@nav.no

Use this checklist!

This checklist is a simple test that can give you an overview of how good (or bad) conditions are at your place of work, as well as showing you how aware you are of these conditions. There should not be too many NO answers here...

	YES	NO
Do you have a written employment contract with your employer?	<input type="checkbox"/>	<input type="checkbox"/>
Do you know who the safety representative is on the work site?	<input type="checkbox"/>	<input type="checkbox"/>
Have you received a written overview from your employer concerning how much you are paid in wages/salary, and what deductions have been made?	<input type="checkbox"/>	<input type="checkbox"/>
Are you receiving overtime pay according to current provisions?	<input type="checkbox"/>	<input type="checkbox"/>
Have you received necessary training for the operating the machines and equipment that you will be using?	<input type="checkbox"/>	<input type="checkbox"/>
Have you been issued, and do you use, proper protection equipment?	<input type="checkbox"/>	<input type="checkbox"/>

	YES	NO
Have you been given a comprehensible work instruction for the execution of dangerous work?	<input type="checkbox"/>	<input type="checkbox"/>
Has your employer drawn up the correct occupational insurance coverage for you as an employee?	<input type="checkbox"/>	<input type="checkbox"/>
Do you feel that your place of work is safe and secure?	<input type="checkbox"/>	<input type="checkbox"/>
Do you know which poisonous and hazardous chemicals are used at your work site, and are production sheets / chemical index files available?	<input type="checkbox"/>	<input type="checkbox"/>
Are you generally satisfied with your daily working situation?	<input type="checkbox"/>	<input type="checkbox"/>
Has your employer furnished you with a special Identity Card?	<input type="checkbox"/>	<input type="checkbox"/>



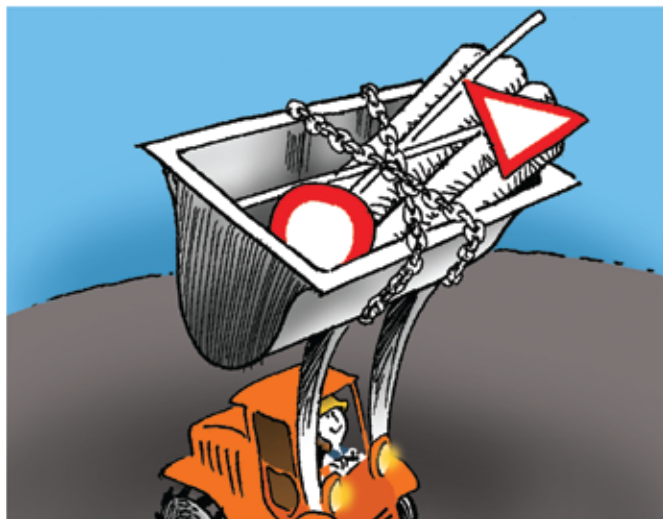




















Do you work for a temporary employment agency?

All enterprises involved in the hiring out of labour in Norway must be registered in a new register overseen by the Norwegian Labour Inspection Authority. You can check whether your temporary agency/staffing enterprise is registered by visiting www.arbeidstilsynet.no/StaffingEnterprises

Worked up by, and available from the websites beneath:



Byggenæringens
Landsforening
www.bnl.no



Maskinentreprenørenes
Forbund
www.mef.no



Norsk
Arbeidsmandsforbund
www.arbeidsmandsforbundet.no



Fellesforbundet

Fellesforbundet
www.fellesforbundet.no



Arbeidstilsynet
www.arbeidstilsynet.no

The Board of funds for regional safety representatives for building and construction activities has made funds available, and is responsible for this folder.
<http://no.osha.europa.eu/rvofond>