

# Welcome to Norway as a new employee!



*English version*

## **Introduction**

We welcome you to Norway as a new employee. Many working situations here are certainly going to be different from what you are used to at home. You are probably already learning some of the rules of the game that apply in the Norwegian building and construction industries.

This document contains information about the most important workplace regulations as well as information relating to your rights and obligations as an employee. 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 Labour Market.

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

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## The Labor Inspectorate is on your side

The Labour 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 Labour Inspectorate's task is to ensure that business enterprises follow the rules and regulations of the Working Environment Act. Labour Inspectorate employees carry out inspections to ensure that the laws, regulations and other legislation governing labour and employment are universally adhered to and complied with nationwide.

If the workplace conditions are in breach of the current regulations, the Labour Inspectorate may order improvements to the workplace and in certain cases even halt work in progress.

If you have any problems or questions, you may consult the Labour Inspectorate. The inspectors have a duty of confidentiality in all such cases – including in relation to your employer.



## 9 Fundamental rules

1. Norwegian Law applies to Norwegian and foreign employees.
2. As a job seeker in Norway, you must check if you will need a residence permit. You must do this prior to commencing work..
3. If you are an assigned employee you must have a residence permit if you are to work in Norway.
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. Accommodation supplied by your employer shall be of a satisfactory standard.
8. As an employee in the building trade, you have the right to a minimum wage.
9. As an employee in the building industry, you are obliged 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 (assigned employees).
- Employment with a Temporary Staffing Bureau – either Norwegian or foreign - and hired out to another business.
- Self-employed persons (single proprietorship). 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 Labour Inspectorate's answering service,**

**Telephone 815 48 222**

**email: [svartjenesten@arbeidstilsynet.no](mailto:svartjenesten@arbeidstilsynet.no)**

**Opening hours Monday to Friday from 9:00 to 15:00. A Polish speaking person mans the answering service on Thursdays and Fridays. You may also contact the safety delegate or elected representative at your place of work.**

## **Safety delegates**

A safety delegate must be elected or appointed for all enterprises. In special circumstances, other arrangements may be made in writing for businesses with less than 10 employees.

The safety delegate's tasks:

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

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

## **Regional Safety delegates**

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

Regional safety delegates 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 delegates 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 delegates.

There is a high risk for personal injury and accident in the building and construction industry. The regional safety delegates also work at building and construction sites where more than one employer is active on the same site.

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

All the safety delegates are subject to a duty of confidentiality concerning the private business of all persons – including in relation to your employer.



## **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 that 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 that corrective measures should be introduced, you should first speak with your employer or his/her representative.

If this does not help, you may then ask the safety delegate / elected representative for advice. You may also ask your employer if he/she can provide you with 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 regional safety delegate.

## 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 employee can work up to 9 hours within a 24-hour period, and 40 hours within seven days.

However, you and your employer can by written agreement agree that you may work up to 48 hours within seven days. Average weekly hours on a 52-week basis must still not exceed 40 hours. Special arrangements can be negotiated between employer, workers, their safety delegates 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 rules and instructions established by the company in the use of safety equipment, and co-operating 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 to 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 must be provided in a language employees understand.

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

## Identity Cards

All enterprises in the Norwegian building and construction trades – both Norwegian and foreign enterprises – are subject to a mandatory requirement to issue their employees with Identity Cards. This also applies to self-employed persons (single proprietorships). In order to attain valid ID cards, the enterprise and employees must be correctly registered. Cards are issued for the period covering the term of employment, but under no circumstances for more than two years. ID cards are an official document and produced exclusively by Oberthur Technologies, on behalf of Norwegian authorities.

To order ID cards go to: [www.byggekort.no](http://www.byggekort.no)

Additional information: [www.arbeidstilsynet.no/IDcard](http://www.arbeidstilsynet.no/IDcard)



## **The company's health services**

All enterprises operating in the Norwegian building and construction industry are required to have an approved 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 you sustain an occupational injury you have the right to receive sickness benefits from the 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 summarily dismissed or my employment is terminated without due cause?

The Working Environment Act includes provisions regarding the termination of employment, for the loss of jobs, and resignations. This presumes that there is an employment contract or agreement.

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

Your employer can hold you liable if you leave your employment unlawfully by not complying with the stipulated term of notice.

### The employment contract

You must enter into a written employment contract with your employer at the earliest opportunity. In the case of work with a duration of less than one month – or where manpower is hired out – the written employment contract shall be established immediately. The Labour Inspectorate has prepared a draft of what such a contract should contain. You can find a copy of this draft agreement on pages 18 – 19.

Refer also to [www.arbeidstilsynet.no](http://www.arbeidstilsynet.no)

## **Right of abode in Norway for employees who are citizens of the EU/EEA/EFTA**

If you are a citizen of an EU/EEA country, you no longer need to apply for a residence permit, but you are required to register. More details are available at: [www.udi.no](http://www.udi.no)

You can reside in Norway for up to 6 months as a job seeker providing that you register with the police within three months from the date of your arrival.

If you are an employee and are from Bulgaria or Romania, and you have not held a residence permit in Norway for the previous 12 months, you must acquire a residence permit. You can commence work when a fully and correctly completed application for a residence permit has been submitted to the police or to a Norwegian Embassy/Consular station abroad. In order to have a residence permit granted you must have full time employment and wages paid in accordance with an official tariff. If you cannot document that the terms and conditions for obtaining a residence permit have been fulfilled, the permit may be rescinded. More information is available at: [www.udi.no](http://www.udi.no)

## **Residence permit – employees that are not citizens of EU/EEA/EFTA countries**

Employees from countries that are not member states in the EU/EEA/EFTA must have residence permits that include permission to work in Norway. The key groups that can be granted such residence permits are specialists/professionals who will be engaged in specialist/professional work and seasonal workers. You must be able to prove that you have a concrete offer of work, full time employment and wages/salary in accordance with an official tariff. The offer of employment must be submitted using the Norwegian Directorate of Immigration's stipulated form. More information is available at: [www.udi.no](http://www.udi.no)

## Foreign workers who are not citizens of EU/EEA/EFTA countries

If you are a foreign worker from a country outside the EU/EEA/EFTA, and you have been sent to Norway to work, you must have a residence permit. The residence permit must be acquired before you can commence work in Norway. In order to obtain a residence permit you must be employed by a foreign company that is to provide services in Norway. You must also be skilled/professional/qualified and carry out work in Norway requiring your qualifications. You must have a concrete offer of work and wages in accordance with a recognised Norwegian tariff. The contract between the Norwegian Principal and your employer, your employment contract and the Directorate of Immigration's Assignment offer form must all be submitted with your application. More information is available at: [www.udi.no](http://www.udi.no)

### Concerning taxation

All persons who work in Norway must hold a tax card. The tax card must be handed to your employer. The tax card shows the amount of tax your employer must deduct prior to paying out your wages. You can obtain a tax card from your local tax office if you are employed by a Norwegian company, and from the Central Office –Foreign Tax Affairs (SFU) if your employer is not a Norwegian company. The tax card from SFU will be sent to your employer, and your employer must hand part 2 of the tax card to you. If your employer is a Norwegian company, the tax card will be sent to your home address. You must then hand the tax card to your employer. More information is available at: [www.skatteetaten.no](http://www.skatteetaten.no) and [www.taxnorway.no](http://www.taxnorway.no)





## Occupational injury insurance

Enterprises registered in Norway have a mandatory obligation to hold occupational injury insurance for their employees. Enterprises registered abroad must also have similar insurance for their employees, when they work in Norway. As a single proprietorship, you are required to have your own insurance policy.

## Living conditions – overnight stays / accommodation

The accommodation supplied by the employer 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 overnight stays.

The employer shall provide cleaning services - both for overnight stays, accommodation and day rigs.



## **Wages and salaries**

### **Current wages and salaries provisions**

Joint wage agreements for the building trade are published for the entire country. The following minimum wage rates apply from 20.12.2010:

Skilled workers have the right to basic minimum wage of:  
154.50 NOK per hour.

Unskilled workers without previous trade experience get:  
139.00 NOK per hour.

Unskilled workers with at least one-year of trade experience:  
144.50 NOK per hour.

From 01.04.2011 the minimum wage rates per hour will be raised to:

Skilled workers: 159.00 NOK.

Unskilled workers without previous trade experience: 143.00 NOK.

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

Workers under the age of 18:

From and including 20.12.2010 a guaranteed minimum wage for workers under 18 years of age of 93 NOK per hour applies.

From and including 01.04.2011 a guaranteed minimum wage for workers under 18 years of age of 96 NOK per hour will apply

Income rates on this page can be altered as a consequence of a tariff audit. For latest updated rates go to [www.arbeidstilsynet.no](http://www.arbeidstilsynet.no)

### **Overtime**

Wage supplement shall be paid for overtime work. Overtime supplement shall be paid with a minimum 40 %. The right to an overtime supplement is regulated by The Working Environment Act section 10-6.

For more information concerning overtime and overtime supplement go to [www.arbeidstilsynet.no](http://www.arbeidstilsynet.no)

## **Holidays and holiday pay**

The main rule in Norway is that all employees have the right to holidays and holiday pay. You have the right to a total of 25 working days holiday per year. Holiday pay is based on your earnings from the previous year, and shall be a minimum of 10.2% of your wages. If you are over 60 years old, the percentage is increased by 2.3%. Holiday pay shall be paid out on the last payday prior to the holiday, alternatively when you leave your employer's service.

## **Travelling, room and board, and working clothes/equipment**

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 travelling and subsistence allowance or payment by billing and the like may be agreed upon.

The employer must provide the necessary working clothes 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 wages, for example room and board, working clothes, 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 made.

## **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 is not paid on time, you should contact the Labour Inspectorate as soon as possible, or contact Fellesforbundet or NAF - both of which can provide you with guidance on how to 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, it may prove necessary for you to petition for his/her bankruptcy.

You should not delay too long in lodging a petition for bankruptcy as 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](mailto:nav.lonnsgaranti@nav.no)

## **Joint and several liability**

If your employer fails to pay the wages that are due to you, you can demand payment from the Principal or any other party in the contractual chain above you/your immediate employer, all the way up to the party that has signed the contract with the Principal. You can demand both wages and overtime, but only for the minimum wage and overtime rates in the published tariff regulations can be claimed from others than your immediate employer. You can also demand holiday pay you have accrued during the period you have worked for the Principal in question.

It is vital that you act without delay if wages and/or holiday pay is not paid.

## **Do you work for an employment agency or other staffing enterprise?**

All enterprises that are engaged in supplying labour on lease contracts in Norway must be registered in a register administered by the Norwegian Labour Inspectorate.

You can easily check whether or not the agency/enterprise you are listed with is registered by going to:

[www.arbeidstilsynet.no/bemanningsforetak](http://www.arbeidstilsynet.no/bemanningsforetak)

## 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 the name of the safety delegate 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 taken out the mandatory occupational insurance cover 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 data 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"/>

























This brochure was prepared by and is available from the following websites:



Byggenæringens  
Landsforening  
[www.bnl.no](http://www.bnl.no)



Maskinentreprenørens  
Forbund  
[www.mef.no](http://www.mef.no)



Norsk Arbeidsmandsforbund  
(The Norwegian Union  
of General Workers)  
[www.arbeidsmandsforbundet.no](http://www.arbeidsmandsforbundet.no)



**Fellesforbundet**

Fellesforbundet  
The Norwegian United  
Federation of Trade Unions  
[www.fellesforbundet.no](http://www.fellesforbundet.no)



**Arbeidstilsynet**

The Norwegian Labour Inspectorate  
[www.arbeidstilsynet.no](http://www.arbeidstilsynet.no)

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<http://no.osha.europa.eu/rvofond>