Act relating to the working environment, working hours and employment protection, etc. (Working Environment Act)

Date	LOV-2005-06-17-62
Ministry	Ministry of Labour and Social Inclusion
Entry into force	01.01.2006
Last consolidated	LOV-2024-06-14-31 from 01.07.2024
Not yet incorporated	LOV-2025-04-25-12
Last update	27.09.2024 (Section 14-15)
Abbreviated title	Working Environment Act
Original title	Lov om arbeidsmiljø, arbeidstid og stillingsvern mv. (arbeidsmiljøloven)

Kapitteloversikt:

Amendment acts incorporated in this text: The translation was published by the Norwegian Labour Inspection Authority in October 2017 and included all amendment acts in force up to this date, the last of which was Act 16 June 2017 No. 42 in force from 01.07.2017.

Amendment acts incorporated since then: Act 11 May 2017 No. 25, Act 15 December 2017 No. 104, Act 19 December 2017 No. 113, Act 16 June 2017 No. 51, Act 15 June 2018 No. 38, Act Act 22 June 2018 No. 45, Act 22 June 2018 No. 46, Act 20 December 2018 No. 98, Act 21 June 2019 No. 25, Act 21 June 2019 No. 24, Act 20 March 2020 No. 8, Act 19 June 2020 No. 69, Act 23 June 2020 No. 97 (in force 30 December 2020), Act 7 May 2021 No. 29 (in force 1 July 2022 (pilotage) and 1 July 2024 (diving operations), Act 11 June 2021 No. 59 (in force 1 January 2022), Act 18 June 2021 No. 93 (in force 1 July 2021), Act 18 June 2021 No. 127 (in force 1 July 2021), Act 18 March 2022 No. 10 as amended by Act 17 June 2022 No. 42 (in force 1 July 2022), Act 8 April 2022 No. 19 (in force 1 July 2022), Act 17 June 2022 No. 42 (in force 1 January 2023), Act 9 December 2022 No. 88 (in force 1 January 2023), Act 20 December 2022 No. 98 (in force 1 January 2023), Act 20 December 2022 No. 99 (in force 1 April 2023), Act 17 March 2023 No. 3 (in force 1 January 2024), Act 16 June 2023 No. 37 (in force 1 January 2024), Act 1 December 2023 No. 86 (in force 1 July 2024), Act 15 December 2023 No. 88 (in force 1 July 2024), Act 14 June 2024 No. 31 (in force 1 July 2024).
Correction: 27.09.2024 (Section 14-15).

Amendment acts *not yet incorporated* in this text:
Act 25 April 2025 No. 12 (not yet in force, amending sections 18-7 and 18-11).

This is an unofficial translation of the Norwegian version of the Act and is provided for information purposes only. Legal authenticity remains with the Norwegian version as published in Norsk Lovtidend. In the event of any inconsistency, the Norwegian version shall prevail.

The translation is provided by The Norwegian Labour Inspection Authority (Arbeidstilsynet).

Chapter 1. Introductory provisions

Section 1-1.*The purpose of the Act*

The purpose of the Act is:

a. to secure a working environment that provides a basis for a healthy and meaningful working situation, affo physical and mental influences and always has a standard of welfare consistent with the level of technolog society,

b. to ensure sound conditions of employment and equality of treatment at work,

c. to facilitate a satisfactory climate for expression in the undertaking,

d. to facilitate adaptations of the individual employee's working situation in relation to his or her capabilities

e. to provide a basis whereby the employer and the employees of undertakings may themselves safeguard ar environment in cooperation with the employers' and employees' organisations and with the requisite guid authorities,

f. to foster inclusive working conditions.

Section 1-2.*The scope of the Act*

(1) The Act shall apply to undertakings that engage employees unless otherwise explicitly provided by the Act.

(2) The following are exempt from the Act:

a. shipping, hunting and fishing, including the processing of the catch on board the ship but such that diving c by the Act,

b. military aviation which is covered by the Aviation Act.

The Ministry may issue regulations concerning exemptions from the Act for civil aviation and state aviation other than military aviation and concerning special provisions for such aviation and concerning the application of the Act for diving operations and special provisions and exemptions for such operations.

(3) The King may issue regulations concerning the provisions of Chapters 14, 15, 16 and 17 and concerning the exte apply to employees who are subject to the Act of 16 June 2017 No. 67 relating to Civil Servants (the Civil Service Ac

(4) The King may by regulation provide that parts of the public administration shall wholly or partly be exempted fr such a special nature that it is difficult to adapt it to the provisions of the Act.

Section 1-3.*Offshore petroleum activities*

(1) The Act shall apply to activities associated with the exploration for and exploitation of natural resources in the inland waters, Norwegian sea territory and the Norwegian part of the continental shelf.

(2) The Act shall apply to activities as referred to in the first paragraph in the area outside the Norwegian sector of from a special agreement with a foreign state or from international law in general.

(3) The Ministry may by regulation wholly or partly exempt from the Act activities as referred to in the first and sec also provide in regulations that the Act wholly or partly shall apply to activities as referred to in the first paragraph part of the continental shelf if exploration for or exploitation of natural resources on the seabed or its substrata ar registered in a Norwegian shipping register or if manned underwater operations are carried out from an installatio Norwegian shipping register. The Ministry may by regulation also provide that the Act shall apply in connection wit vessels as mentioned.

(4) Special provisions may also be laid down in regulations issued pursuant to this section.

Section 1-4.*Undertakings with no employees, etc.*

(1) The Ministry may provide in regulations that the provisions of the Act shall wholly or partly apply to undertakin

(2) The Ministry may provide in regulations that agricultural undertakings that do not employ assistance other than from the Act.

(3) The Ministry may provide in regulations that the provisions of the Act shall wholly or partly apply to anyone leg assignments or his representative.

(4) Special provisions may be laid down in regulations issued pursuant to this section.

Section 1-5.*Work performed at the home of the employee or employer*

(1) The Ministry may issue regulations concerning work performed at the home of the employee and the extent to work.

(2) The Ministry may provide in regulations that the provisions of the Act shall wholly or partly apply to an employ or household of the employer.

(3) Special provisions may be laid down in regulations issued pursuant to this section.

Section 1-6.*Persons who are not employees*

(1) The following persons are regarded as employees pursuant to the Act's provisions concerning notification and when performing work in undertakings subject to the Act:

a. students at educational or research institutions,

b. national servicemen,

c. persons performing civilian national service and Civil Defence servicemen,

d. inmates in correctional institutions,

e. patients in health institutions, rehabilitation institutions and the like,

f. persons who for training purposes or in connection with work-oriented measures are placed in undertakin

g. persons who without being employees participate in labour market schemes.

The provisions of this Act concerning notification shall not however apply to persons as referred to in (d). The Ministry may by regulation provide exceptions from the provision laid down in the first sentence.

(2) The provisions of the Act concerning the employer shall apply to a person who allows persons as referred to in work in his undertaking.

(3) The Ministry may issue regulations concerning the extent to which the remaining provisions of this Act shall ap first paragraph.

Section 1-7.*Posted employees*

(1) A posted employee means herein an employee who for a limited period works in a country other than that wit normally associated.

(2) Posting of an employee shall be deemed to take place when a foreign undertaking in connection with the provi

a. by agreement with a recipient of services in Norway, posts an employee to Norway for its own account, at management, or

b. if an employee is posted to a place of business or undertaking in Norway that belongs to the same group, c

c. in the capacity of temporary employment undertaking or another undertaking that makes employees avail undertaking in Norway.

(3) Posting of an employee is also deemed to take place when a Norwegian undertaking in connection with the pro employee to another country within the EEA area.

(4) The Ministry may in regulations provide rules concerning which pay and working conditions provided or author posted employees and provisions necessary for ensuring compliance, including provisions concerning cooperation other EEA member states, protection and compensation in the event of retaliation from the employer, criteria for genuine, remuneration for accommodation and documentation requirements.

(5) In connection with cooperation between EEA member states in accordance with regulations issued pursuant to section 18-11, fifth paragraph, of the Working Environment Act[1], information may be provided to the responsible a state regardless of any statutory duty of confidentiality.

1 i.e. the present Act.

Section 1-8.*The employee and the employer*

(1) For the purposes of this Act, an employee shall mean anyone who performs work for and is subordinate to ano emphasis shall be placed on, among other things, whether the person in question makes their personal labour ava whether the person in question is subordinate through management, leadership, and control. It shall be assumed exists unless the client shows it to be highly probable that an independent contractual relationship exists.

(2) For the purposes of this Act, an employer shall mean anyone who has employed an employee pursuant to the f this Act relating to the employer shall apply correspondingly to a person managing the undertaking in the employe

Section 1-9.*Indispensability*

This Act may not be departed from by agreement to the detriment of the employee unless this is expressly provided.

Chapter 2. Duties of employer and employees

Section 2-1.*Duties of the employer*

The employer shall ensure that the provisions laid down in and pursuant to this Act are complied with.

Section 2-2.*Duties of the employer towards persons other than own employees*

(1) When persons other than the employer's own employees, including hired employees or independent contracto with the employer's activities or installations, the employer shall:

a. ensure that his activities and those of his employees are arranged and performed in such a manner that pe also ensured a thoroughly sound working environment,

b. cooperate with other employers to ensure a thoroughly sound working environment,

c. ensure that the working hours of personnel hired from temporary-work agencies or other companies comp 10.

(2) The principal undertaking shall be responsible for coordinating the health, environment, and safety work of eac employees are employed at the same time and none of the undertakings may be regarded as the principal underta which undertaking shall be responsible for coordination. If no such agreement is reached, the Labour Inspection Au decide which employer shall be responsible for the coordination.

(3) The Ministry may by regulation issue further provisions concerning the performance of the duties of the emplo

Section 2-3.*Employees' duty to cooperate*

(1) Employees shall cooperate on the design, implementation, and follow-up of the undertaking's systematic work Employees shall take part in the organised safety and environmental work of the undertaking and shall actively coo measures to create a satisfactory and safe working environment.

(2) Employees shall:

a. use the prescribed protective equipment, exercise caution, and otherwise contribute to the prevention of a

b. immediately notify the employer and the safety representative and to the extent necessary other employe of faults or defects that may involve danger to life or health and they are unable to remedy the fault or def

c. interrupt work if the employees consider that it cannot continue without involving danger to life or health,

d. ensure that the employer or the safety representative is notified as soon as employees become aware of h workplace,

e. notify the employer if an employee suffers an injury at work or contracts a disease which the employee be conditions at the workplace,

f. cooperate on the preparation and implementation of follow-up plans in connection with total or partial ab accidents, sickness, fatigue, or the like,

g. take part in a dialogue meeting when summoned by the employer, cf. section 4-6, fourth paragraph.

h. obey instructions issued by the Labour Inspection Authority.

(3) Employees charged with directing or supervising other employees shall ensure that safety and health are taken comes under their areas of responsibility is being planned and carried out.

Section 2-4.*(Repealed)*

0 Repealed by the Act of 16 June 2017 No. 42.

Section 2-5.*(Repealed)*

0 Repealed by the Act of 16 June 2017 No. 42.

Chapter 2 A. Whistleblowing

Section 2 A-1.*The right to report issues of concern in the undertaking*

(1) An employee has the right to report issues of concern in the employer's undertaking. Workers hired from temp
right to report issues of concern at the hirer's undertaking.

(2) For the purposes of this Act, issues of concern include breaches of legislation, written ethical guidelines in the u
which there is broad agreement in society, for example, circumstances that may involve

a. a danger to life or health

b. a danger to climate and the environment

c. corruption or other economic crime

d. the abuse of authority

e. an unsatisfactory working environment

f. breach of personal data security.

(3) Questions raised that only relate to the employee's work situation shall not be considered whistleblowing acco
the matter also involves issues of concern as described in the second paragraph.

Section 2 A-2.*Procedure in connection with reporting issues of concern*

(1) An employee may always report issues of concern internally

a. to the employer or a representative of the employer

b. in accordance with the undertaking's whistleblowing routines

c. in accordance with the duty to report issues of concern

d. via a safety representative, union representative or lawyer.

(2) An employee may always report issues of concern externally to a public supervisory authority or other public a

(3) An employee may report issues of concern externally to the media or the public at large if

a. the employee is in non-negligent good faith regarding the content of the report,

b. the report concerns issues of concern of public interest, and

c. the employee has first reported the matter internally or has reason to believe that internal whistleblowing

(4) The employer has the burden of proof to demonstrate that a whistleblower has not followed proper procedure
2 A-2.

Section 2 A-3.*The employer's duty in connection with reporting issues of concern*

(1) When a report concerning issues of concern in the undertaking is submitted, the employer shall ensure that the
within a reasonable time.

(2) The employer shall particularly ensure that the whistleblower has a fully satisfactory working environment. If n
ensure that measures are taken to prevent retaliation.

Section 2 A-4.*Prohibition against retaliation*

(1) Retaliation against an employee who reports issues of concern pursuant to sections 2 A-1 and 2 A-2 is prohibite
temporary-work agencies, the prohibition shall apply to the employers and hirers.

(2) Retaliation means herein any unfavourable act, practice or omission that is a consequence of or a reaction to th
reported issues of concern, for example

a. threats, harassment, arbitrary discrimination, social exclusion or other improper conduct

b. warnings, change of duties, relocation or demotion

c. suspension, dismissal, summary discharge or disciplinary action.

(3) The first paragraph shall apply correspondingly to retaliation against an employee who informs that the right to
invoked, for example, by providing information.

(4) If the employee submits information that gives reason to believe that retaliation has taken place, the employer
retaliation has taken place.

Section 2 A-5.*Redress and compensation in case of violation of the prohibition against retaliation*

(1) In case of violation of the prohibition against retaliation, an employee may claim redress and compensation wit
employer or hirer.

(2) The redress shall be fixed at the amount deemed reasonable given the circumstances of the parties, the nature
gravity and other facts of the case. The compensation shall cover financial loss because of the retaliation.

Section 2 A-6.*Obligation to prepare procedures for internal whistleblowing*

(1) Undertakings that regularly employ at least five employees are obliged to have routines for internal whistleblo
employees shall also have such routines if the conditions at the undertaking so indicate.

(2) The procedures shall be prepared in connection with the undertaking's systematic health, environment and saf
cooperation with the employees and their elected representatives.

(3) The procedures shall not limit the employees' right to report issues of concern pursuant to section 2 A-1.

(4) The procedures shall be in writing and at least contain:

a. an encouragement to report issues of concern,

b. procedure for notification,

c. procedure for the employer's receipt, processing, and follow-up of reports of issues of concern.

(5) The procedures shall be easily accessible to all employees at the undertaking.

Section 2 A-7.*Duty of confidentiality in connection with external whistleblowing to the public authorities*

(1) When supervisory authorities or other public authorities receive an external report concerning issues of concer
or services for the body receiving such a report shall be obliged to prevent other persons from gaining knowledge
information identifying employees.

(2) The duty of confidentiality shall also apply in relation to parties to the case and their representatives. Sections
Administration Act shall otherwise apply correspondingly.

Section 2 A-8.*The Equality and Anti-Discrimination Tribunal*

Disputes concerning violation of the prohibition against retaliation pursuant to section 2 A-4 may be brought before the Equality and Anti-Discrimination Tribunal. However, this does not apply to cases concerning dismissal with or without notice. The detailed rules on the Norwegian Equality and Anti-Discrimination Tribunal's authority and case processing, etc. are laid down in the Anti-Discrimination Ombud Act.

Chapter 3. Working environment measures

Section 3-1.*Requirements regarding systematic health, environment and safety work*

(1) In order to safeguard the employees' health, environment and safety, the employer shall ensure that systemat
work is performed at all levels of the undertaking. This shall be carried out in cooperation with the employees and

(2) Systematic health, environment and safety work entails that the employer shall:

a. establish goals for health, environment and safety,

b. have an overall view of the undertaking's organisation, including how responsibility, tasks, and authority fo safety is distributed,

c. make a survey of hazards and problems and, on this basis, assess risk factors in the undertaking, prepare p reduce the risks,

d. during planning and implementation of changes in the undertaking, assess whether the working environm this Act, and implement the necessary measures,

e. implement routines to detect, rectify and prevent contraventions of requirements laid down in or pursuan

f. ensure systematic prevention and follow-up of absence due to sickness,

g. ensure continuous control of the working environment and the employees' health when necessitated by ri (c),

h. conduct systematic supervision and review of the systematic work on health, environment and safety to en

(3) The Ministry may by regulation issue further provisions concerning the implementation of the requirements of requirements regarding documentation of the systematic health, environment and safety work.

Section 3-2.*Special safety precautions*

(1) In order to maintain safety at the workplace, the employer shall ensure:

a. that employees are informed of accident risks and health hazards that may relate to the work, and that the practice and instruction,

b. that employees charged with directing or supervising other employees have the necessary competence to correctly regarding health and safety,

c. expert assistance when this is necessary in order to implement the requirements of this Act.

(2) When satisfactory precautions to protect life and health cannot be achieved by other means, the employer sha protective equipment is made available to the employees, that the employees are trained in the use of such equip used.

(3) If work is to be carried out that may involve hazards to life or health, written instructions shall be prepared to p done and what safety measures are to be implemented.

(4) The Ministry may issue regulations concerning the implementation of the provisions of this section. The Minist further provisions concerning personal protective equipment, including provisions concerning:

a. design, labelling, etc.

b. use, maintenance, etc.

c. testing, certification and approval

d. approval of bodies set up to supervise in relation to the production of personal protective equipment.

The Ministry may by regulation provide that the provisions concerning personal protective equipment shall also apply to the manufacturer, importer and supplier.

Section 3-3.*Occupational health services*

(1) The employer is obliged to provide occupational health services approved by the Labour Inspection Authority fo necessitated by risk factors in the undertaking. The assessment of whether such an obligation exists shall be made systematic health, environment and safety measures.

(2) The occupational health service shall assist the employer, the employees, the working environment committee creating a safe working environment that promotes good occupational health.

(3) The occupational health service shall have a free and independent position as regards working environment ma

(4) The Ministry may by regulation issue further provisions prescribing when and to what extent the employer is o health services, the professional requirements regarding such services and the tasks it shall perform.

(5) The Ministry may in regulations issue provisions requiring that the occupational health service pursuant to this Labour Inspection Authority and concerning the detailed contents of such an approval arrangement.

Section 3-4.*Assessment of measures for physical activity*

In connection with the systematic health, environment and safety work, the employer shall assess measures to promote physical activity among the employees.

Section 3-5.*The employer's obligation to undergo training in health, environment and safety work*

(1) The employer shall undergo training in health, environment and safety work.

(2) The Ministry may by regulation provide further requirements regarding such training.

Section 3-6.*(Repealed)*

0 Repealed by the Act of 16 June 2017 No. 42.

Chapter 4. Requirements regarding the working environment

Section 4-1.*General requirements regarding the working environment*

(1) The working environment in the undertaking shall be fully satisfactory when the factors in the working environ employees' physical and mental health and welfare are assessed separately and collectively. The standard of safet shall be continuously developed and improved in accordance with developments in society.

(2) When planning and arranging the work, emphasis shall be placed on preventing injuries and diseases. The orga management of work, working hours, and wage systems, including the use of performance-related pay, technolog way that the employees are not exposed to adverse physical or mental strain and that due regard is paid to safety

(3) It shall be assessed whether there are any special risks associated with working alone in the undertaking. Meas
reducing any risk of working alone shall be implemented to meet the statutory requirements regarding a fully satis

(4) The undertaking shall be arranged for employees of both sexes.

(5) Passageways, sanitary facilities, work equipment, etc. shall to the extent possible and reasonable be designed a
with disabilities can work at the undertaking.

(6) The Ministry may issue regulations concerning restricting permission to employ certain groups of employees w
to accidents or health hazards and concerning relocation of such employees.

(7) The Ministry may issue regulations requiring the use of HSE cards by employees in branches where this is neces
the employees' health, environment and safety and concerning lists of persons at any time employed at the workp
the public authorities shall be obliged, notwithstanding the duty of secrecy, to provide the issuer of HSE cards with
registers that is necessary for the issue of HSE cards.

(8) When consideration for health, environment and safety so indicates, the Ministry may issue regulations stating
cleaning services or services in connection with maintenance and repair of motor vehicles, must be approved by th
concerning the detailed contents of such an approval arrangement. When such approval is required, it will be unla
undertakings with no such approval.

Section 4-2.*Requirements regarding arrangement, participation and development*

(1) The employees and their elected representatives shall be kept continuously informed of systems used in planni
shall be given the training necessary to enable them to familiarise themselves with these systems, and they shall ta

(2) The design of each employee's working situation shall pay regard to the following:

a. arrangements shall be made to enable the employee's professional and personal development through his
b. the work shall be organised and arranged concerning the individual employee's capacity for work, proficien
c. emphasis shall be placed on giving employees the opportunity for self- determination, influence and profes
d. employees shall as far as possible be given the opportunity for variation and for awareness of the relations
assignments,
e. adequate information and training shall be provided so that employees can perform the work when change
situation.

(3) During reorganisation processes that involve changes of significance for the employees' working situation, the e
necessary information, participation and competence development to meet the requirements of this Act regarding
environment.

(4) The Ministry may by regulation issue further provisions concerning the implementation of the requirements of

Section 4-3.*Requirements regarding the psychosocial working environment*

(1) The work shall be arranged to preserve the employees' integrity and dignity.

(2) Efforts shall be made to arrange the work to enable contact and communication with other employees of the u

(3) The employee shall not be subjected to harassment, including sexual harassment, or other misconduct. Harass statements that have the purpose or effect of being offensive, frightening, hostile, degrading or humiliating. Sexua unwanted sexual attention that has the purpose or effect of being offensive, frightening, hostile, degrading, humil

(4) Employees shall, as far as possible, be protected against violence, threats and undesirable strain as a result of c

(5) The Ministry may by regulation issue further provisions concerning the implementation of the requirements of

Section 4-4.*Requirements regarding the physical working environment*

(1) Physical working environment factors such as factors relating to buildings and equipment, indoor climate, light shall be fully satisfactory with regard to the employees' health, environment, safety and welfare.

(2) The workplace shall be equipped and arranged in such a way as to avoid adverse physical strain on the employe available to the employees. Arrangements shall be made for variation in the work and to avoid heavy lifting and m machines and other work equipment are being installed and used, care shall be taken to ensure that employees ar strain as a result of vibration, uncomfortable working positions and the like.

(3) Machines and other work equipment shall be designed and provided with safety devices so that employees are

(4) Living quarters made available to employees by the employer shall be properly constructed, equipped and mai drawn up in consultation with employees' representatives.

(5) The Ministry may by regulation issue further provisions concerning the implementation of the requirements of that the provisions shall apply to the lessors of premises and the like.

Section 4-5.*Particularly concerning chemical and biological health hazards*

(1) When handling chemicals or biological substances, the working environment shall be so arranged that employe injuries to health and excessive discomfort. Chemicals and biological substances shall be manufactured, packed, us employees are not subjected to health hazards.

(2) Chemicals and biological substances that may involve health hazards shall not be used if they can be replaced b process that is less hazardous for the employees.

(3) The undertaking shall have the necessary routines and equipment to prevent or counteract injuries to health d
substances.

(4) The undertaking shall keep a record of hazardous chemicals and biological substances. The record shall include
and hazardous properties, preventive safety measures and first-aid treatment. Containers and packaging for chem
be clearly labelled with the name and composition and a warning in Norwegian.

(5) The Labour Inspection Authority may in individual cases wholly or partly exempt from the provisions of this sec
and analysis or the like.

(6) The Ministry may by regulation issue further provisions concerning the implementation of the requirements of
that a record shall be kept of employees who are exposed to specified chemicals or biological substances.

(7) The Ministry may in regulations issue further provisions concerning the use, registration, assessment, approval
or other handling of chemicals.

Section 4-6.*Particularly concerning adaptation for employees with reduced capacity for work*

(1) If an employee suffers reduced capacity for work as a result of an accident, sickness, fatigue or the like, the em
implement the necessary measures to enable the employee to retain or be given suitable work. The employee sha
his normal work, possibly after special adaptation of the work or working hours, alteration of work equipment, wo

(2) If, pursuant to the first paragraph, it is appropriate to transfer an employee to other work, the employee and th
representatives shall be consulted before deciding the matter.

(3) Unless regarded as evidently unnecessary, the employer shall in consultation with the employee prepare a follo
following an accident, sickness, fatigue or the like. Work on the follow-up plan shall commence as soon as possible
the latest when the employee has been wholly or partly absent from work for four weeks. The follow-up plan shall
employee's responsibilities and capacity for work. The plan shall also contain appropriate measures by the employ
the assistance of the authorities and plans for further follow-up. The employer shall ensure that the follow-up plan
professional responsible for granting sick leave as soon as it is prepared and after four weeks at the latest. The em
the updated plan is sent to the Labour and Welfare Service at the latest one week before dialogue meetings called
Service, cf. section 25-2, third paragraph of the National Insurance Act.

(4) The employer shall summon the employee to a dialogue meeting concerning the contents of the follow-up plan
after the employee has been wholly absent from work owing to an accident, sickness, fatigue or the like unless thi
of employees who are partly absent from work for the above reasons, such a meeting shall be held when deemed
employee or the health professional responsible for granting sick leave. If so wished by both the employer and the
only, the health professional responsible for granting sick leave shall be summoned to the dialogue meeting. In the
circumstances associated with the working situation of the health professional responsible for granting sick leave,
the obligation to participate in the dialogue meeting. The Labour and Welfare Service, occupational health service
summoned if so wished by the employer or employee. The same applies to other relevant actors, with the excepti
treating or have treated the employee may not be summoned if the employee objects to this.

(5) The employer shall be able to document how the provisions concerning the follow- up plan and dialogue meeti
including the persons who were summoned to and attended the dialogue meeting.

(6) The Ministry may by regulation issue further provisions concerning the implementation of the requirements of

Chapter 5. Obligation to record and notify, requirements to manufacturers, etc.

Section 5-1.*Recording injuries and diseases*

(1) The employer shall ensure that all personal injuries occurring during the performance of work are recorded. Th
assumed to have been caused by work or by conditions at the workplace.

(2) The records must not contain medical information of a personal nature without the consent of the person to w
employer shall treat as confidential any information in the records concerning personal matters.

(3) The records shall be accessible to the Labour Inspection Authority, safety representatives, occupational health
environment committee.

(4) The employer shall keep a statistical record of absence due to sickness and absence due to a sick child pursuan
by the Directorate of Labour and Welfare, cf. section 25-2, first paragraph of the National Insurance Act.

Section 5-2.*The employer's notification obligation*

(1) If an employee dies or is seriously injured as the result of an occupational accident, the employer shall immedia
means notify the Labour Inspection Authority and the nearest police authority. The employer shall confirm the not
representative shall receive a copy of the confirmation.

(2) The Ministry may provide in regulations that such notification shall also be given in other cases.

(3) The Ministry may provide in regulations that the employer shall notify the Labour Inspection Authority of:

a. occupational accident in respect of which notification is not required pursuant to the first or second paragr
and any near accidents,

b. any disease that is, or may be, caused by the work or by conditions at the workplace.

(4) The Ministry may by regulation issue further provisions concerning the extent and implementation of the notifi
section.

Section 5-3.*Medical practitioners' notification obligation*

(1) Any medical practitioner who through his work learns of an employee who is suffering from an occupational di
occupational injury pursuant to section 13-4 of the National Insurance Act or another disease that the medical pra
employee's working situation, shall give written notification of this to the Labour Inspection Authority.

(2) Subject to the consent of the employee, the employer shall be notified of the disease.

(3) The Ministry may by regulation issue further provisions concerning the extent and implementation of the notifi duty to report specified diseases that may be presumed to be caused by the nature of the work or by conditions at

Section 5-4.*Manufacturers and importers of chemicals and biological substances*

(1) Any person who manufactures or imports chemicals or biological substances that will be used or foreseeably m to this Act, shall:

a. obtain information concerning the chemical's or substance's composition and properties,

b. adopt the necessary measures to prevent accidents and injuries to health or excessive discomfort or incon

c. notify the agency specified by the Ministry of the chemical's or substance's name, composition, physical ar whatever supplementary information is required to determine how hazardous the substance is,

d. ensure proper packaging to prevent accidents and injury to health,

e. label the packaging with the name of the chemical or substance, the name of the manufacturer or importe Norwegian. The label shall be submitted with the notification required pursuant to (c).

(2) Food and substances subject to the Food Act and pharmaceuticals shall be exempt from the notification obligat pursuant to these provisions.

(3) The Ministry may by regulation issue further provisions concerning the obligations of manufacturers and impor including provisions concerning exemptions in cases where importers use the imported chemicals or biological sub regulation provide that the provisions of or pursuant to this section shall wholly or partly apply to dealers, or that shall be imposed upon dealers rather than on manufacturers or importers.

(4) The Ministry may in regulations issue further provisions concerning the production, importing, registration, ass information, restriction or other handling of chemicals.

Section 5-5.*Manufacturers, suppliers and importers of machines and other work equipment*

(1) Any person who produces, imports, sells, hires out or lends machines and other work equipment that will be us undertakings subject to the Act shall, before the work equipment is delivered for use, ensure that it is designed an accordance with the requirements of this Act.

(2) Machines and other work equipment that are displayed for purposes of sale or advertising or demonstration, a necessary safety devices shall be visibly marked with information to the effect that the work equipment does not m or pursuant to this Act and may not be supplied for use until the manufacturer, supplier or importer has ensured t connection with demonstrations, necessary measures shall be taken to prevent persons, animals and property fro

(3) When designing such machines and other work equipment as referred to in this section, care shall be taken to
their intended purposes without involving excessive inconvenience or discomfort.

(4) Machines and other work equipment as referred to in the first paragraph shall be accompanied by necessary a
instructions in Norwegian concerning transport, installation, operation and maintenance.

(5) Any person who undertakes to install machines and other work equipment as referred to in this section, shall e
installed in compliance with the requirements of this Act.

(6) Before machines and other work equipment as referred to in the first paragraph are delivered or displayed, the
and address of the manufacturer or importer, or with another labelling so that the manufacturer or importer can e

(7) The Ministry may by regulation issue further provisions concerning machines and other work equipment, inclu

a. construction, design, installation, labelling, etc.,
b. approval and obligation to provide information in connection with this,
c. approval of bodies set up to supervise in relation to production,
d. examination or inspection.

(8) The costs of examination or inspection required pursuant to the seventh paragraph shall be borne by the party
examination or inspection.

Chapter 6. Safety representatives

Section 6-1.*Obligation to elect safety representatives*

(1) Safety representatives shall be elected at all undertakings subject to this Act. At undertakings with fewer than f
agree in writing upon a different arrangement, which may involve agreeing that the undertaking shall not have a s
otherwise provided regarding the period of validity of the agreement, it shall be considered to apply for two years
Norwegian Labour Inspection Authority may, following a concrete assessment of the circumstances at the underta
nevertheless have a safety representative. At undertakings with more than 10 employees, two or more safety repr

(2) The number of safety representatives shall be decided according to the size of the undertaking, the nature of th
general. If the undertaking consists of several separate departments or if employees work shifts, at least one safet
elected for each department or shift team. Each safety area shall be clearly delimited and shall not be larger than t
have full control and properly attend to his duties.

(3) Undertakings with more than one safety representative shall have at least one senior safety representative, wh
coordinating the activities of the safety representatives. The senior safety representative shall be elected from am
other persons who hold or have held positions of trust at the undertaking.

(4) Notices giving the names of those acting as safety representatives at any given time shall be posted at the work

(5) The Ministry may issue regulations with further provisions concerning the number of safety representatives, co conditions governing the right to vote and eligibility, concerning the right of the local trade union to appoint safety representatives' term of office.

Section 6-2.*Duties of safety representatives*

(1) The safety representative shall safeguard the interests of employees in matters relating to the working environ shall ensure that the undertaking is arranged and maintained and that the work is performed in such a manner tha the employees are safeguarded in accordance with the provisions of this Act. The first and second sentences shall employees and independent contractors who perform work in close connection with the undertaking.

(2) The safety representative shall particularly ensure:

a. that employees are not exposed to hazards from machines, technical installations, chemical substances an
b. that safety devices and personal protective equipment are provided in adequate numbers, that they are re condition,
c. that the employees receive the necessary instruction, practice and training,
d. that work is otherwise arranged in such a way that the employees can properly perform the work regardin
e. that notifications concerning occupational accidents, etc. are made, pursuant to section 5-2,
f. that the employees' psychosocial working environment is safeguarded.

(3) As soon as a safety representative learns of circumstances that may result in accidents and health hazards, the immediately notify the employees at the location, and if the safety representative is unable to avert the danger hi the attention of the employer or the employer's representative. When so notified, the employer shall give the safe action has been taken within a reasonable space of time, the safety representative shall notify the Labour Inspecti environment committee.

(4) The safety representative shall be consulted during the planning and implementation of measures of significan within the representative's safety area, including establishment, exercise and maintenance of the undertaking's sy safety work, cf. section 3-1.

(5) The safety representative shall be informed of all occupational diseases, occupational accidents and near accid and measurements relating to occupational health and of any faults or defects detected.

(6) The safety representative shall familiarise himself with current safety rules, instructions, orders and recommen Inspection Authority or the employer.

(7) The safety representative shall participate in inspections of the undertaking by the Labour Inspection Authority

(8) The Ministry may by regulation issue further provisions concerning the activities of the safety representatives a duty of secrecy. Such provisions may provide that the safety representative shall perform tasks assigned to the wo

pursuant to section 7-2 when the undertaking has no such committee. The authority to make decisions pursuant t
third sentence, and section 7-2, fifth paragraph, may not be vested in the safety representative.

Section 6-3.*The safety representative's right to halt dangerous work*

(1) If a safety representative considers that the life or health of employees is in immediate danger and such dange
means, work may be halted until the Labour Inspection Authority has decided whether work may be continued. W
extent the safety representative considers it necessary to avert danger.

(2) The halting of work and the reason for this shall be reported without delay to the employer or the employer's r

(3) The safety representative is not liable for any loss suffered by the undertaking because of work being halted pu
in the first paragraph.

Section 6-4.*Special local or regional safety representatives*

(1) In building and construction undertakings, in connection with loading and unloading of goods and otherwise wh
necessitate, the Ministry may provide in regulations that special local safety representatives shall be appointed. Su
assigned responsibilities, duties and rights as referred to in sections 6-2 and 6-3 in relation to employers at the wo

(2) The Ministry may provide in regulations that there shall be arrangements regarding regional safety representat
within a single geographical area.

(3) Regulations issued pursuant to this section may include provisions concerning how the safety representatives s
responsibilities they shall have, and how the costs of their activities shall be distributed.

Section 6-5.*Costs, training, etc.*

(1) The employer shall ensure that safety representatives receive the training necessary to enable them to perform
representative has the right to attend the necessary training in the form of courses held by the employee organisa
regulation lay down further requirements regarding such training.

(2) Safety representatives shall be allowed the time necessary to perform their duties properly. As a rule, these du
normal working hours.

(3) The employer is responsible for the costs of training and other costs associated with the work of the safety rep
safety representatives that must be performed outside normal working hours pursuant to section 10-4 shall be re

(4) The employer shall ensure that the office of the safety representative shall not involve a loss of income for the
other way impair his terms and conditions of employment.

Chapter 7. Working environment committees

Section 7-1.*Obligation to establish working environment committees*

(1) Undertakings which regularly employ at least 30 employees shall have a working environment committee on w
and the occupational health service are represented. Working environment committees shall also be formed in un
employees when so required by any of the parties at the undertaking. Where working conditions so indicate, the N
Authority may decide that undertakings with fewer than 30 employees shall establish a working environment com

(2) Working environment committees may appoint sub-committees.

(3) Notices shall be posted at the workplace giving the names of the persons who are members of the committee a

(4) The employer and the employees shall have an equal number of representatives on the committee. Representa
employees shall be elected alternately as chairman of the committee. The representatives of the occupational hea
have no vote. When votes are equally divided, the chairman shall have the casting vote.

(5) The Ministry may issue regulations with further provisions concerning working environment committees, inclu
terms of office. The Ministry may issue rules providing that on specified conditions other cooperative bodies in the
working environment committee.

Section 7-2.*The duties of the working environment committee*

(1) The working environment committee shall make efforts to establish a fully satisfactory working environment in
shall participate in planning safety and environmental work and shall follow up on developments closely in questio
and welfare of the employees.

(2) The working environment committee shall consider:

a. questions relating to the occupational health service and the internal safety service,

b. questions relating to training, instruction and information activities in the undertaking that are of significan

c. plans that require the consent of the Labour Inspection Authority pursuant to section 18-9,

d. other plans that may be of material significance for the working environment, such as plans for constructio
rationalisation, work processes, and preventive safety measures,

e. establishment and maintenance of the undertaking's systematic health, environment and safety work, cf. s

f. health and welfare issues related to working-hour arrangements.

(3) The committee may also consider issues concerning employees with reduced capacity for work, cf. section 4-6.

(4) The committee shall study all reports relating to occupational diseases, occupational accidents and near accide
accident or disease and ensure that the employer takes steps to prevent a recurrence. As a rule, the committee sh
Inspection Authority and police inquiry documents. When the committee considers it necessary, it may decide tha
specialists or by a commission of inquiry appointed by the committee. Without undue delay, the employer may su
Inspection Authority for decision. The committee shall study all reports relating to occupational health inspections
reports as mentioned in this paragraph are considered by the committee, medical information of a personal natur
reports, unless the person to whom the information applies consents to it being submitted to the committee.

(5) If the working environment committee considers it necessary to protect the life or health of employees, it may implement concrete measures to improve the working environment within the framework of the provisions laid do determine whether a health hazard exists, the committee may decide that the employer shall conduct measureme environment. The committee shall impose a time limit for the implementation of the decision. If the employer finc the committee's decision, the matter shall be submitted without undue delay to the Labour Inspection Authority f

(6) Each year the working environment committee shall submit a report on its activities to the administrative bodi employee organisations. The Directorate of Labour Inspection may issue further rules concerning the contents and

(7) The Ministry may issue regulations with further provisions concerning the activities of the committee, including and concerning the duty of secrecy for members of the committee.

Section 7-3.*Special local working environment committees*

(1) Within building and construction undertakings, in connection with loading and unloading of goods and otherwi necessitate, the Ministry may provide in regulations that there shall be a special local working environment comm assigned responsibilities, duties and rights as referred to in sections 7-1 and 7-3 in relation to all employers at the

(2) Regulations pursuant to this section may include provisions concerning how the working environment committ responsibilities they shall have and how the costs of their activities shall be distributed.

Section 7-4.*Costs, training, etc.*

The provisions of section 6-5 shall apply correspondingly to members of the working environment committee.

Chapter 8. Information and consultation

Section 8-1.*Obligation regarding information and consultation*

(1) In undertakings that regularly employ at least 50 employees, the employer shall provide information concernin employees' working conditions and discuss such issues with the employees' elected representatives.

(2) The Ministry may issue regulations concerning the estimation of the number of employees in the undertaking.

Section 8-2.*Implementation of the obligation regarding information and consultation*

(1) The obligation regarding information and consultation pursuant to section 8-1 includes:

a. information concerning the current and expected development of the undertaking's activities and econom
b. information and consultation concerning the current and expected workforce situation in the undertaking, measures considered by the employer in this connection,
c. information and consultation concerning decisions that may result in considerable changes in the organisa employment.

(2) Information pursuant to the first paragraph (a) shall be provided at an appropriate time. Information and consu
paragraph (b) and (c) shall take place as early as possible.

(3) Information shall be provided in such a way that the elected representatives of the employees can familiarise t
appropriate investigations, consider the matter and prepare any consultations. The consultations shall be based o
employer and take place at the level of management and representation appropriate for the matter concerned, in
appropriate content. The consultations shall be conducted in such a way that the elected representatives of the er
and receive a reasoned response to any statements they may make. Consultations pursuant to the first paragraph
agreement.

(4) The provisions of this section may be departed from in connection with collective pay agreements.

Section 8-3.*Confidential information*

(1) If the needs of the undertaking dictate that specific information should not be disclosed, the employer may imp
representatives of the employees and any advisers. The duty of secrecy shall also apply after the expiry of the tern

(2) The employer may in special cases omit to provide information or participate in consultations if, at the current
damage to the undertaking.

(3) The elected representatives of the undertaking's employees or one-fifth of the employees may bring disputes c
pursuant to the first and second paragraph before the Dispute Resolution Board, cf. section 17-2. Such disputes m
information to which the decision applies has become public knowledge. The Ministry may by regulation issue furt
Board's authority and procedures in disputes pursuant to this section.

Section 8-4.*Information and discussion in corporate groups*

(1) In corporate groups with undertakings that regularly employ at least 50 employees, the parent company shall e
collaboration, information and discussion between the companies in the group and the employees in the group. Th
established in consultation with a majority of the employees in the group, or one or more local trade unions repre
employees in the group. A collaborative body or other equivalent form of collaboration may be established.

(2) If plans for expansions, reductions or changes could have a significant impact on employment in multiple under
must be given as early as possible and discussed with the collaborative body pursuant to the first paragraph.

(3) The first paragraph, second and third sentence, and second paragraph can be derogated from in collective pay

(4) For the purposes of this section, corporate group means a parent company and one or more subsidiaries. A cor
way of agreement or ownership, it has controlling influence over another company. A company shall always be de
if the company:

a. owns so many shares or units in another company that they represent the majority of the votes that may b
equivalent body; or

b. has the right to elect or dismiss more than half of the members of the other company’s board of directors.

A company over which a parent company has such controlling influence is deemed a subsidiary. When calculating the voting rights and rights to elect or dismiss board members, the rights held by the parent company and subsidiaries of the parent company shall be included. The same applies to rights held by a party acting in their own name, but for the account of the parent company or a subsidiary. Municipalities, county municipalities, foundations and associations may be parent companies pursuant to this section.

Chapter 9. Control measures in the undertaking

Section 9-1.*Conditions for control measures in the undertaking*

(1) The employer may only implement control measures in relation to employees when such measures are objecti
relating to the undertaking and it does not involve undue strain on the employees.

(2) The Personal Data Act shall apply to the employer's handling of information concerning employees in connecti
otherwise provided by this Act or another Act.

Section 9-2.*Consultations, information and evaluation of control measures*

(1) The employer is obliged as early as possible to discuss needs, design, implementation and major changes to co
with the employees' elected representatives.

(2) Before implementing such measures, the employer shall provide the affected employees with information conc

a. the purpose of the control measures,

b. practical consequences of the control measures, including how the control measures will be implemented,

c. the assumed duration of the control measures.

(3) The employer shall, in cooperation with the employees' elected representatives, regularly evaluate the need fo
implemented.

Section 9-3.*Obtaining health information on the appointment of employees*

(1) The employer must not, when advertising for new employees or in any other manner, request applicants to pr
is necessary in relation to the performance of the duties associated with the post. Nor may the employer impleme
information in any other manner.

(2) The Ministry may by regulation issue further provisions concerning what information may be obtained pursuan

Section 9-4.*Medical examinations of job applicants and employees*

(1) The employer may only require medical examinations to be conducted:

a. when provided by statutes or regulations,

b. in connection with posts involving particularly high risks,

c. when the employer finds it necessary to protect life or health.

(2) The Ministry may issue regulations concerning the conditions for requiring medical examinations pursuant to th

Section 9-5.*Access to employees' e-mail inboxes, etc.*

The Ministry may issue regulations concerning employers' right of access to employees' e-mail inboxes and other electronically stored material, inter alia, concerning the right of inspection, procedures in connection with inspection and the obligation to delete data.

Section 9-6.*Camera surveillance*

The Ministry may issue regulations concerning camera surveillance in undertakings, inter alia, concerning the right to carry out camera surveillance, notification that such surveillance takes place and disclosure and deletion of recordings made in connection with such surveillance.

Chapter 10. Working hours

Section 10-1.*Definitions*

(1) For the purposes of this Act, working hours means the time when the employee is at the disposal of the emplo

(2) For the purposes of this Act, off-duty time means the time when the employee is not at the disposal of the emp

Section 10-2.*Working hour arrangements*

(1) Working hours shall be arranged in such a way that employees are not exposed to adverse physical or mental s observe safety considerations.

(2) An employee who regularly works at night shall be entitled to exemption from the working-hour arrangement if such exemption is needed by the employee concerned for health, social or other weighty welfare reasons and ca inconvenience to the undertaking.

(3) An employee shall be entitled to flexible working hours if this may be arranged without major inconvenience to

(4) An employee who has reached the age of 62 or who for health, social or other weighty welfare reasons so need reduction of his or her normal working hours if the reduction of working hours can be arranged without major inco When the agreed period of reducing working hours has expired, the employee has the right to resume previous wo being equal, an employee working reduced hours shall have a preferential right to increase his working hours in th undertaking provided that the post wholly or essentially is assigned the same tasks. A preferential right pursuant t precedence over a preferential right pursuant to the present provision.

Section 10-3.*Work schedule*

If the employees work at different times of the day, a work schedule shall be prepared showing which weeks, days and times each employee is to work. The work schedule shall be prepared in cooperation with the employees' elected representatives. Unless otherwise provided by a collective pay agreement, the work schedule shall be discussed with the employees' elected representatives as early as possible and, at the latest, two weeks before its implementation. The work schedule shall be easily accessible to the employees.

Section 10-4.*Normal working hours*

(1) Normal working hours must not exceed nine hours per 24 hours and 40 hours per seven days.

(2) In the case of work that is wholly or mainly of a passive nature, working hours may be extended by up to one-h by more than 2 hours per 24-hour day and 10 hours per seven days. When the work is particularly passive, the Lab consent to the extension of working hours in excess of that provided in the first sentence, provided that working h 24 hours. Normal working hours must not exceed 48 hours per seven days.

(3) In the case of standby duty outside the workplace, at least one-seventh of such standby duty shall as a rule be i hours depending on how burdensome the duty scheme is. The employer and the employees' elected representativ collective pay agreement may by written agreement derogate from the provision of the first sentence. The Labour a different method of calculation if so requested by the employer or the employees' elected representatives if the according to the first paragraph appears unreasonable.

(4) Normal working hours must not exceed nine hours per 24 hours and 38 hours per seven days for:

a. semi-continuous shift work and comparable rota work,

b. work on two shifts which are regularly carried out on Sundays and public holidays and comparable rota wo and public holidays,

c. work which necessitates that individual employees work at least every third Sunday,

d. work principally performed at night.

(5) Normal working hours must not exceed nine hours per 24 hours and 36 hours per seven days in the case of:

a. continuous shift work and comparable rota work,

b. work below ground in mines, tunnelling and blasting of rock chambers below ground.

(6) In the case of three-shift rotas not covered by the fourth or fifth paragraph and which entail that individual em least every third Sunday, normal working hours pursuant to the first paragraph shall be reduced by regarding each public holidays, cf. section 10-10, first paragraph, as equal to 1 hour and 10 minutes, and each hour worked during paragraph, as equal to 1 hour and 15 minutes, down to 36 hours per seven days. Normal working hours must rega hours and 38 hours per seven days.

Section 10-5.*Calculating average normal working hours*

(1) The employer and the employee may in writing agree that normal working hours may be arranged in such a wa not exceeding 52 weeks, they are no longer than prescribed by section 10-4, but that the total working hours do n

and 48 hours per seven days. The limit of 48 hours per seven days may be calculated based on a fixed average ove working hours do not exceed 50 hours in any one week.

(2) The employer and the employees' elected representatives in undertakings bound by a collective pay agreemen working hours shall be arranged in such a way that on average, during a period not exceeding 52 weeks, they are n section 10-4, but that the normal working hours do not exceed twelve and one-half hours per 24 hours and 48 hou hours per seven days may be calculated according to a fixed average over eight weeks provided, however, normal hours in any one week. When entering into an agreement involving normal working hours exceeding 10 hours per paid to the employees' health and welfare.

(3) The Labour Inspection Authority may consent to normal working hours that on average, during a period not exc than prescribed by section 10-4, but that the total working hours do not exceed 13 hours per 24 hours and 48 hou hours per seven days may be calculated according to a fixed average over eight weeks. Before the Labour Inspectio working hour arrangements shall be discussed with the employees' elected representatives. Records of these discu shall be enclosed with the application. When making its decision, the Labour Inspection Authority shall attach part welfare of the employees.

Section 10-6.*Overtime*

(1) Work in excess of agreed working hours must not take place except in cases when there is an exceptional and t

(2) If in the case of some employees, the work exceeds the limit prescribed by the Act for normal working hours, th overtime.

(3) Before imposing work as referred to in this section, the employer shall, if possible, discuss the necessity of such representatives.

(4) Overtime work must not exceed ten hours per seven days, 25 hours per four consecutive weeks or 200 hours d

(5) The employer and the employees' elected representatives in undertakings bound by a collective pay agreemen overtime work not exceeding 20 hours per seven days, but that total overtime work does not exceed 50 hours per work must not exceed 300 hours during 52 weeks.

(6) The Labour Inspection Authority may on application in special cases permit total overtime work not exceeding hours during 26 weeks. Records of the discussions cf. the third paragraph shall be enclosed with the application. If overtime within the framework of the fifth paragraph, the reason why the matter was not solved through an agree representatives of the employees shall always be stated. When making its decision, the Labour Inspection Authorit importance to the health and welfare of the employees.

(7) Overtime work in excess of the limit laid down in the fourth paragraph may only be imposed on employees wh willingness to perform such overtime.

(8) Total working hours must not exceed 13 hours per 24 hours or 48 hours per seven days. The limit of 48 hours p according to a fixed average over eight weeks, provided that the total working hours pursuant to section 10-5, sec fifth paragraph, do not exceed 69 hours in any one week.

(9) The employer and the employees' elected representatives in undertakings bound by a collective pay agreemen exceptions from the limit of 13 hours provided in the eighth paragraph provided, however, the total working hours hours. The employee shall in such case be ensured corresponding compensatory rest periods or, where this is not protection.

(10) An employee shall be entitled to exemption from performing work in excess of agreed working hours when he reasons or weighty social reasons. The employer is otherwise obliged to exempt an employee who so requests wh performed by others without harm.

(11) For overtime work a supplement shall be paid in addition to the pay received by the employee for correspond hours. The overtime supplement shall be at least 40 per cent.

(12) The employer and the employee may agree in writing that overtime hours shall wholly or partly be taken out a

Section 10-7.*Account of working hours*

An account shall be kept of the hours worked by each employee. This account shall be accessible to the Labour Inspection Authority and the employees' elected representatives.

Section 10-8.*Daily and weekly off-duty time*

(1) An employee shall have at least 11 hours of continuous off-duty time per 24 hours. The off-duty period shall be periods.

(2) An employee shall have a continuous off-duty period of 35 hours per seven days.

(3) The employer and the employees' elected representatives in undertakings bound by a collective pay agreemen exceptions from the provisions of the first and second paragraphs. Such an agreement may only be entered into if corresponding compensatory rest periods or, where this is not possible, other appropriate protection. Off-duty pe hours or 28 hours per seven days may not be agreed upon. The limit of 8 hours shall not apply when work in exces section 10-6, first paragraph)or work in connection with call-out during standby duty outside the workplace is nece to operations. At undertakings which are not bound by a collective pay agreement, the employer and the employe written agreement on the same terms to the effect that overtime may be worked during the off-duty period when disturbances to operations.

(4) Off-duty time as referred to in the second paragraph shall as far as possible include Sundays. An employee who holiday shall be off duty on the following Sunday or public holiday. The employer and the employee may agree in w arrangement that ensures that the employees will be off duty on average every other Sunday and public holiday o that the weekly 24-hour off-duty period falls on a Sunday or public holiday at least every fourth week.

(5) The Ministry may by regulation provide a distribution of off-duty days that departs from the provisions of the fo

Section 10-9.*Breaks*

(1) An employee shall have at least one break if the daily working hours exceed five hours and 30 minutes. The bre least 30 minutes if the daily working hours total at least eight hours. When the employee is not free to leave the w

there is no satisfactory break room, the break shall be regarded as part of the working hours. When conditions so
postponed.

(2) When an employee works more than two hours after normal working hours, the employee shall be allowed a b
break is regarded as part of the working hours. Breaks which come after the end of ordinary working hours shall b
overtime but shall not be included in the number of hours it is permitted to work overtime pursuant to section 10-
the break may be reduced or postponed.

Section 10-10.*Work on Sundays*

(1) No work shall be performed from 6.00 p.m. on the day preceding a Sunday or public holiday until 10.00 p.m. or
working day. On Christmas Eve, and the Saturdays preceding Easter Sunday and Whit Sunday no work shall be perf
p.m. on the day preceding the next working day. Work performed during these periods shall be regarded as work

(2) Work on Sundays and public holidays is not permitted unless necessitated by the nature of the work.

(3) Before imposing work on Sundays and public holidays, the employer shall discuss the need for such work with t
representatives.

(4) In undertakings bound by a collective pay agreement, the employer and the employee's elected representative
agreement concerning work on Sundays and public holidays when there is an exceptional and time-limited need fo

(5) The employer and the employee may enter into a written agreement concerning work on Sundays and public h
referred to in this section, allowing the employee corresponding time off on the days that are equivalent to Sunda
the employee's religion. Such an agreement may be entered into notwithstanding the provisions of section 10-8, f

Section 10-11.*Night work*

(1) Work between the hours of 9.00 p.m. and 6.00 a.m. is night work. In undertakings bound by a collective pay ag
employee's elected representatives may in writing decide another period of at least eight hours including the hour
a.m. Work in two shifts that fall between the hours of 6.00 a.m. and 12.00 midnight is not regarded as night work.

(2) Night work is not permitted unless necessitated by the nature of the work.

(3) The employer and the employee may enter into a written agreement that the employee, on his own initiative,
p.m. and 11.00 p.m.

(4) At undertakings bound by a collective pay agreement, the employer and the employee's elected representative
agreement concerning night work when there is an exceptional and time-limited need for it.

(5) Before imposing night work, the employer shall discuss the necessity of so doing with the employees' elected r

(6) Normal working hours for an employee who regularly works more than three hours at night, shall on average n
The average shall be calculated over four weeks. The minimum period for weekly off-duty time laid down in sectio
be included in the calculation of the average.

(7) Working hours for an employee who works more than three hours at night shall not exceed eight hours per 24
exceptional risk or considerable physical or mental strain.

(8) An employee who mainly works at night shall be offered a medical examination before commencing employme
intervals.

(9) The employer and the employee's elected representatives at undertakings bound by a collective pay agreemen
provisions of the sixth and seventh paragraphs shall be departed from. In such case, the employees shall be ensure
rest periods or, where this is not possible, other appropriate protection.

Section 10-12.*Exceptions*

(1) The provisions of this chapter shall not apply to employees in senior posts, except for section 10-2, first, second

(2) The provisions of this chapter shall not apply to employees in particularly independent posts, except for section
paragraph.

(3) The provisions of this chapter may be departed from in the case of work that, owing to natural disasters, accide
must be carried out to avert danger or damage to life or property. In such case, the employees shall be ensured co
periods or, where this is not possible, other appropriate protection.

(4) Trade unions entitled to submit recommendations pursuant to the Labour Disputes Act or the Civil Service Disp
10-2, first, second and fourth paragraphs, and section 10-11, eighth paragraph, enter into a collective pay agreeme
provisions of this chapter. Exceptions from section 10-8, first and second paragraphs and section 10-11, sixth and s
the employees are ensured corresponding compensatory rest periods or, where this is not possible, other appropr
down in section 10-6, first paragraph, shall apply to the use of overtime in accordance with such a collective pay ag
employee must consent to carry out the overtime work. The requirement regarding individual consent shall apply
pay agreement has been entered into stipulating total average working hours of over 48 hours per seven days for

(5) If an agreement has been entered into as referred to in section 10-5, second paragraph, 10-6, 10-8, third parag
ninth paragraph or section 10-12, fourth paragraph, and a majority of the employees are bound by the agreement
provisions of the agreement concerning working hours applicable to all employees who perform work of the kind c

(6) The Labour Inspection Authority may consent to working hour arrangements that derogate from section 10-8 a
paragraph, in cases where there is a considerable distance between the workplace and the employee's place of res
granted if it is of significance to safety to provide for comprehensive regulation of working hour arrangements at t
section 10-8, first and second paragraph, requires that the employees are ensured compensatory rest periods or, v
appropriate protection.

(7) The Labour Inspection Authority may consent to working hour arrangements that derogate from section 10-8, limit of 13 hours in section 10-5, third paragraph, for health and care work and for on-call duty or surveillance wor partly of a passive nature (cf. section 10-4 second paragraph). Such consent may only be granted if the employees periods or, where this is not possible, other appropriate protection.

(8) If the work is of such a special nature that it would be difficult to adapt it to the provisions of this chapter, the M special rules providing exceptions from these provisions.

Section 10-13.*Settlement of disputes*

Disputes between the employer and the employee concerning the application of the provisions of section 10-2, second, third and fourth paragraph and section 10-6, tenth paragraph shall be resolved by the Dispute Resolution Board, cf. section 17-2.

Chapter 11. Employment of children and young persons

Section 11-1.*Prohibition against child labour*

(1) Children under 15 years of age or attending compulsory education shall not perform work subject to this Act ex

a. cultural work or the like,

b. light work provided the child is 13 years of age or more,

c. work that forms part of their schooling or practical vocational guidance approved by the school authorities age or more.

(2) The Ministry may by regulation issue further provisions concerning the types of work that shall be permitted pu Further conditions for such work may be decided.

(3) Persons under 18 years of age must not perform work that may be detrimental to their safety, health, develop may by regulation provide what types of work shall be subject to this prohibition and concerning the registration o

Section 11-2.*Working hours*

(1) Working hours for persons under 18 years of age shall be so arranged that they do not interfere with their scho benefiting from their lessons.

(2) In the case of children who are under 15 years of age or are attending compulsory education, working hours sh

a. 2 hours a day on days with teaching and 12 hours a week on weeks with teaching,

b. 7 hours a day on days without teaching and 35 hours on weeks without teaching,

c. 8 hours a day and 40 hours a week for the total of working hours and school hours where the work is part alternating theoretical and practical education.

(3) In the case of young persons between 15 and 18 years of age who are not attending compulsory education, wo hours a day and 40 hours a week.

(4) When children work for two or more employers, working hours shall be calculated as a total of the hours worke
is obliged to obtain information concerning hours worked for other employers.

(5) The Ministry may by regulation provide exceptions from

a. the second paragraph (a) for cultural work or the like, and

b. the second paragraph (c) and the third paragraph, if special grounds so indicate.

Regulations issued pursuant to this paragraph may contain conditions.

Section 11-3.*Prohibition against night work*

(1) Children who are under 15 years of age or are attending compulsory education shall not work between 8.00 p.

(2) Young persons between 15 and 18 years of age who are not attending compulsory education shall have an off-
including the time between 11 p.m. and 6.00 a.m. Work between 9 p.m. and 11 p.m. is night work and is not perm
nature of the work or unless there is an exceptional and time-limited need for night work.

(3) The second paragraph shall not apply to work that, owing to natural disasters, accidents or other unforeseen ev
danger or damage to life or property and where is strictly necessary to employ the young persons concerned in the
part in such work shall have a subsequent compensatory rest period.

(4) The Ministry may by regulation provide that the off-duty period may be shorter in respect of certain types of w
provisions concerning this, including conditions.

Section 11-4.*Medical examinations*

(1) The employer shall ensure that young persons assigned night work pursuant to section 11-3, fourth paragraph,
examinations before commencing employment and subsequently at regular intervals.

(2) The Ministry may issue regulations concerning the implementation of the medical examinations and lay down p
examinations in other cases where work makes special demands on the health or physical characteristics of the em

Section 11-5.*Breaks and time off*

(1) Persons under 18 years of age shall have a rest break of at least 30 minutes, if possible continuous if daily work
minutes.

(2) Within each period of 24 hours, there shall be a continuous off-duty period of at least:

a. 14 hours for children who are under 15 years of age or are attending compulsory education,

b. 12 hours in the case of young persons between 15 and 18 years of age who are not attending compulsory e

(3) Persons under 18 years of age shall have a continuous off-duty period of at least 48 hours per seven days. The
possible be on a Sunday or public holiday.

(4) Persons under 18 years of age who attend school shall have at least four weeks of holiday a year, of which at le during the summer holiday.

(5) In special cases, the Ministry may in regulations provide exceptions from the provisions of the second, third and

Chapter 12. Entitlement to leave of absence

Section 12-1.*Prenatal examinations*

A pregnant employee is entitled to leave of absence with pay in connection with prenatal examinations if such examinations cannot reasonably take place outside working hours.

Section 12-2.*Pregnancy leave*

A pregnant employee is entitled to a leave of absence for up to twelve weeks during pregnancy.

Section 12-3.*Leave of absence to care for a child*

(1) In connection with childbirth, the father is entitled to two weeks' leave of absence to assist the mother. If the p right to leave of absence may be exercised by another person who assists the mother.

(2) Adoptive parents and foster parents shall be entitled to two weeks' leave of absence when taking over respons shall not apply when adopting stepchildren or when the child is over 15 years of age.

Section 12-4.*Maternity leave*

After giving birth, the mother shall have a leave of absence for the first six weeks unless she produces a medical certificate stating that she should resume work.

Section 12-5.*Parental leave*

(1) Parents shall be entitled to leave of absence pursuant to the provisions of this section and of sections 12-2 and When parental benefits are paid by the National Insurance, parents shall be entitled to leave of absence regardless

(2) In addition to leave of absence pursuant to the first paragraph, each of the parents is entitled to leave of absen birth. This leave must be taken immediately after the parents' leave of absence pursuant to the first paragraph. An of absence pursuant to section 12-6 is nevertheless not entitled to leave of absence pursuant to this paragraph.

(3) Unless the child is in the care of both parents, the right to leave of absence pursuant to the first paragraph may taking care of the child. An employee who has sole responsibility for the care of a child shall be entitled to leave of paragraph for a period of up to two years.

(4) Adoptive parents and foster parents shall be entitled to leave of absence pursuant to this section when taking c the child. The same shall apply to an employee who has or is assigned parental responsibility upon the death of the than the usual access to the child. The right to leave of absence shall not apply when adopting stepchildren or whe

Section 12-6.*Partial leave of absence*

(1) Leave of absence pursuant to sections 12-2, 12-4 and 12-5, first paragraph, may be taken as partial leave of abs

(2) Partial leave of absence is based upon an agreement between the employer and the employee. The employees leave of absence is to be taken shall be met unless this involves significant inconvenience for the undertaking. An e engage the assistance of an elected employee representative or another representative. An agreement on partial or terminated when special grounds so necessitate.

(3) Partial leave of absence must be taken within a time frame of three years.

Section 12-7.*Duty to provide notification*

The employer shall be notified of leave of absence pursuant to sections 12-2 to 12- 6 as early as possible and not later than one week in advance in the case of absence in excess of two weeks, not later than four weeks in advance in the case of absence in excess of twelve weeks and not later than twelve weeks in advance in the case of absence in excess of one year. Disregarding such notice periods shall not entail that an employee must postpone the leave of absence if it is necessary owing to circumstances unknown to the employee before the expiry of the notice period.

Section 12-8.*Time off for nursing mothers*

(1) A nursing mother is entitled to request the amount of time off necessary for breastfeeding. For example, at lea twice daily or as a reduction in working hours by up to one hour per day.

(2) Women with time off for breastfeeding pursuant to the first paragraph are entitled during the child's first year on workdays with agreed working hours of seven hours or more.

Section 12-9.*Child's or childminder's sickness*

(1) Employees who have children in their care are entitled to leave of absence:

a. when necessary to attend to a sick child,

b. if a child shall be accompanied to a medical examination or other follow-ups in connection with sickness, o

c. if the person responsible for the daily childcare is sick or has a leave of absence pursuant to this section ow

(2) The right to leave of absence pursuant to this section applies up to and including the calendar year of the child' shall be entitled to a maximum of 10 days' leave of absence per calendar year or a maximum of 15 days if the emp his or her care.

(3) If the child has a chronic or long-term illness or disability and there is therefore a markedly greater risk of the e the employee is entitled to a maximum of 20 days' leave of absence pursuant to the first paragraph per calendar y applies up to and including the calendar year of the child's eighteenth birthday. An employee is similarly entitled t training at an approved health institution or public resource centre to be able to take care of and treat the child.

(4) An employee who has responsibility for the care of children shall be entitled to leave of absence if:

a. the child is hospitalised and the employee resides at the health institution,

b. the child has been discharged from a health institution and the employee must stay at home because the c attention, or

c. the child is suffering from a life-threatening or other extremely serious sickness or injury.

In connection with leave of absence pursuant to (a) and (b) the age limits laid down in the second and third paragraph shall apply. Entitlement to leave of absence pursuant to (c) applies up to and including the calendar year of the child's eighteenth birthday, regardless of age if the child has a mental disability.

(5) An employee is regardless entitled to leave of absence when care allowance, attendance allowance or training Insurance.

(6) An employee who has sole responsibility for the care of a child shall be entitled to twice the number of days of and third paragraphs. The same applies if there are two persons responsible for such childcare but one of them is supervising the child owing to a personal disability, admission to a health institution as a long-term patient, being similar circumstances. Up to half of the days of such leave each calendar year may be transferred to a mother or fa person with whom the employee lives who does not have responsibility for the care of his or her children.

Section 12-10.*Care and nursing of close relatives and/or other close persons*

Employees who nurse close relatives and/or other close persons in the home during the terminal stage shall be entitled to 60 days' leave of absence to take care of the individual close persons.

Employees shall be entitled to a maximum of 10 days' leave of absence per calendar year to care for parents, spouse, cohabitant or registered partner. The same shall apply in connection with the necessary care of a disabled or chronically sick child from and including the calendar year after the child reaches the age of 18 when the employer is responsible for the care of the child as referred to in section 12-9, third paragraph. The Ministry may issue regulations concerning documentation of necessary care.

Section 12-11.*Educational leave*

(1) An employee who has worked for at least three years and who has worked for the same employer for the last t partial leave for up to three years to attend organised courses of education. Beyond the level of the lower or uppe be granted for vocational studies. Vocational studies include all types of continuing education and training of relev

(2) Educational leave may not however be demanded when it would constitute an obstacle to the employer's resp personnel assignments.

(3) An employee who has taken educational leave is not entitled to further educational leave until the time that ha commencement of the previous educational leave is

a. equal to twice the duration of the leave and

b. at least one year from commencement of the previous educational leave, except when this was for under

(4) An employee who wishes to make use of his or her right to educational leave must notify the employer of this i include information concerning the academic content of the course, the duration and, if appropriate, admission to the course involves education beyond the level of the lower or upper secondary school, grounds must be given for

(5) An employer who maintains that the conditions for educational leave have not been fulfilled shall as early as po months notify the employee of this in writing. When the leave applied for is of a shorter duration than six months, within three months following receipt of the employee's request for leave but, when the leave applied for is of a sh the reply shall be given within two months. Until the employee's request has been answered, the employer shall o what has been done to make all possible arrangements for the educational leave.

(6) The Ministry may by regulation wholly or partly exempt undertakings from the provisions of this section.

Section 12-12.*Military service, etc.*

(1) An employee shall be entitled to leave of absence in connection with compulsory or voluntary military service o same shall apply to voluntary service of a total of 24 months duration in forces organised by the Norwegian author international peace operations provided that the employee notifies the employer as soon as possible after enterin concerning service in such forces.

(2) An employee who wishes to continue his or her employment after completion of such service shall notify the e service. The employer shall not be obliged to allow the employee to resume his or her duties until one month afte on which the employee can resume work.

Section 12-13.*Public office*

An employee shall be entitled to leave of absence from work to such extent as is necessary to comply with statutory requirements regarding attendance in public bodies.

Section 12-14.*Settlement of disputes*

Disputes concerning the entitlement to leave of absence pursuant to this chapter shall be resolved by the Dispute Resolution Board, cf. section 17-2.

Section 12-15.*Religious holidays*

The right to leave of absence in connection with religious holidays for employees who have different religious holidays from the public holidays is regulated by section 18 of the Act relating to religious communities, etc.

Section 12-16.*Regulations in connection with an outbreak or danger of an outbreak of a communicable disease hazardous to public health*

In connection with the outbreak or danger of outbreak of a communicable disease hazardous to public health, the Ministry may provide regulations concerning the right to leave that deviate from the provisions of this chapter. Such regulations may be made effective if the outbreak or the danger of the outbreak endures.

Chapter 13. Protection against discrimination

Section 13-1.*Prohibition against discrimination*

(1) Direct and indirect discrimination based on political views, membership of a trade union, or age is prohibited.

(2) Harassment and instruction to discriminate against persons for reasons referred to in the first paragraph are re

(3) The provisions of this chapter shall apply correspondingly in the case of discrimination of an employee who wo
basis.

(4) In the case of discrimination based on gender, pregnancy, leave of absence in connection with childbirth or ado
ethnicity, religion, belief, disability, sexual orientation, gender identity or gender expression, the Equality and Anti-

Section 13-2.*Scope of this chapter*

(1) The provisions of this chapter shall apply to all aspects of employment, including:

a. advertising of posts, appointments, relocation and promotion,

b. training and other forms of competence development,

c. pay and working conditions,

d. termination of employment.

(2) The provisions of this chapter shall apply correspondingly to the employer's selection and treatment of indepen
employees.

(3) The provisions of this chapter shall apply correspondingly to enrolment and participation in a trade union, emp
organisation. This shall also apply to the advantages that such organisations provide to their members.

(4) The provisions of this chapter shall not apply to discrimination owing to membership of a trade union in respec
collective pay agreements.

Section 13-3.*Exceptions from the prohibition against discrimination*

(1) Discrimination that has a just cause, that does not involve disproportionate intervention in relation to the pers
necessary for the performance of work or profession, shall not be regarded as discrimination pursuant to this Act.

(2) Discrimination that is necessary to the achievement of a just cause and does not involve disproportionate inter
persons so treated is not in contravention of the prohibition against indirect discrimination, discrimination based o
employee who works part-time or on a temporary basis.

(3) The Ministry may by regulation issue further provisions concerning the extent of the exception from the prohib
the second paragraph.

Section 13-4.*Obtaining information on the appointment of employees*

(1) The employer must not when advertising for new employees or in any other manner request applicants to prov views on political issues or whether they are members of employee organisations. Nor must the employer implem information in any other manner.

(2) The prohibition laid down in the first paragraph shall not apply if obtaining information concerning applicants' v membership of employee organisations is justified by the nature of the post or if the objective of the activity of the promotion of particular political, religious or cultural views and the post is essential for the fulfilment of the object information will be required, this must be stated when advertising the vacancy.

(3) The employer may not obtain information as referred to in section 30 of the Equality and Anti-Discrimination A

Section 13-5.*(Repealed)*

0 Repealed by the Act of 20 June 2008 No. 42.

Section 13-6.*Preferential treatment*

Special treatment that helps to promote equality of treatment is not in contravention of the provisions of this chapter. Such special treatment shall cease when its purpose has been achieved.

Section 13-7.*Duty of disclosure*

A job applicant who believes himself or herself to have been passed over in contravention of the provisions of this chapter may demand to be informed in writing by the employer of what educational qualifications, practice and other ascertainable qualifications for the post are held by the person appointed.

Section 13-8.*Burden of proof*

If the employee or job applicant submits information that gives reason to believe that discrimination has taken place in contravention of the provisions of this chapter, the employer must substantiate that such discrimination or retaliation has not occurred.

Section 13-9.*The effects of breach of the discrimination prohibition*

(1) Anyone who has been discriminated against in contravention of section 13-1 may claim redress and compensat employer can be blamed for the discrimination. Such compensation shall cover financial loss resulting from the dis damage of a non-pecuniary nature shall be stipulated in the amount that is found reasonable given the extent and circumstances of the parties and other facts of the case.

(2) Provisions laid down in collective pay agreements, contracts of employment, regulations, bylaws, etc., that are of this chapter shall not be valid.

Section 13-10.*Right of organisations to act as an agent*

An organisation whose purpose is, wholly or partly, to oppose discrimination for reasons referred to in section 13-1, first paragraph, may be used as an agent in administrative proceedings pursuant to this chapter.

Chapter 14. Appointment, etc.

Section 14-1.*Information concerning vacant posts in the undertaking*

The employer shall inform the employees concerning vacant posts in the undertaking. Workers hired from temporary-work agencies shall be similarly informed.

Section 14-1 a.*(Repealed)*

0 Repealed by the Act 17 March 2023 No. 3 (in force 1 January 2024).

Section 14-1 b.*Full-time and part-time employment*

(1) As a rule, an employee shall be employed full time.

(2) Before deciding on an appointment of a person to a part-time post, the employer shall document in writing the
The documentation shall be available to the employee representatives and the question of part-time employment
employee representatives.

Section 14-2.*Preferential right to a new appointment*

(1) An employee who has been dismissed owing to circumstances relating to the undertaking shall have a preferen
the same undertaking unless the vacant post is one for which the employee is not qualified. If the employer belon
8-4, fourth paragraph, the employee also has a preferential right to a new appointment with other undertakings ir
is one for which the employee is not qualified. The preferential right pursuant to the second sentence shall cease t
accept an offer of other suitable work in accordance with section 15-7, third paragraph.

(2) The preferential right shall also apply to an employee who is temporarily engaged and who, owing to circumsta
not offered continued employment. This shall not however apply to employees engaged as temporary replacemer
paragraph (b). The preferential right shall also apply to employees who have accepted an offer of reduced employ

(3) The preferential right applies to employees who have been employed by the undertaking for a total of at least
years.

(4) The preferential right shall apply from the date on which notice is given and for one year after the expiry of the
on which notice is given and for two years after the expiry of the period of notice if the employment relationship is
July 2021 up to and including 31 December 2021 due to the effects of Covid-19 pandemic.

(5) The preferential right shall lapse if an employee fails to accept an offer of employment in a suitable post not lat
offer.

(6) If two or more persons have a preferential claim to a post, the employer is obliged to follow the same rules for
dismissals owing to curtailed operations or rationalisation measures.

(7) The provisions of this section shall apply correspondingly to employees who have been dismissed in connection undertaking. This shall only apply when the undertaking is continued or resumed and, given its location, nature, ex regarded as a continuation of the original undertaking.

(8) The sixth paragraph shall not apply in connection with bankruptcy, public administration of the estate of an ins of an undertaking after debt settlement proceedings have been initiated. By agreement with the employee repres scope may be established.

Section 14-3.*Preferential rights of part-time employees*

(1) Part-time employees have a preferential right to an extended post rather than the employer creating a new ap the undertaking. The preferential right may also apply to a part of a post.

(2) Part-time employees have a preferential right to extra shifts and the like in the undertaking rather than the em personnel for this work. The employer can, following discussions with employee representatives, limit the scope fo under this paragraph to one or more units comprising a total of at least 30 employees. According to agreement wi different or narrower scope may be determined. The preferential right under this paragraph also applies to tempo

(3) The preferential right under this paragraph is subject to the employee being qualified for the post and exercise involving significant inconvenience for the undertaking.

(4) Before making a decision concerning appointment to a post that the employee claims a preferential right to pu employer shall as far as practically possible discuss the matter with the employee unless the employee does not de

(5) Preferential rights pursuant to section 14-2, except for section 14-2, first paragraph, second sentence and seco precedence over the preferential rights of part-time employees.

(6) Disputes concerning preferential rights for part-time employees pursuant to the first paragraph shall be resolve cf. section 17-2.

Section 14-4.*Effects of a breach of the provisions concerning preferential rights*

(1) If the court finds that a person with preferential rights should have been appointed to a specific post, the court holder of preferential rights, rule that the person concerned shall be appointed in the post unless this be found un

(2) In the event of a breach of the provisions concerning preferential rights, an employee may claim compensation accordance with section 15-12, second paragraph.

Section 14-4 a.*Part-time workers' entitlement to a post equivalent to actual working hours*

(1) Part-time workers who during the previous twelve months have regularly worked in excess of the agreed worki
equivalent to the actual working hours during this period unless the employer can document that the additional w
twelve-month period is to be calculated based on the date that the employee submitted his or her claim.

(2) Disputes concerning entitlement pursuant to this provision shall be resolved by the Dispute Resolution Board, c

Section 14-4 b.*Consequences of breaches of part-time workers' entitlement to a post equivalent to actual working hours*

(1) If the court concludes that a part-time worker is entitled to a post equivalent to actual working hours pursuant
the court shall if so demanded by the part-time worker rule that the person concerned shall be appointed in such a

(2) In the case of breaches of the provision concerning entitlement to a post equivalent to actual working hours pu
employee may claim compensation.

Section 14-5.*Requirements regarding a written contract of employment*

(1) All employment relationships shall be subject to a written contract of employment. The employer shall draft a w
accordance with section 14-6. An employee shall be entitled to engage the assistance of an elected employee repr
representative both when drafting and when amending the contract of employment.

(2) In employment relationships with a total duration of more than one month, a written contract of employment
possible and seven days following the commencement of the employment relationship at the latest.

(3) In employment relationships of a shorter duration than one month or in connection with hiring out of labour, a
shall be entered into immediately.

Section 14-6.*Minimum requirements regarding the content of the written contract*

(1) The contract of employment shall state factors of major significance for the employment relationship, including

a. the identity of the parties,
b. the place of work. If there is no fixed or main place of work, the contract of employment shall provide infor
employee is employed at various locations or can freely decide on their place of work, and state the registe
appropriate, the home address of the employer,
c. a description of the work or the employee's title, post or category of work,
d. the date of commencement of the employment relationship,
e. if the employment relationship is of a temporary nature, its expected duration and the basis for the appoin
f. any provisions relating to a trial period of employment, cf. section 15-3, seventh paragraph and section 15-
g. the employee's right to holiday and holiday pay, the provisions concerning the fixing of dates for holidays,
from the employer,

h. the periods of notice applicable to the employee and the employer and procedure upon termination of the

i. the pay applicable or agreed on commencement of the employment relationship, any supplements and oth the pay, for example, pension payments and allowances for meals or accommodation, method of payment payments. The different elements must be specified separately.

j. duration and disposition of the daily and weekly working hours. If the work is to be performed periodically hours will vary, the contract of employment shall provide information to this effect, and stipulate or provid work shall be performed.

k. length of breaks.

l. agreement concerning a special working-hour arrangement, cf. section 10-2, second, third and fourth para

m. arrangements for shift changes, cf. section 10-3, and arrangements for work exceeding the agreed working work,

n. information concerning any collective pay agreements regulating the employment relationship. If an agree parties outside the undertaking, the contract of employment shall state the identities of the parties to the

o. the identity of the hirer if the employee is hired out from a temporary-work agency. The information must of the hirer is known,

p. right to competence development that the employer may offer,

q. social security benefits under the auspices of the employer as well as the names of institutions that receive this regard.

(2) Information referred to in the first paragraph (g) to (k) and (m), (p) and (q) may be given in the form of a refere collective pay agreements regulating these matters.

(3) If the employer has not stated that the employment relationship is temporary, cf. first paragraph (e) and sectio employee is permanently employed unless otherwise is considered highly probable.

(4) If the employer has not stated the scope of the post, cf. first paragraph (j) and section 14-5, the employee's cla shall be used as a basis unless otherwise is considered highly probable.

Section 14-7.*Employees posted abroad*

(1) If an employee is to work abroad for a period exceeding four consecutive weeks, a written contract of employm departure. In addition to information as referred to in section 14-6, the agreement must at least regulate the follo

a. the country(ies) where the work will be performed and the duration of the work to be performed abroad,

b. the currency in which remuneration is to be paid,

c. any cash benefits or benefits in kind that are associated with the work abroad,

d. the conditions relating to the employee's return journey, including coverage of expenses.

(2) When a Norwegian undertaking posts an employee to another country within the EEA in connection with the p information referred in the first paragraph shall also include the following:

a. the salary the employee is entitled to in accordance with the applicable law in the host country,

b. any allowances that apply specifically to the posting, and any arrangements for reimbursement of expense where relevant,

c. link to the single official national website established in the host country pursuant to Directive 2014/67/EU

(3) Information as mentioned in the first paragraph (b) and second paragraph (a) may be given in the form of a ref collective pay agreements regulating these matters.

Section 14-8.*Changes in the employment relationship*

Changes to the employment relationship as referred to in sections 14-6 and 14-7 shall be included in the contract of employment as early as possible and not later than the date on which the change enters into force. This shall nevertheless not apply if the changes in the employment relationship are due to amendments to Acts, regulations or collective pay agreements, cf. section 14-6, second paragraph, and section 14-7, third paragraph.

Section 14-8 a.*Request for more predictable and safe working conditions*

(1) If an employee who works part-time or is temporarily employed requests a form of employment with more pre conditions, the employer shall provide a written and reasoned response within one month of the request.

(2) The right to a written response under this provision applies to employees who have been employed by the und and who have completed any trial period. The right does not apply if less than six months have passed since the er accordance with the provision.

Section 14-9.*Permanent and temporary appointment*

(1) An employee shall be appointed permanently. For the purposes of this Act, a permanent appointment shall me continuous and not time-limited, that the provisions of the Act concerning termination of employment shall apply predictability of employment in the form of a clearly specified amount of paid working hours.

(2) Temporary appointment may nevertheless be agreed upon

a. when the work is of a temporary nature

b. for work as a temporary replacement for another person or persons

c. for work as a trainee

d. with participants in labour market schemes under the auspices of or in cooperation with the Labour and W

e. with athletes, trainers, referees and other leaders within organised sports

(3) The Ministry may by regulation issue further provisions concerning temporary appointment for trainee work ar market schemes are subject to the second paragraph (d).

(4) National unions may enter into collective pay agreements with an employer or employers' association concerni appointments within a specific group of workers employed to perform artistic work, research work or work in conn

pay agreement is binding for a majority of the employees within a specified group of employees in the undertaking conditions enter into temporary contracts of employment with other employees who are to perform correspondin

(5) An employee who has been employed for more than one year is entitled to written notification of the date on w later than one month before that date. This shall nevertheless not apply to persons participating in labour market paragraph, cf. the second paragraph (d). Such notification shall be deemed to have been given when it is received not observed, the employer may not require the employee to leave his post until one month after notification has

(6) Unless otherwise agreed in writing or laid down in a collective pay agreement, temporary contracts of employm agreed period or when the specific work is completed. During the agreement period, the provisions of this Act con employment shall apply.

(7) Employees who have been temporarily employed for more than three consecutive years pursuant to the secon any of these in combination, shall be deemed to be permanently employed so that the provisions concerning term relationships shall apply. When calculating the length of employment, deductions shall not be made for the emplo

Section 14-10.*Fixed-term appointments*

(1) The chief executive of an undertaking may be appointed for a fixed term.

(2) Appointment for a fixed term may be agreed upon when deemed necessary as a result of an agreement with a organisation.

Section 14-11.*Effects of breaches of the provisions concerning permanent and temporary appointments*

(1) In the event of a breach of the provisions of section 14-9 or 14-10, the court shall, if so demanded by an emplo employment relationship exists or that the employment relationship shall continue in accordance with section 14- the court may nevertheless, if so demanded by the employer, decide that employment shall be terminated if, after parties, the court finds it clearly unreasonable that employment should continue.

(2) In the event of a breach of the provisions of section 14-9 or 14-10, the employee may claim compensation. Com accordance with section 15-12, second paragraph.

Section 14-12.*Hiring workers from undertakings whose object is to hire out labour (temporary-work agencies)*

(1) Hiring workers from undertakings whose object is to hire out labour shall be permitted to the extent that temp may be agreed pursuant to section 14-9, second paragraph (b) to (e).

(2) In undertakings bound by a collective pay agreement concluded with trade unions with the right of nomination Act, the employer and the elected representatives who collectively represent a majority of the employees in the ca enter into a written agreement concerning the hiring of workers for limited periods notwithstanding the provision In response to an enquiry from the Norwegian Labour Inspection Authority, the undertaking and the temporary wo

documentation that the hirer undertaking is bound by a collective agreement Concluded with trade unions with th
agreement has been entered into with the employees' elected representatives as referred to in the first sentence.

(3) Any temporary worker who has been hired continuously according to this section for more than three years ha
employment with the lessor so that the rules on termination of employment apply. In the calculation, no deductio
worker's absence.

(4) When assessing whether a service agreement between two undertakings involves hiring personnel, particular e
whether the client oversees the work and is responsible for the result. Other relevant factors include whether the
supply of labour, whether the work takes place in close connection with the client's activities, whether the work co
client and whether the work takes place within the client's core or main activity

(5) The Ministry may by regulation prohibit the hiring of certain groups of workers or in certain sectors when so in
considerations.

(6) The Ministry may by regulation issue rules on the time-limited hiring of health personnel to ensure proper oper
service, and the time-limited hiring of special expertise, which deviate from the provision of the first paragraph.

Section 14-12 a.*Equal treatment regarding pay and working conditions in connection with the hiring out of workers by temporary-work agencies*

(1) The temporary-work agency shall ensure that the workers that it hires out are at least given the conditions that
had been recruited directly by the user undertaking to perform the same work regarding:

a. the length and placement of working hours,

b. overtime work,

c. the length and placement of breaks and rest periods

d. nightwork,

e. holidays, holiday pay, days off and remuneration for such days, and

f. pay and coverage of expenses.

(2) Temporary agency workers shall be given access to the user undertaking's collective amenities and facilities on
of the user undertaking unless otherwise objectively justified.

(3) The Ministry may in regulations decide whether and to what extent the provisions concerning equal treatment
collective agreements. The general worker protection provisions must in all cases be respected.

Section 14-12 b.*The obligation to provide information and the right of access to information when hiring workers from temporary- work agencies*

(1) When hiring temporary agency workers, the user undertaking must provide the temporary-work agency with th
compliance with the equal treatment requirement in section 14-12a.

(2) When so requested by a temporary agency worker, the temporary-work agency must provide the worker with whether his or her pay and working conditions comply with the equal treatment requirement in section 14-12a.

(3) When so requested by the user undertaking, the temporary-work agency shall provide documentation of the p with a worker hired out to the user undertaking.

(4) When so requested by the employees' elected representatives at the user undertaking, the user undertaking m pay and working conditions agreed between a temporary agency worker and that person's employer.

(5) The obligation to provide information pursuant to the third and fourth paragraphs applies only to conditions re paragraph. Temporary-work agencies, user undertakings and employees' elected representatives who receive info have a duty of confidentiality regarding the information. The information may only be used for ensuring or investig treatment requirement in section 14-12a or for meeting obligations pursuant to this provision.

(6) The Ministry may in regulations lay down further provisions concerning the right of access to information, the d duty of confidentiality pursuant to this section, and on the duty of confidentiality for temporary agency workers. T lay down provisions concerning the use of advisers and their duty of confidentiality.

Section 14-12 c.*Joint and several liability for user undertakings*

(1) Pursuant to section 14-12, user undertakings shall be liable in the same way as an unconditional guarantor for p any other remuneration pursuant to the principle of equal treatment laid down in section 14-12 a, including claims as referred to in section 14-12 a, third paragraph. In connection with joint and several liability pursuant to the first also be jointly and severally liable for holiday pay earned in connection with the claim.

(2) The worker must submit his or her claim in writing to the jointly and severally liable party within a time limit of the claim. The jointly and severally liable party shall pay in accordance with the claim at the latest three weeks afte

(3) The jointly and severally liable party may refuse to cover the claim if the worker was aware that the condition f etc., pursuant to the principle of equal treatment, should wholly or partly be covered by the jointly and severally li

(4) Joint and several liability does not apply when bankruptcy proceedings have been instituted against the tempo

Section 14-13.*Hiring workers from undertakings other than those whose object is to hire out labour*

(1) Hiring workers from undertakings other than those whose object is to hire out labour shall be permitted when employed by the lessor. So that an undertaking may be said not to have the object of hiring out labour, hiring out areas of activity of the lessor and not more than 50 per cent of the permanent employees of the lessor must be em a decision is taken in respect of such hiring, the hirer shall consult with the elected representatives who collectivel employees in the category of workers to be hired.

(2) In the case of hiring more than 10 per cent of the hirer's employees, but not fewer than three persons, or for m agreement shall be concluded with the elected representatives who collectively represent a majority of the emplo be hired. This provision does not apply to the hiring of employees within the same corporate group

(3) If so requested by elected representatives of the category of work to which the hiring applies, the employer sha conditions for hiring pursuant to the first paragraph are satisfied.

(4) The Ministry may by regulation prohibit the hiring of certain groups of employees or employees in certain secto social considerations.

(5) Section 14-12, fourth paragraph applies correspondingly.

Section 14-14.*Consequences of unlawful hiring of employees*

(1) In the event of a breach of the provisions of section 14-12, the court shall, if so demanded by the hired employ has a permanent employment relationship with the hirer in accordance with section 14-9, first paragraph. In speci nevertheless, if so demanded by the hirer, decide that the hired employee does not have a permanent employmer interests of the parties, it finds that this would be clearly unreasonable.

(2) In the event of a breach of the provisions of section 14-12, the hired employee may claim compensation from t decided in accordance with section 15-12, second paragraph.

Section 14-14 a.*Discussion concerning employment*

The employer shall, at least once a year, or when one of the parties so requires, discuss with the elected representatives the use of part-time, temporary employment, hiring, independent contractors and purchases of services from other undertakings that have consequences on staffing. Among other things, the discussion must include the basis, scope and consequences for the working environment. When hiring from temporary work agencies, the manner in which the requirement for equal treatment will be practiced shall also be discussed, cf. section 14-12 a.

Section 14-15.*Payment of salary and holiday pay*

(1) Unless otherwise agreed, salary shall be paid at least twice a month. The date of payment of holiday pay is regu

(2) Salary, including holiday pay and other remuneration, shall be paid from the employer to the employee's accou entitled to operate a payment service. However, the first sentence does not apply if such a method of payment is i the employee or the employer.

(3) No amounts may be deducted from pay except:

a. when authorised by law,

b. in respect of employees' contributions to service pension schemes subject to the Company Pensions Act, th Act or public service pension schemes,

c. when stipulated in advance by a written agreement,

d. when a collective pay agreement provides for the withholding of trade union dues including premiums for union membership or contributions to information and development funds or low-income funds,

e. in respect of compensation for damage or loss suffered by the undertaking, and caused wilfully or by gross employee in connection with the work, when the employee has acknowledged his liability in writing or it h decision, or when the employee unlawfully terminates his employment,

f. when, owing to current routines for calculation and disbursement of pay, it has in practice been impossible work stoppages or lockouts during the accounting period.

(4) Deductions in salary or holiday pay pursuant to the third paragraph (c), (e) and (f) shall be limited to that part o amount reasonably needed by the employee to support himself and his household.

(5) Before effecting deductions pursuant to the third paragraph (e), the employer shall discuss the basis for and th employee and with the employees' elected representatives unless the employee himself does not desire this.

(6) At the time of payment or immediately thereafter, the employee shall receive a written statement of the meth basis on which the holiday pay is calculated, and any deductions made.

Section 14-16.*Staff rules*

(1) Industrial, commercial and office undertakings employing more than 10 persons shall have staff rules for those leading or supervisory positions. The Ministry may decide that staff rules shall be established for undertakings and mentioned above. Such rules shall contain the necessary code of conduct and rules relating to working procedures provisions contrary to this Act.

(2) Staff rules may not stipulate fines for breach of the rules. Staff rules may be established for undertakings other paragraph above. In that event, sections 14-17 to 14-20 shall apply correspondingly.

Section 14-17.*Establishment of staff rules*

(1) At undertakings bound by a collective pay agreement, the employer and the elected representatives of the em written agreement. If such an agreement is binding upon a majority of the employees, the employer may make the employees in the sectors of work covered by the agreement.

(2) When the provisions of the first paragraph are not applied, staff rules are not valid unless approved by the Labo shall be drafted by the employer, who shall negotiate with the employee representatives concerning the provision undertakings bound by a collective pay agreement, the employer shall negotiate with the employees' elected repr employees shall appoint five representatives with whom the employer shall negotiate. If divergent rules are propo representatives, such rules shall be enclosed with the draft submitted by the employer for approval. If the employ negotiate concerning the rules, this shall be stated by the employer when he submits the draft for approval.

(3) The staff rules shall be posted at one or more conspicuous places in the undertaking and be distributed to each apply.

Section 14-18.*Time limit for submitting staff rules*

The employer shall take the initiative to have rules established by agreement pursuant to section 14-17, first paragraph, or have rules drafted pursuant to section 14-17, second paragraph, as soon as possible. Rules drafted pursuant to section 14-17, second paragraph, shall be submitted to the Labour Inspection Authority not later than three months after the undertaking commences operations.

Section 14-19.*Validity of staff rules*

(1) Staff rules are valid only when established in a lawful manner and when they do not contain provisions contrar

(2) If rules drafted pursuant to section 14-17, second paragraph, contain provisions that are contrary to the Act or rules were not drafted in a lawful manner the Labour Inspection Authority shall refuse approval.

(3) If rules established by agreement pursuant to section 14-17, first paragraph, contain provisions that are contra Authority shall bring this to the attention of the parties and ensure that the provisions are amended.

Section 14-20.*Amendments to staff rules*

The provisions of sections 14-16 to 14-19 shall apply correspondingly when the staff rules are amended or supplemented.

Chapter 14 A. Agreements restricting competition in employment relationships

Section 14 A-1.*Non-compete clauses*

(1) For the purpose of this chapter, 'non-compete clause' means an agreement between the employer and the em freedom to take up a post at another employer or to commence, operate or participate in other undertakings follo employment.

(2) A non-compete clause may only be invoked as far as is necessary to safeguard the employer's particular need f The clause may not in any event be invoked for longer than one year from the termination of the employment.

(3) In order to be valid, a non-compete clause must be entered into in writing.

(4) A non-compete clause may not be invoked on dismissal by the employer unless the dismissal is objectively justi relating to the employee. The same applies if the employer owing to a breach of obligations in the employment re reasonable grounds to terminate the employment.

(5) The employer may terminate a non-compete clause in writing at any time during the employment. Such termin during the period when the employer is bound by a statement pursuant to section 14 A-2, fifth paragraph. Followi the employer and the employee may enter into a written agreement that a non-compete clause shall no longer ap

(6) A non-compete clause becomes void if the requirement regarding a statement pursuant to section 14 A-2 is no

Section 14 A-2.*Statements in connection with non-compete clauses*

(1) On a written enquiry from the employee, the employer shall within four weeks provide a written statement reg
a non-compete clause will be invoked. In such a case, the employer's particular need for protection against compe
statement.

(2) If the employee resigns and no binding statement exists, the resignation shall have the same effect as a written
paragraph.

(3) If the employer gives the employee notice of dismissal and no binding statement exists, a statement shall be pr
dismissal.

(4) If the employer summarily dismisses the employee and no binding statement exists, a statement shall be provi
summary dismissal.

(5) A statement pursuant to the present section shall be binding for the employer for three months. When notice o
given, the statement shall notwithstanding be binding during the notice period.

Section 14 A-3.*Compensation on invoking a non-compete clause*

(1) If a non-compete clause is invoked, the employer shall pay the employee compensation equivalent to 100 per c
eight times the National Insurance basic amount, and thereafter a minimum of 70 per cent of the employee's salar
National Insurance basic amount. The compensation shall be calculated based on salary earned during the twelve
date of notice or summary dismissal. The compensation may be limited to twelve times the National Insurance bas

(2) Deductions equal to a maximum of half the compensation may be made in respect of salary or income received
the period the non-compete clause is in effect.

(3) The employer may require the employee to provide information on salary or income from employment during
comply with this requirement, the employer may withhold compensation until the information is provided.

Section 14 A-4.*Non-solicitation of customers clauses*

(1) For the purpose of this chapter, the ‘non-solicitation of customers clause’ means an agreement between the em
the employee's freedom to contact the employer's customers following termination of employment.

(2) A non-solicitation of customers clause may only apply to customers with whom the employee has had contact d
responsible during the year immediately before the statement as referred to in the third paragraph. The clause ma
more than one year from the termination of the employment. Section 14 A-1, third to sixth paragraph, shall apply

(3) On a written enquiry from the employee, the employer shall within four weeks provide a written statement con
extent a non-solicitation of customers clause will be invoked. The statement shall in such case specify which custo
customers clause applies to. Section 14 A-2, second to fifth paragraph, shall apply correspondingly.

Section 14 A-5.*Exceptions regarding the undertaking's chief executive*

The provisions concerning non-compete and non-solicitation of customers clauses in this chapter shall not apply to the undertaking's chief executive if he or she renounces such rights before resigning in return for severance pay.

Section 14 A-6.*Non-solicitation of employees clauses*

(1) For the purpose of this chapter, the 'non-solicitation of employees clause' means an agreement between the e preventing or limiting the employee's possibility of taking up an appointment in another undertaking.

(2) The employer may not enter a non-solicitation of employees clause. A non-solicitation of employees clause ma connection with negotiations on the transfer of undertakings and invoked during the negotiations and for up to six negotiations if they do not succeed. A non-solicitation of employees clause may also be entered into from the date and invoked for up to six months if the employer has informed all the affected employees in writing.

Chapter 15. Termination of employment relationships

Section 15-1.*Consultations before decisions regarding dismissal with notice*

Before deciding on dismissal with notice, the employer shall, to the extent that it is practically possible, discuss the matter with the employee and the employee's elected representatives unless the employee himself does not desire this. Such discussions shall concern both the grounds for dismissal and any selection between two or more employees regarding who is to be dismissed.

Section 15-2.*Information and consultation in connection with collective redundancies*

(1) For the purposes of this Act, «collective redundancies» shall mean notice of dismissal given to at least 10 empl warranted by reasons related to the individual employees. Other forms of termination of contracts of employment related to the individual employee shall be included in the calculation, provided that at least five persons are made

(2) An employer contemplating collective redundancies shall at the earliest opportunity enter into consultations w representatives to reach an agreement to avoid collective redundancies or to reduce the number of persons made considering closing down its activities or an independent part of them and this will involve collective redundancies operations shall be discussed, including the possibility of the activities being taken over by the employees. If redun shall be made to mitigate their adverse effects. The consultations shall cover possible social welfare measures aim for redeploying or retraining workers made redundant. The employee representatives shall have the right to receiv shall be obliged to enter into consultations even if the projected redundancies are caused by someone other than authority over the employer, such as the management of a group of companies.

(3) Employers shall be obliged to give the employees' elected representatives all relevant information, including w

a. the grounds for any redundancies,

b. the number of employees who may be made redundant,

c. the categories of workers to which they belong,

d. the number of employees normally employed,

e. the groups of employees normally employed,

f. the period during which such redundancies may be affected,

g. proposed criteria for the selection of those who may be made redundant,

h. proposed criteria for the calculation of extraordinary severance pay, if applicable.

Such notification shall be given at the earliest opportunity and, at the latest, at the same time as the employer calls a consultation meeting. Corresponding notification shall also be given to the Labour and Welfare Service, cf. section 8 of the Labour Market Act.

(4) The employees' elected representatives may comment on the notification directly to the Labour and Welfare S

(5) Projected collective redundancies shall not come into effect earlier than 30 days after the Labour and Welfare S Labour and Welfare Service may extend the period of notice pursuant to section 8, third paragraph of the Labour M

Section 15-3.*Periods of notice*

(1) Unless otherwise agreed in writing or laid down in a collective pay agreement, a period of one month's notice s notice has been given, an agreement on a shorter period of notice may only be concluded between the employer a representatives at undertakings bound by a collective pay agreement. The Ministry may issue regulations providin participants in labour market schemes.

(2) In the case of employees who, when notice is given, have been in the employ of the same undertaking for at le two months' notice shall be given by either party. If the employee has been in the employ of the same undertaking at least three months' notice shall be given by either party.

(3) If an employee is dismissed after at least ten consecutive years' employment with the same undertaking, the p months when given after the employee is 50 years of age, at least five months after the age of 55, and at least six employee for his part may terminate his contract of employment with not less than three months' notice.

(4) Periods of notice laid down in the first to the third paragraph run from and including the first day of the month given.

(5) The continuous employment required by the second and third paragraphs is not interrupted by a temporary int a lawful labour conflict. However, the period during which the employee is absent shall not be included unless oth labour conflict.

(6) Calculation of the length of consecutive employment pursuant to this section shall take into account periods of undertakings within a corporate group to which the employer belongs or within any other group of undertakings a interests or joint management in such a way that it is natural to regard the employment as being consecutive. If th assigned to or leased by a new employer, the period of consecutive employment shall include any periods in which of the previous employer or of any undertaking within a group of undertakings or activities to which the previous e

(7) In the case of written contracts of employment under which the employee is engaged for a given trial period, 1 either party unless otherwise agreed in writing or a collective pay agreement.

(8) The periods of notice required under the second or third paragraph may not legally be set aside by the parties i other agreements concluded before notice is given, nor may the parties decide that the notice to be given by an e to be given by an employer.

(9) An employee who has been laid off without pay in connection with a reduction or suspension of operations ma calculated from the date on which the notice is received by the employer. This shall apply regardless of the period any agreement.

(10) If operations must wholly or partly be suspended owing to accidents, natural disasters or other unforeseeable for that reason, the period of notice for laying off employees engaged in the work suspended may be reduced to 1 the event. If the period of notice in force is less than 14 days, the shorter period shall apply. The period of notice n paragraph because of the employer's death or bankruptcy nor on suspension of operations owing to the impossibi machinery, tools, materials or other aids furnished by the employer unless the employee himself is responsible for

Section 15-4.*Formal requirements regarding notice of dismissal*

(1) Notice shall be given in writing.

(2) Notice given by an employer shall be delivered to the employee in person or be forwarded by registered mail t employee. The notice shall be deemed to have been given when it is received by the employee. The notice shall in

a. the employee's right to demand negotiations and to institute legal proceedings,

b. the employee's right to remain in his post pursuant to the provisions of sections 17-3, 17-4 and 15-11,

c. the time limits applicable for requesting negotiations, instituting legal proceedings and remaining in a post

d. the name of the employer and the appropriate defendant in the event of legal proceedings.

If notice of dismissal is due to circumstances relating to the undertaking, the notice must contain information about preferential rights pursuant to section 14-2. If the employer belongs to a corporate group, the notice must also state which companies are part of the group at the time of dismissal.

(3) If the employee so demands, the employer shall state the circumstances claimed as grounds for dismissal. The information be given in writing.

Section 15-5.*Consequences of formal errors in connection with a notice of dismissal*

(1) If the employer's notice is not given in writing or does not include information as referred to in section 15-4 an proceedings within 4 months from the date that notice is given, the notice shall be ruled invalid unless special circu unreasonable.

(2) If the notice is invalid, the employee may claim compensation. The same shall apply if the notice provides inade employee does not demand that it be ruled invalid or it is not ruled invalid because special circumstances make th paragraph. Compensation shall be decided in accordance with section 15-12, second paragraph.

Section 15-6.*Protection against dismissal in contracts of employment specifying a trial period*

(1) If an employee engaged by written contract for a given trial period is dismissed, such dismissal must be on the g
suitability for the work, or lack of proficiency or reliability.

(2) The provisions of this section do not restrict the employer's right to dismiss an employee pursuant to section 15

(3) The provisions of this section only apply if notice is given before the end of the trial period. The trial period can
months. For a temporary appointment, the trial period may not exceed half the duration of the employment relati
this paragraph may nevertheless be extended in accordance with the fourth paragraph.

(4) If an employee has been absent from work during the trial period, the employer may extend the agreed trial pe
the period of absence. Such extension may only take place when the employee has been informed of this possibili
appointment, and when the employer has informed the employee of the extension in writing before the expiry of
the trial period shall not apply to absences caused by the employer.

(5) A new trial period cannot be agreed if the employee shall continue in the same post or in a post that is essentia
has had in the same undertaking. For a permanent appointment, a new trial period may nevertheless be agreed if
consecutive employment and new trial period do not collectively exceed six months.

(6) The Ministry may issue regulations permitting agreement on a trial period longer than six months in the case of

Section 15-7.*Protection against unfair dismissal*

(1) Employees may not be dismissed unless this is objectively justified based on circumstances relating to the unde
employee.

(2) Dismissal due to curtailed operations or rationalisation measures is not objectively justified if the employer has
undertaking to offer the employee. When deciding whether a dismissal is objectively justified by curtailed operatio
needs of the undertaking shall be weighed against the disadvantage caused by the dismissal of the individual empl

(3) If the employer belongs to a corporate group, cf. section 8-4, fourth paragraph, the dismissal is not objectively j
work in other undertakings in the group to offer the employee.

(4) Dismissal owing to an employer's actual or planned contracting out of the undertaking's ordinary operations to
justified unless it is essential to maintain the continued operation of the undertaking.

Section 15-8.*Protection against dismissal in the event of sickness*

(1) An employee who is wholly or partly absent from work owing to accident or illness may not be dismissed for th
months after becoming unable to work.

(2) Unless other grounds are shown to be highly probable, absence from work owing to accident or illness shall be dismissal during the period when the employee is protected against dismissal pursuant to this section.

(3) An employee who claims protection against dismissal pursuant to this section must produce a medical certifica employer in due time of the reason for his absence. When so required by the employer, a medical certificate shall length of the sick leave.

Section 15-9.*Protection against dismissal during pregnancy or following the birth or adoption of a child*

(1) An employee who is pregnant may not be dismissed on grounds of pregnancy. Pregnancy shall be deemed to b pregnant employee unless other grounds are shown to be highly probable. If so required by the employer, a medic produced.

(2) An employee who has leave of absence pursuant to sections 12-2, 12-3, 12-4 or 12- 5, first paragraph, for up to of dismissal that becomes effective during the period of absence if the employer is aware that the absence is due t notifies without undue delay that the absence is due to such reasons. If the employee is lawfully dismissed at a tim notice is valid but shall be extended by a corresponding period.

(3) In the case of an employee who has leave of absence pursuant to section 12-5, second paragraph, or section 12 paragraph, first and second sentence, shall apply correspondingly.

Section 15-10.*Protection against dismissal in connection with military service, etc.*

(1) An employee may not be dismissed owing to a leave of absence pursuant to section 12-12. In connection with l section 12-12, first paragraph, second sentence, protection against dismissal shall also apply to periods when an em

(2) Unless other grounds are shown to be highly probable, such service shall be deemed to be the reason for dismi the period during which the employee is absent from work owing to leave pursuant to section 12-12.

Section 15-11.*The employee's right to remain in his post*

(1) In the event of a dispute concerning whether an employment relationship has been legally terminated pursuan an employee may remain in the post as long as negotiations are in progress pursuant to section 17-3.

(2) If legal proceedings are instituted within the time limits laid down in section 17-4, an employee may remain in employer, the court may nevertheless decide that the employee shall leave his post while the case is in progress if that employment should continue while the case is in progress. This shall also apply in connection with full or parti same time, the court shall set the time limit for termination of the employee's post.

(3) The employee's right to remain in his post shall not apply to disputes concerning summary dismissal, dismissal hired from temporary-work agencies or other companies or other temporary employees. If so demanded by an em

nevertheless decide that the employment shall continue until the matter has been legally decided if legal proceedi
limits provided in section 17-4.

(4) The employee's right to remain in his post shall not apply to participants in labour market schemes under the a
the Labour and Welfare Service who are dismissed because they are offered ordinary employment or transferred t
scheme is terminated.

(5) The court may decide that an employee who has been unlawfully locked out of his place of work after the perio
of employment has expired shall be entitled to resume the post if the employee so requests within four weeks of s

Section 15-12.*Consequences of unfair dismissal, etc.*

(1) If a dismissal is in contravention of sections 15-6 to 15-10, the court shall, if so demanded by the employee, rul
cases, if so demanded by the employer, the court may decide that the employment shall be terminated if, after we
the court finds it clearly unreasonable that employment should continue.

(2) An employee may claim compensation if a dismissal is in contravention of sections 15-6 to 15-11. Compensatio
court deems reasonable given the financial loss, circumstances relating to the employer and employee and other f

Section 15-13.*Suspension*

(1) If there is reason to assume that an employee is guilty of an offence that may involve summary dismissal pursu
of the undertaking so indicate, the employer may suspend the employee while the matter is investigated.

(2) Continuous assessment shall be made as to whether the conditions laid down in the first paragraph have been
suspension shall immediately be revoked. Suspension in excess of three months must be justified by the special na

(3) An employee shall retain the salary he or she received on the date of the suspension until termination of the su

(4) In the event of a suspension, the provisions of sections 15-1, 15-4 and 15-12 shall apply correspondingly in so fa

Section 15-13 a.*Termination of employment on account of age*

(1) Employment may be terminated when an employee reaches the age of 72.

(2) A lower age limit may be decided where necessary out of regard for health or safety.

(3) A lower age limit, but not lower than 70 years, may be decided if such limit is made known to the employees, if
employer and if the employee is entitled to a satisfactory service pension scheme. The employer shall discuss a lov
elected representatives.

(4) A lower age limit decided pursuant to the second or third paragraph must be objectively justified and shall not
intervention, cf. section 13- 3, second paragraph.

(5) An employee is entitled to written notification of the date on which he is to leave his post. Termination of the e demanded six months after the first day in the month after such notification is received by the employee.

(6) Before issuing such notification, the employer shall as far as possible invite the employee to an interview unless employee himself.

(7) Employees who wish to terminate their employment shall be subject to a corresponding notification time limit that this need not be given in writing.

Section 15-14.*Summary dismissal*

(1) The employer may summarily dismiss an employee if he or she is guilty of a gross breach of duty or other seriou employment.

(2) The provisions of sections 15-1 and 15-4 shall apply correspondingly to summary dismissal.

(3) If summary dismissal is unlawful, the court shall rule it invalid if so demanded by the employee. In special cases demanded by the employer, decide that the employment shall be terminated if, after weighing the interests of the unreasonable that employment should continue. The court may also decide that the employment shall be termina objectively justified.

(4) An employee may claim compensation if the summary dismissal is unlawful. Compensation shall be decided in second paragraph.

Section 15-15.*References*

(1) An employee who leaves after lawful dismissal is entitled to a written reference from the employer. The refere name, date of birth, the nature of the work and the duration of employment.

(2) This provision does not restrict the employee's right to request a more detailed reference in relation to employ not otherwise provided in a collective pay agreement.

(3) An employee who is summarily dismissed is also entitled to a reference, but the employer may state that the e without giving the reasons for the dismissal.

Section 15-16.*The chief executive of the undertaking*

(1) The employer may enter into a written agreement with the chief executive of the undertaking to the effect tha termination of the employment relationship shall be settled through arbitration.

(2) The provisions of this chapter concerning dismissal shall not apply to the chief executive of the undertaking if th relinquished such rights in exchange for compensation on termination of employment.

Section 15-17.*Dismissal in connection with labour disputes*

The provisions laid down in this chapter shall not apply in connection with dismissal pursuant to section 15 of the Labour Disputes Act or section 22 of the Civil Service Disputes Act.

Chapter 16. Rights of employees in the event of a transfer of ownership of undertakings

Section 16-1.*Scope of this chapter*

(1) This chapter shall apply to the transfer of an undertaking or part of an undertaking to another employer. For th
shall mean the transfer of an autonomous unit that retains its identity after the transfer.

(2) Sections 16-2 and 16-4 shall not apply in connection with transfer from a bankrupt estate.

Section 16-2.*Pay and working conditions*

(1) The rights and obligations of the former employer ensuing from the contract of employment or employment re
transfer shall be transferred to the new employer. Claims pursuant to the first paragraph may still be raised agains

(2) The new employer shall be bound by any collective pay agreement that was binding upon the former employer
employer within three weeks after the date of transfer at the latest declares in writing to the trade union that the
bound. The transferred employees have nevertheless the right to retain the individual working conditions that foll
agreement that was binding upon the former employer. This shall apply until this collective pay agreement expires
agreement is concluded that is binding upon the new employer and the transferred employees.

(3) The employees' right to earn further entitlement to retirement pension, survivor's pension and disability pensi
service pension scheme shall be transferred to the new employer pursuant to the provisions of the first and secon
may elect to make existing pension schemes applicable to the transferred employees. If the employees' previous p
maintained after the transfer, the new employer shall ensure the transferred employees the right to further earnin
another collective pension scheme.

Section 16-3.*Right of reservation, etc.*

(1) An employee may object to the transfer of the employment relationship to the new employer.

(2) An employee who objects to the transfer of the employment relationship to the new employer must notify the
within the time limit specified by the employer. The time limit may not be shorter than 14 days after information i
6.

(3) An employee who has been employed by the undertaking for a total of at least 12 months during the two years
who asserts his or her right of reservation pursuant to this section, has a preferential right to a new appointment a
from the date of transfer unless the vacant post is one for which the employee is not qualified. The preferential rig
to accept an offer of employment in a suitable post not later than 14 days after receiving the offer. Preferential rig
fourth paragraph, 14-2 and 14-3 take precedence over preferential rights pursuant to this section.

Section 16-4.*Protection against dismissal*

(1) Transfer of an undertaking to another employer is not in itself grounds for dismissal with notice or summary di
employer.

(2) If a contract of employment or employment relationship expires because a change of employer involves major
to the detriment of the employee, the termination is deemed to be a consequence of circumstances relating to the

(3) In the event of disputes pursuant to this section, the provisions of sections 15-11 and 15-12 shall apply corresp
first paragraph, final sentence. The provisions of Chapter 17 shall apply correspondingly in so far as they are appro

Section 16-5.*Information and consultation with elected representatives of the employees*

(1) The former and new employer as early as possible provide information concerning the transfer and discuss it w
representatives.

(2) Information shall particularly be given concerning:

a. the reason for the transfer,

b. the agreed or proposed date for the transfer,

c. the legal, economic and social implications of the transfer for the employees,

d. changes in circumstances relating to collective pay agreements,

e. measures planned in relation to the employees,

f. rights of reservation or preference and the time limit for exercising such rights.

(3) If the previous or new owner is planning measures in relation to their respective employees, they shall consult
early as possible on the measures with a view to reaching an agreement.

Section 16-6.*Information to the employees*

The former and new employer shall as early as possible inform the affected employees concerning the transfer as referred to in section 16-1. Information shall particularly be given concerning matters referred to in section 16-5, second paragraph, (a) to (f).

Section 16-7.*Representation*

(1) If the undertaking retains its autonomy, the elected representatives of the employees affected by the transfer
retain their legal position and function.

(2) If the undertaking does not retain its autonomy, the transferred employees who were represented before the t
represented until a new election can be held.

(3) The first paragraph shall not apply if the transfer entails that the basis for the employees' representation cease representatives of the employees shall still be ensured protection in accordance with agreements that protect elec employees in this area.

Chapter 17. Disputes concerning working conditions

Section 17-1.*Disputes concerning working conditions*

(1) In legal proceedings concerning rights or obligations pursuant to this Act, the Courts of Justice Act and the Disp the special provisions laid down in this chapter.

(2) In connection with the legal proceedings, the court may also consider claims concerning the settlement of pay apply to other claims in connection with or in the place of claims that may be submitted pursuant to the first parag constitute a major inconvenience to the legal proceedings concerning the matter. The decision of the court pursua not be contested.

(3) Claims that are the subject of negotiations pursuant to section 17-3, claims as referred to in section 17-1, secon been reviewed by a Dispute Resolution Board pursuant to section 17-2, shall not be subjected to mediation by a Co Conciliation Board does not take place in cases pursuant to section 17-1, fifth paragraph.

(4) In the case of legal proceedings subject to section 17-4, first paragraph, the court shall expedite the case as mu time for sitting out of turn.

(5) A trade union that has members in an undertaking that has hired personnel from a temporary-work agency, cf. proceedings in its own name regarding the legality of such hiring. In connection with such a case, both parties will according to the rules of section 17-3.

Section 17-2.*Dispute Resolution Board*

(1) Disputes as referred to in sections 8-3, 10-13, 12-14, 14-3, first paragraph and 14-4 a may be brought before a decision.

(2) A dispute may not be brought before the courts until it has been reviewed by the Board and a decision has bee dispute is reviewed by a court of law, the conclusion arrived at by the Board shall stand while the matter is under r unreasonable consequences, the court may, if so demanded by either of the parties, decide upon another tempora

(3) The time limit for bringing the dispute before the courts is eight weeks from the date the party is notified of the

(4) If legal proceedings are not instituted within the time limit, the decision shall have the same effect as a legally e executed according to the rules for judgments. The Board may grant reinstatement following a breach of the time sections 16-12 to 16-14 of the Dispute Act. An administrative decision concerning reinstatement may be submitted

(5) The Ministry may issue regulations concerning the appointment of the members of the Board and concerning t procedure.

Section 17-2 a.*Time limit for submission of matters to the Dispute Resolution Board*

(1) A matter may be brought before the Dispute Resolution Board at the latest four weeks following receipt by the written rejection. The time limit shall be calculated and interrupted in accordance with the provisions of Chapter 8

(2) In educational leave cases, matters may be brought at the latest four weeks following the expiry of the employ section 12-11, fifth paragraph, if the employer has not replied within the time limit.

(3) Matters concerning the right to partial leave of absence pursuant to section 12-6 shall be considered even thou expired if failure to observe the time limit is due to childbirth or taking over of care of an adoptive child or foster c be brought as soon as possible after the childbirth or taking over of care.

Section 17-2 b.*Rehearing*

(1) Enforceable rulings and decisions of the Board may be reheard following a petition by one of the parties if

a. the impartiality requirement in section 6 of the Public Administration Act has been breached
b. some other administrative error has been made and the possibility cannot be excluded that the error was administrative decision in question
c. information concerning factual circumstances unknown at the time the case was decided indicates a strong decision would have been different.

(2) A case may not be reheard

a. for a reason that was rejected when the case was processed
b. for a reason the parties should have cited during the ordinary processing of the case, in proceedings before application for reinstatement
c. if it is highly likely that rehearing the case will not result in a change of significance to the applicant.

(3) An administrative decision concerning rehearing may be made by the chair of the Board.

(4) A refusal of an application for rehearing may be submitted to the district court. The provisions of Chapter 31 of apply in so far as they are relevant.

(5) If the Board decides that a case is to be reheard, the applicant is entitled to reimbursement of legal costs pursu first paragraph, of the Public Administration Act. Section 36, second paragraph of the Public Administration Act do

Section 17-2 c.*Correction and supplementary decisions*

(1) The Board may correct an administrative decision that clearly does not reflect the Board's opinion due to a typo misunderstanding, an omission or a similar clear error.

(2) If no decision has been made on a matter that should have been decided, a supplementary decision may be iss
limit for submitting the case to the district court, cf. section 17-2, third paragraph.

(3) An administrative decision pursuant to the first or second paragraph may be made by the chair of the Board.

(4) Sections 19-8 and 19-9 of the Dispute Act apply otherwise correspondingly.

Section 17-3.*The right to demand negotiations*

(1) An employee who wishes to claim that a dismissal with notice or summary dismissal is unlawful, that it is a brea
concerning preferential rights or that an unlawful temporary appointment, hiring or suspension has been made ma
employer. The same shall apply if the employee wishes to claim compensation on grounds of circumstances as refe

(2) An employee who wishes to demand negotiations must notify the employer of this in writing within two weeks
negotiations shall run from:

a. the date of a dismissal with notice or summary dismissal,

b. the date the employer rejected a claim from an employee concerning the preferential right to a new post,

c. the date an employee terminated employment in the case of a dispute as to the lawfulness of a hiring or te

d. the date on which a suspension is revoked.

In a dispute as to the lawfulness of a hiring, temporary appointment or suspension, there is no time limit for demanding negotiations.

(3) The employer shall ensure that a meeting for negotiations is held as early as possible and, at the latest, within t

(4) If an employee institutes legal proceedings or notifies the employer that legal proceedings will be instituted wh
conducted, the employer may demand negotiations with the employee. A demand for negotiations shall be submi
and not later than two weeks after the employer is notified that legal proceedings have been or will be instituted.
meeting for negotiations is held in accordance with the provision laid down in the preceding paragraph. If legal pro
employer shall notify the court in writing that negotiations will be conducted. An employee is obliged to attend the

(5) Employees and employers shall be entitled to engage the assistance of an adviser during the negotiations. The
not later than two weeks after the date of the first negotiation meeting unless the parties agree to continue the ne
of the negotiations, which shall be signed by the parties and their advisers.

(6) In a dispute concerning hiring, demands for negotiations shall be made to the hirer. The provisions of this secti
apply correspondingly to the hirer.

7) In disputes relating to preferential rights pursuant to section 14-2, first paragraph, second sentence, demands fo
towards the company that has the post the employee considers to be entitled to preferential treatment for. The p
employer in this section shall apply correspondingly for such companies.

Section 17-4.*Time limits for instituting legal proceedings in disputes concerning dismissal with notice, summary dismissal, suspension, etc.*

(1) In a dispute as to whether dismissal with notice, summary dismissal, a breach of the provisions of this Act conc lawfulness of a temporary appointment, hiring, or suspension, the time limit for instituting legal proceedings shall claims compensation only, the time limit for legal proceedings shall be six months. In individual cases, the parties m for initiating legal proceedings.

(2) The time limit for initiating legal proceedings pursuant to the first paragraph shall run from the conclusion of ne conducted, the time limit shall run from the dates referred to in section 17-3, second paragraph.

(3) In the event of legal proceedings being initiated pursuant to section 17-1, fifth paragraph, the time limit for init individual claims for compensation for the named individuals the case concerns is interrupted from the date of the section 17-1, fifth paragraph and until a final and enforceable judgment is served.

(4) If the employer's dismissal with notice or summary dismissal does not meet the formal requirements laid down paragraphs, there shall be no time limit for initiating legal proceedings.

(5) In a dispute as to the lawfulness of a temporary appointment, hiring or suspension, there shall be no time limit

(6) The employee's right to remain in his post pursuant to section 15-11 shall apply if legal proceedings are institut period and within eight weeks of the conclusion of negotiations or date of dismissal. The same shall apply if an em notice period notifies the employer in writing that legal proceedings will be instituted within eight weeks. The time employer's notice of dismissal does not meet the formal requirements laid down in section 15-4, first and second p of this section. The court may decide that the employment shall continue, cf. section 15-11 (3), if legal proceedings eight weeks from the date of termination of the employee's post or the conclusion of negotiations.

(7) The time limit for filing an action according to the first paragraph is interrupted if the dispute is brought before Discrimination Tribunal.

Section 17-5.*Extension of time limits and reinstatement of cases in respect of dismissal during sickness, pregnancy, parental leave, military service, etc.*

(1) In a dispute as to the lawfulness of a dismissal pursuant to section 15-8, the time limit for demanding negotiati shall run from the date of expiry of the prohibition against dismissal pursuant to section 15-8, first paragraph.

(2) In the case of dismissal during absence owing to a child's or childminder's sickness pursuant to section 12-9 or a relatives and/or other close persons pursuant to section 12-10, the time limit for demanding negotiations or institu extended by the number of days an employee was absent after the date of dismissal.

(3) In the case of dismissal during leave in connection with pregnancy, childbirth, adoption or responsibility for the sections 12-1 to 12-6 or during a leave of absence in connection with military service, etc. pursuant to section 12-1 reinstatement of the case if the time limit for demanding negotiations or for instituting legal proceedings is exceed the court finds it reasonable.

Section 17-6.*Panels of lay judges*

For each county, the Norwegian Courts Administration shall appoint one or more special panels of lay judges with a broad knowledge of industrial life. At least two-fifths of the lay judges in each panel shall be appointed on the recommendation of the employers' organisation and at least two-fifths shall be appointed on the recommendation of the employees' organisation.

Section 17-7.*Appointment of lay judges*

(1) For the main hearing and for hearing in the Court of Appeal the court shall sit with two lay judges.

(2) Lay judges shall be appointed on the recommendation of the parties from the panel of lay judges appointed pu
before the Court of Appeal, the lay judges are taken from the panels appointed within the district of the court.

(3) Each party proposes one-half of the number of lay judges included in an individual case. If the proposals from t
the time limit stipulated by the judge, the judge may appoint lay judges pursuant to section 94 of the Courts of Jus
plaintiffs or defendants fail to agree on a joint proposal.

(4) Nevertheless, the court may sit without lay judges if the parties and the court are agreed that lay judges are un

Chapter 18. Regulatory supervision of the Act

Section 18-1.*The Labour Inspection Authority*

(1) The Labour Inspection Authority shall supervise compliance with the provisions of and pursuant to this Act. Wh
requires special expertise, the Labour Inspection Authority may appoint specialists to conduct controls, inspection
Inspection Authority. The Ministry may issue provisions concerning the Labour Inspection Authority's organisation

(2) The Ministry may decide that supervision of parts of the public administration and transport undertakings oper
organised in a manner other than that which ensues from this Act. The Ministry may decide that a public body oth
Authority shall supervise compliance with the provisions laid down in or pursuant to this Act.

Section 18-2.*Protection of sources of information*

(1) When the Labour Inspection Authority is informed of circumstances that are in contravention of this Act, any p
services for the Labour Inspection Authority shall be obliged to prevent other persons from gaining knowledge of t
information identifying the notifier.

(2) The duty of secrecy shall also apply in relation to the person or undertaking whose affairs are reported. Section
Administration Act shall otherwise apply correspondingly.

Section 18-3.*Fees*

(1) Undertakings subject to this Act, may be ordered to pay to the Treasury an annual inspection fee or fees to cov
approval and certification or to required examinations or tests, including sectoral levies to cover expenses in conn
directed at all or parts of the petroleum industry.

(2) The Ministry may by regulation issue further provisions concerning such fees and sectoral levies. The fees and s
by distraint.

(3) The Ministry may by regulation provide that the Labour Inspection Authority shall have a right to claim the refu
tests which the employer is required to perform pursuant to this Act.

Section 18-4.*Access of the Labour Inspection Authority to the undertaking*

(1) The Labour Inspection Authority shall always have free access to any premises subject to the Act. Inspectors sh
pursuant to section 15 of the Public Administration Act and, if possible, make contact with the employer and the s
representative may require that other representatives of the employees shall take part in the inspection. In under
representative has been elected, the inspectors shall, if possible, take contact with another representative of the e

(2) The employer or his representative shall be entitled to be present during the inspection and may be so ordered
such right shall not apply during interviews of employees or if the presence of the employer would entail a major i
purpose of the inspection.

(3) Unless weighty considerations indicate otherwise, the Labour Inspection Authority shall provide the employer w
of the inspection. A copy of this report shall be given to the safety representative and, if necessary, to the occupat

Section 18-5.*Information*

(1) All persons subject to inspection pursuant to this Act shall, when so demanded by the Labour Inspection Autho
of secrecy, provide information deemed necessary for the performance of the inspection. The Labour Inspection A
which the information shall be provided.

(2) Information as referred to in the first paragraph may also be demanded by other public inspection authorities n
that otherwise applies. The duty to provide information shall only apply to information that is necessary for the ins
its duties pursuant to statute.

Section 18-6.*Orders and other individual decisions*

(1) The Norwegian Labour Inspection Authority shall issue orders and make such individual decisions as are necess
provisions of and pursuant to section 1-7, chapter 2. section 2 A-6, chapter 3 to chapter 11, and section 14-1 b, sec
8, section 14-12, first, second, fifth and sixth paragraphs, section 14-12 a, first paragraph, section 14-12 b, first par
15, second and sixth paragraphs and section 15-2, 15-15, 18-5 and 18-8. However, this does not apply to section 1
section 10-6, tenth paragraph and section 14-6, third and fourth paragraphs.

(2) Orders shall be issued in writing, and time limits shall be set for their effectuation. In the event of immediate da
Authority may demand that necessary measures be implemented immediately. Orders shall contain information re
time limit for appeals, and the appeal procedure, as well as regarding the right to examine the case documents, cf.
Administration Act.

(3) The Labour Inspection Authority may prohibit the manufacture, packaging, use or storage of hazardous chemic undertakings subject to this Act. The Labour Inspection Authority may also require that the employer shall conduc samples for inspection. Costs in this connection shall be borne by the employer.

(4) The Labour Inspection Authority may require that manufacturers or importers of chemicals or biological substa submit samples for inspection to determine how hazardous the chemical or substance is. The costs of such inspect under obligation to conduct the inspection or submit the sample. The Labour Inspection Authority may prohibit th substance if a manufacturer or importer fails to observe his duty to report or mark the substance or to provide ad pursuant to section 5-4, first paragraph (c).

(5) The Labour Inspection Authority may issue orders to the effect that a person who supplies or markets a produc with requirements, may entail danger to life or health, shall take the necessary measures to avert such danger. It

a. supply or marketing be discontinued,

b. products be recalled.

(6) In connection with permits, consent, dispensations or other individual decisions, the Labour Inspection Authori

(7) Individual decisions adopted by local Labour Inspection Authority offices may be appealed to the Directorate o decisions adopted by the Directorate may be appealed to the Ministry.

(8) The employees' elected representatives shall be informed of orders issued and individual decisions adopted by

Section 18-7.*Coercive fines*

When ordered pursuant to this Act, a continuous coercive fine may be imposed for each day, week or month that passes after the expiry of the time limit set for implementation of the order until the order is implemented. A coercive fine may also be imposed as a single payment fine. The Labour Inspection Authority may waive accrued coercive fines.

Section 18-8.*Halting of work*

If orders are not complied with within the time limit, the Labour Inspection Authority may wholly or partly halt the undertaking's activities until the order has been complied with. In the event of immediate danger, the Labour Inspection Authority may halt those activities that are associated with the dangerous situation even if no order has been issued.

Section 18-9.*Consent of the Labour Inspection Authority for the erection of new buildings, etc.*

(1) Any person wishing to erect a building or perform construction work for which an application must be submitte Building Act, and that will or may foreseeably be used by an undertaking subject to this Act, shall obtain prior cons Authority.

(2) The Ministry may by regulation issue further provisions concerning the obligation to obtain prior consent from pursuant to this section, the information that may be required and the conditions that may be imposed for grantin

(3) The Ministry may by regulation provide that prior consent is not necessary for specific working premises or bui
relation to the working environment.

Section 18-10.*Administrative fines*

(1) The Norwegian Labour Inspection Authority may impose an administrative fine on an undertaking if any perso
undertaking has infringed provisions as referred to in section 18-6, first paragraph. An administrative fine may be i
an evident fault. The administrative fine accrues to the public treasury and may be up to 50 times the National Ins
cent of the undertaking's annual turnover. The highest amount constitutes the upper limit.

(2) When considering whether an administrative fine shall be imposed and when assessing the size of the fee, part

a. the seriousness of the infringement,
b. the degree of guilt,
c. whether repeated infringements are involved,
d. whether the undertaking using guidelines, instruction, training, controls or other measures could have pre
e. whether the undertaking has had or could have obtained any advantage from the infringement,
f. whether the infringement was committed to further the interests of the undertaking,
g. whether other sanctions as a result of the infringement were imposed on the undertaking or any person ac
h. the financial capacity of the undertaking, and
i. the preventive effect.

(3) Unless otherwise provided by an individual decision, the time limit for compliance shall be four weeks from the
administrative fine. A final decision imposing an administrative fine is enforceable by execution. If the undertaking
to contest the decision, the basis for enforcement is suspended. The court may try all aspects of the matter.

(4) Administrative fines may not be imposed after two years following the infringement. The limitation period is in
Inspection Authority gives advance notification of the decision imposing an administrative fine, cf. section 16 of th

Section 18-11.*Mutual assistance in connection with recovery and notification of financial administrative sanctions*

(1) Decisions concerning financial administrative sanctions and fines imposed by responsible authorities or courts i
binding in Norway and may be enforced in cases where such decisions concern non-compliance with national prov
No. 30 of the EEA Agreement (Directive 96/71/EC) concerning the posting of workers in the framework of the prov
2014/67/EU on the enforcement of Directive 96/71/EC and amending Regulation (EU) No 1024/2012 on administr
Internal Market Information System, as incorporated in the EEA Agreement, and where such decisions may not be
enforceable.

(2) Financial claims resulting from decisions as referred to in the first paragraph shall be recovered by the Norwegi
unless otherwise decided by the Ministry.

(3) The Norwegian National Collection Agency may request the responsible authorities of other EEA member state resulting from decisions referred to in section 18-7 of the Working Environment Act[1] (Coercive fines) and section 1 meet the conditions set out in the first paragraph.

(4) Financial claims recovered pursuant to the first paragraph shall accrue to the Treasury. Financial claims recover shall accrue to the EEA member state that carries out the recovery.

(5) The Ministry may in regulations make further provisions concerning notification and enforcement of decisions paragraphs.

1 I.e. the present Act.

Chapter 19. Penal provisions

Section 19-1.*Liability of proprietors of undertakings, employers and persons managing undertakings in the employer's stead*

(1) Any proprietor of an undertaking, employer or person managing an undertaking in the employer's stead who w provisions or orders contained in or issued pursuant to this Act shall be liable to a fine, imprisonment for up to one subject to the same penalties, but employees shall nevertheless be liable to punishment pursuant to section 19-2.

(2) In the event of particularly aggravating circumstances, the penalty may be up to five years imprisonment. Whe circumstances exist, particular importance shall be attached to whether the offence involved or could have involve and whether it was committed or allowed to continue despite orders or requests from public authorities, decision environment committee or requests from safety representatives or occupational health services.

(3) In the event of contraventions that involved or could have involved a serious hazard to life or health, any propr or person managing an undertaking in the employer's stead shall be liable to penalty pursuant to this section, unle in a fully satisfactory manner according to his duties under this Act.

(4) The provisions of this section shall not apply to the provisions of chapters 8, 12, 13, 15 and 16. The provisions s chapter 14, except for sections 14-5 to 14-8 and 14-15.

Section 19-2.*Liability of employees*

(1) An employee who negligently infringes the provisions or orders contained in or issued pursuant to this Act shal negligence shall be subject to the same penalty.

(2) If the infringement is committed wilfully or through gross negligence, the penalty may be a fine, up to three mo

(3) In the event of particularly aggravating circumstances imprisonment for up to one year may be imposed. Whe circumstances exist, particular importance shall be attached to whether the offence was contrary to special directi whether the employee understood or should have understood that the offence could have seriously endangered t

(4) The provisions of this section do not apply in respect of the provisions of Chapter 10 relating to working hours a to protection against dismissal.

Section 19-3.*Liability for enterprises*

Criminal liability for enterprises is regulated in sections 27 and 28 of the Penal Code of 20 May 2005 No 28.

Section 19-4.*Liability for obstructing public authorities*

Any person who obstructs a public authority in the performance of inspections required pursuant to this Act or who fails to furnish the mandatory assistance or supply information deemed necessary for performing inspections pursuant to this Act shall be liable to a fine unless the offence is subject to the provisions of section 19-1 or to a more severe penalty pursuant to the Penal Code of 20 May 2005 No. 28. Complicity shall not be liable to penalties.

Section 19-5.*Public servants*

For the purposes of the Penal Code of 20 May 2005 No. 28, any person associated with the Labour Inspection Authority shall be regarded as a public servant.

Section 19-6.*Prosecution*

Contravention of this Act is subject to public prosecution.

Section 19-7.*(Repealed)*

0 Repealed by the Act of 19 June 2015 No. 65.

Chapter 20. Final Provisions

Section 20-1.*Entry into force*

The Act shall enter into force on the date decided by the King.[1]

1 Pursuant to the Decree of 17 June 2005 No. 609, the Act entered into force on 1 January 2006 with the following exceptions and specifications: – Section 10-12, sixth paragraph, entered into force on 1 July 2005. – Section 14-9, fifth paragraph, second sentence, shall not apply to temporary contracts of employment that are active on the date of the Act's ordinary entry into force. – In the case of dismissals that took place prior to the Act's entry into force, the Act of 4 February 1977 No. 4 section 61 (4) relating to Worker Protection and Working Environment, etc. shall apply. – For employees who, on the date of the Act's ordinary entry into force, hold a particularly independent post, in so far as the employee remains in this post, chapter 10 of the Act shall enter into force on 1 January 2011 (according to the Ministry, this postponement of entry into force is no longer relevant following amendment of the provisions by the Act of 21 December 2005 No. 121 to be enforced on 1 January 2006). Section 10-2, first, second and fourth paragraph, nevertheless entered into force on 1 January 2006. – Entry into force of section 2-4 shall be decided later. (However, it seems intended that section 2-4 shall enter into force since it was amended by the Act of 1 December 2006 No. 64, in force 1 January 2007 pursuant to the Resolution of 1 December 2006 No. 1324.)

Section 20-2.*Transitional provisions*

Regulations issued pursuant to the Act of 4 February 1977 No. 4 relating to Worker Protection and Working Environment, etc. shall apply until otherwise decided.

Section 20-3.*Amendments to other Acts*

With effect from the entry into force of the present Act, the following amendments shall be made to other Acts: – – –