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European Monitoring Centre on Change

Norway: Obligation to consider alternatives to collective dismissals

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Norway

Phase:

Management

Type: [Obligation to consider alternatives to collective dismissals](#)

Last modified: 10 February, 2021

Native name:

Arbeidsmiljøloven

English name:

Working Environment Act

Article

15-2-2

Description

An employer contemplating collective redundancies (at least 10 dismissals within 30 days) shall at the earliest opportunity enter into consultations with the employees' elected representatives with a view to reaching an agreement to avoid collective redundancies or to reduce the number of persons made redundant. The act does not specify any sanctions for the employer if consultations are not entered into, but NAV (Norwegian Labour and Welfare Administration) may decide to prolong the notice period if consultations have not started as early as the act prescribes. This regulation should allow employees to have influence over the final decision and how many employees that are affected.

As a part of the consultation the employer is obliged to give the shop stewards or other representatives all relevant information including the reasons for the dismissals, number of employees that might be affected, which group(s) of employees will be affected, the timeframe of the dismissals, the criteria for deciding which employees will have to leave and so forth. A copy of this information should also be given to NAV as the public employment service, and the shop steward can bring forward their comments on the information provided to NAV directly.

If redundancies cannot be avoided, efforts shall be made to mitigate their adverse effects. The consultations shall cover possible social welfare measures aimed, inter alia, at providing support for redeploying or retraining workers made redundant. In this process the employer may involve NAV as the public employment service.

If the employer is considering closing down its activities or an independent part of them and this will involve collective redundancies, according to the Restructuring Act (omstillingslova), the possibility of further operations shall be discussed, including the possibility of the activities being taken over by the employees.

Comments

Regulations on the involvement of shop stewards can also be found in collective agreements and will apply to companies bound by such agreements.

Cost covered by

Employer

Involved actors other than national government

Public employment service

Trade union

Thresholds



Company size by number of employees:

10

Number of affected employees:

10

Sources

-  Working Environment Act
-  Arbeidsmiljøloven § 15-2 (2)

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