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European Monitoring Centre on Change

Norway: Staff information and consultation on restructuring plans

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Norway

Phase:

Anticipation

Type: [Staff information and consultation on restructuring plans](#)

Last modified: 10 December, 2021

Native name: **Arbeidsmiljøloven**

English name: **Working environment act**

Article

Chapter 8, 15-2

Description

The working environment act has regulations on information, cooperation on codetermination on reorganisation of operations for companies with at least 50 employees. The management of the enterprise shall discuss the following with the shop stewards as early as possible:

- information and consultation concerning the current and expected workforce situation in the undertaking, including any cutbacks and the measures considered by the employer,
- information and consultation concerning decisions that may result in considerable changes in the organisation of work or conditions of employment.

In case of collective dismissals (at least 10 dismissals within 30 days), employers are required to enter consultations with the employees' elected representatives as soon as possible.

The consultations should cover reaching an agreement to avoid collective redundancies or reducing the number of persons made redundant, and addressing the adverse effects including possible social welfare measures for redeployment or retraining. If the company or part of it is to be closed, consultations shall cover the possibility of continuing to run the company, including the possibility of transferring the company to the workers. All necessary information must be supplied by the company, including the grounds for the dismissals, the number of employees, categories of workers, the number of employees normally employed, groups of employees normally employed, the period during which such redundancies may be affected, the criteria for selection of those made redundant and criteria for calculation of extraordinary severance pay, if applicable.

Information shall be provided in such a way that it is possible for the elected representatives of the employees to familiarise themselves with the matter, make appropriate investigations, consider the matter and prepare any consultations. The information should be provided as early as possible, and at the same time as the employer calls a consultation meeting. Consultations shall be based on information provided by the employer and take place at the level of management and representation appropriate for the matter concerned, in an appropriate manner and with appropriate content. The consultations shall be conducted in such a way that it is possible for the elected representatives of the employees to meet the employer and receive a reasoned response to any statements they may make. Consultations shall aim to reach an agreement.

The employees' representatives shall have the right to receive expert assistance. The act does not specify what kind of experts can be used, but expenses by using such expert assistance is not to be covered by the employer.

Comments

The consultation will normally be carried out via shop stewards (company level trade unions). Minutes of the consultation meetings must be taken and signed by both parties.

The company union may ask the regional or national trade union for assistance, or an expert.

In companies bound by collective agreements, there are regulations on information, consultation and codetermination covering all companies. These regulations are mainly to be found in basic agreements and cover all companies bound by sector level collective agreements.

Cost covered by

Not applicable

Involved actors other than national government

Public employment service
Regional/local government
Trade union
Works council
Other

Involvement others

Experts; Innovation Norway

Thresholds

Company size by number of employees:

10

Number of affected employees:

10

Sources

-  [Working environment act](#)
-  [Arbeidsmiljøloven](#)
-  [Eurofound \(2011\), Norway: The effect of the Information and Consultation Directive on Industrial Relations in the EU Member States five years after its transposition, EIROnline Articles](#)
-  [EMCC - Legal framework for restructuring](#)
-  [EMCC - Social partner and government agency involvement in the restructuring process](#)

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