GLOBALG.A.P. Risk-Assessment on Social Practice (GRASP)

GRASP Module – Interpretation for Norway

Version 1.3, July 2015
Based on GRASP Version 1.3 of July 2015

English Version

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DNV GL Business Assurance
General information regarding Norwegian legislation for employees and employers

Norway is a highly regulated country regarding the rights of employees and cooperation with employer. Below is a short introduction to The Working Environment Act, the role of Norwegian Labour Inspection Authority and other necessary references.

The Working Environment Act

The Working Environment Act applies to all land-based operations with employees. The employer is responsible for complying with the requirements of the act, and for ensuring that the enterprise maintains a healthy and safe working environment. These responsibilities are explained and reinforced by the regulations relating to internal control.

The Norwegian Labour Inspection Authority

The Labor Inspection Authority has administrative, supervisory and information responsibilities in connection with the following acts:
- The Working Environment Act
- The Annual Holidays Act
- The National Holidays Act
- Certain sections of the Smoking Act

The Norwegian Labour Inspection Authority is a governmental agency under the Ministry of Labour, focused on occupational safety and health.

The Labour Inspection Authority oversees that enterprises comply with the requirements of the Working Environment Act. Supervision will mainly be aimed at enterprises with the poorest working conditions, where there is little willingness to correct problems and where the agency's efforts will have the greatest effect. This is done by:

Internal control audits: Reviews of enterprises' internal control systems to reveal whether regulations and procedures are being followed. An audit can take place over several days.

Verifications/inspections: Intermittent tests are used to check whether internal control systems function well and that companies meet legal requirements.

Investigating accidents: All serious and life threatening accidents are investigated by the Labour Inspection Authority. The National Holiday Act shall ensure that employees have annual holidays and holiday pay. Persons who work in the employment of others (employees) are entitled to holidays pursuant to this Act.
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| EMPLOYEES´ REPRESENTATIVE(S) | Is there at least one employee or an employees´ council to represent the interests of the staff to the management through regular meetings where labor issues are addressed? | Norwegian legislation requires election and representation of employees interest and labor issues with reference to:  
- Safety representatives, Working Environment Act. Chapter 3-1, 6-1, 6-2  
- Where applicable, Collective bargain agreement (CBA) Chapter 6  

Regulations referrals in Working Environment 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 systematic health, environment and safety work is performed at all levels of the undertaking. This shall be carried out in cooperation with the employees and their elected representatives.

**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 less than ten employees, the parties may agree in writing upon a different arrangement or agree that the undertaking shall not have a safety representative. Unless otherwise provided regarding the period of validity of the agreement, it shall be considered to apply for two years from the date of signature. The Directorate of Labour Inspection may, following a concrete assessment of the circumstances at the undertaking, decide that it shall nevertheless have a safety representative. At undertakings with more than 10 employees, two or more safety representatives may be elected.

(2) The number of safety representatives shall be decided according to the size of the undertaking, the nature of the work and working conditions in general. If the undertaking consists of several separate departments or if employees work shifts, at least one safety representative shall generally be elected for each department or shift team. Each safety area shall be clearly delimited and shall not be larger than that the safety representative can have full control and attend to his duties in a proper manner.

(3) Undertakings with more than one safety representative shall have...
### Control Point | Compliance Criteria | Interpretation for Norway
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**at least one senior safety representative, who shall be responsible for coordinating the activities of the safety representatives. The senior safety representative shall be elected from among the safety representatives or other persons who hold or have held positions of trust at the undertaking.**

**Section 6-2. Duties of safety representatives**
(1) The safety representative shall safeguard the interests of employees in matters relating to the working environment. The safety representative shall ensure that the undertaking is arranged and maintained, and that the work is performed in such a manner that the safety, health and welfare of the employees are safeguarded in accordance with the provisions of this Act.

**Chapter 7. Working environment committees**

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

Undertakings which regularly employ at least 50 employees shall have a working environment committee on which the employer, the employees and the occupational health service are represented. Working environment committees shall also be formed in undertakings with between 20 and 50 employees when so required by any of the parties at the undertaking. Where working conditions so indicate, the Labour Inspection Authority may decide that undertakings with less than 50 employees shall establish a working environment committee.

**Reference to legislation/Act:**
- [http://www.arbeidstilsynet.no/artikkel.html?id=79289](http://www.arbeidstilsynet.no/artikkel.html?id=79289)

### COMPLAINT PROCEDURE

| 2 | Is there a complaint and suggestion procedure available and implemented in the company through which employees can make a complaint or suggestion? | A complaint and suggestion procedure appropriate to the size of the company exists. The employees are regularly informed about its existence, complaints and suggestions can be made without being penalized and are discussed in meetings between the employees’ representative(s) and the management. **All companies have to comply with The Work Environment Act; giving employees right to raise their case. The Act is describing both the employees’ duty to inform, requirement for systems implemented gunn and the obligations of the elected representatives to be involved and/or speak on behalf of the employee. With reference to:**
- Employees’ duty to cooperate, Working Environment Act., §§ 2-3, 2-4, 2-5 and 3-6
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|               | The procedure specifies a time frame to answer complaints and suggestions and take corrective actions. Complaints, suggestions and their follow-up from the last 24 months are documented. | 1), 2) and 3)  
- Working environment committee, Working Environment Act. Chapter 7-1, 7-2,  
- Implementation of the obligation regarding information and consultation Chapter 8-2, 8-3,  
- Dispute concerning working conditions, Working Environment Act. Chapter 17-1, 17-2, 17-3, 17-4,  
- Protection of sources of information Chapter 18-2  
Regulations referrals in Working Environment Act...: |

Chapter 2. Duties of employer and employees  
**Section 2-3. Employees' duty to cooperate**  
(2) Employees shall:  
b) immediately notify the employer and the safety representative and to the extent necessary other employees when employees become aware of faults or defects that may involve danger to life or health and they themselves are unable to remedy the fault or defect.  

**Section 2-4. Notification concerning censurable conditions at the undertaking**  
(1) An employee has a right to notify concerning censurable conditions at the undertaking.  
(2) The employee shall follow an appropriate procedure in connection with such notification. The employee has notwithstanding the right to notify in accordance with the duty to notify or the undertaking’s routines for notification. The same applies to notification to supervisory authorities or other public authorities.  
(3) The employer has the burden of proof that notification has been made in breach of this provision.  

**Section 3-6. Obligation to facilitate notification**  
The employer shall, in connection with systematic health, environment and safety work, develop routines for internal notification or implement other measures that facilitate internal notification concerning censurable conditions at the undertaking pursuant to section 2-4, if the circumstances in the undertaking so indicate.  
Chapter 4.  

Chapter 6. Safety representatives information  
**Section 6-2. Duties of safety representatives**
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<td>(3) As soon as a safety representative learns of circumstances that may result in accidents and health hazards, the safety representative shall immediately notify the employees at the location, and if the safety representative is unable to avert the danger himself, he shall bring the matter to the attention of the employer or the employer's representative. When so notified, the employer shall give the safety representative a reply. If no action has been taken within a reasonable space of time, the safety representative shall notify the Labour Inspection Authority or the working environment committee.</td>
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<td>(4) The safety representative shall be consulted during the planning and implementation of measures of significance for the working environment within the representative’s safety area, including establishment, exercise and maintenance of the undertaking’s systematic health, environment and safety work, cf. section 3-1.</td>
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<td><strong>Section 6-3. The safety representative’s right to halt dangerous work</strong></td>
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<td>(1) If a safety representative considers that the life or health of employees is in immediate danger and such danger cannot be averted by other means, work may be halted until the Labour Inspection Authority has decided whether work may be continued. Work may only be halted to the extent the safety representative considers necessary in order to avert danger.</td>
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<td>(2) The halting of work and the reason for this shall be reported without delay to the employer or the employer’s representative.</td>
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<td>(3) The safety representative is not liable for any loss suffered by the undertaking as a result of work being halted pursuant to the provision laid down in the first paragraph.</td>
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<td><strong>Chapter 7. Working environment committees</strong></td>
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<td><strong>Section 7-1. Obligation to establish working environment Committees</strong> (see control point 1)</td>
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<td><strong>Section 7-2. The duties of the working environment committee</strong></td>
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<td>(1) The working environment committee shall make efforts to establish a fully satisfactory working environment in the undertaking. The committee shall participate in planning safety and environmental work and shall follow up developments closely in questions relating to the safety, health and welfare of the employees.</td>
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(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 significance for the working environment,
   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 construction work, purchase of machines, rationalization, work processes, and preventive safety measures,
   e) establishment and maintenance of the undertaking’s systematic health, environment and safety work, cf. section 3-1,
   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 accidents, seek to find the cause of the accident or disease and ensure that the employer takes steps to prevent recurrence. As a general rule the committee shall have access to Labour Inspection Authority and police inquiry documents. When the committee considers it necessary, it may decide that inquiries shall be conducted by specialists or by a commission of inquiry appointed by the committee. Without undue delay the employer may submit such decisions to the Labour Inspection Authority for decision. The committee shall study all reports relating to occupational health inspections and measurements. Before such reports as mentioned in this paragraph are considered by the committee, medical information of a personal nature shall be removed from the 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 in order to protect the life or health of employees, it may decide that the employer shall implement concrete measures to improve the working environment within the framework of the provisions laid down in or pursuant to this Act. In order to determine whether a health hazard exists, the committee may decide that the employer shall conduct measurements or examinations of the working
environment. The committee shall impose a time limit for implementation of the decision. If the employer finds that he is unable to implement the committee’s decision, the matter shall be submitted without undue delay to the Labour Inspection Authority for decision.

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

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

Chapter 8. Information and consultation

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

(3) Information shall be provided in such a way that it is possible for the elected representatives of the employees to familiarize themselves with the matter, make appropriate investigations, consider the matter and prepare any consultations. The 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 pursuant to the first paragraph (c) shall aim to reach an agreement.

Section 8-3. Confidential information

(1) If the needs of the undertaking dictate that specific information should not be disclosed, the employer may impose a duty of secrecy on elected representatives of the employees and any advisers. The duty of secrecy shall also apply after the expiry of the term of office of such persons.

(2) The employer may in special cases omit to provide information or participate in consultations if at the current time this would clearly be of damage to the undertaking.

(3) The elected representatives of the undertaking’s employees or one fifth of the
employees may bring disputes concerning the employer’s decision pursuant to the first and second paragraph before the Norwegian Board of Industrial Democracy. Such disputes may not be brought after the information to which the decision applies has become public knowledge. The Ministry may by regulation issue further provisions concerning the Board’s authority and procedures in disputes pursuant to this section.

Chapter 17. Disputes concerning working conditions

Section 17-1. Disputes concerning working conditions

(2) In connection with the legal proceedings, the court may also consider claims concerning settlement of pay and holiday pay. The same shall apply to other claims in connection with or in the place of claims that may be submitted pursuant to the first paragraph in so far as these do not constitute a major inconvenience to the legal proceedings concerning the matter. The decision of the court pursuant to the preceding sentence may not be contested.

(3) Claims that are the subject of negotiations pursuant to section 17-3, claims as referred to in section 17-1, second paragraph, or claims that have been reviewed by a Dispute Resolution Board pursuant to section 17-2, shall not be subjected to mediation by a Conciliation Board.

(4) In the case of legal proceedings subject to section 17-4, first paragraph, the court shall expedite the case as much as possible and if necessary fix a time for sitting out of turn.

Section 17-2. Dispute Resolution Board

(1) Disputes as referred to in sections 10-13, 12-14 and 14-3 may be brought before a Dispute Resolution Board for decision.

(2) A dispute may not be brought before the courts until it has been reviewed by the Board and a decision has been made by the Board. When the dispute is reviewed by a court of law, the conclusion arrived at by the Board shall stand while the matter is under review.

If this would have unreasonable consequences, the court may, if so demanded by either of the parties, decide upon another temporary arrangement.

(3) The time limit for bringing the dispute before the courts is eight weeks from the date of the Board’s decision.
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| 3 | Has a self-declaration on good social practice regarding human rights been signed by the management and the employees’ representative(s) and has this been communicated to the employees? | All companies have to comply with good social practice and human rights. With reference to:  
- Employees’ duty to cooperate, Working Environment Act. Chapter 1. Introductory provisions  
- Protection against discrimination, Working Environment Act. Chapter 13  
**Regulations referrals in Working Environment Act..:**  
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, that affords full safety from harmful physical and mental influences and that has a standard of welfare at all times consistent with the level of technological and social development of society,  
- b) to ensure sound conditions of employment and equality of treatment at work,  
- c) to facilitate adaptations of the individual employee’s working situation in relation to his or her capabilities and circumstances of life,  
- d) to provide a basis whereby the employer and the employees of undertakings may themselves safeguard and develop their working environment in cooperation with the employers’ and employees’ organizations and with the requisite guidance and supervision of the public authorities,  
- e) to foster inclusive working conditions.  
Chapter 13. Protection against discrimination  
**Section 13-1. Prohibition against discrimination**  
(1) Direct and indirect discrimination on the basis of political views, membership of a trade union, sexual orientation, disability or age is prohibited. |
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<td>(2) Harassment and instruction to discriminate persons for reasons referred to in the first paragraph are regarded as discrimination.</td>
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<td>(3) The provisions of this chapter shall apply correspondingly in the case of discrimination of an employee who works part-time or on a temporary basis.</td>
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<td>(4) In the case of discrimination on the basis of gender, the Gender Equality Act shall apply.</td>
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<td>(5) In the case of discrimination on the basis of ethnic origin, national origin, descent, color, language, religion and ethical and cultural orientation, the Anti-discrimination Act shall apply.</td>
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<td>(6) In the case of discrimination on the basis of disability, the Antidiscrimination and Accessibility Act shall apply.</td>
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**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, appointment, 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 one-man enterprises and workers hired from temporary-work agencies or other companies.

3. The provisions of this chapter shall apply correspondingly to enrolment and participation in a trade union, employers’ organization or professional organization. This shall also apply to advantages that such organizations provide to their members.

4. The provisions of this chapter shall not apply to discrimination owing to membership of a trade union in respect of pay and working conditions in 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 person or persons
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so treated and that is 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 intervention in relation to the person or persons so treated is not in contravention of the prohibition against indirect discrimination, discrimination on the basis of age or discrimination against an 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 prohibition against age discrimination in the second paragraph.

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

(1) The employer must not when advertising for new employees or in any other manner request applicants to provide information concerning sexual orientation, their views on political issues or whether they are members of employee organizations. Nor must the employer implement measures in order to obtain such information in any other manner. Section 4, third paragraph, of the Gender Equality Act shall apply correspondingly.

(2) The prohibition laid down in the first paragraph shall not apply if obtaining information concerning applicants’ views on political issues or membership of employee organizations is justified by the nature of the post or if the objective of the activity of the employer in question includes promotion of particular political, religious or cultural views and the post is essential for the fulfilment of the objective. This applies correspondingly to information concerning the applicant’s form of cohabitation. In cases where such information will be required, this must be stated when advertising the vacancy.

**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
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| | | 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 this chapter may claim compensation without regard to the fault of the employer. The compensation shall be fixed at the amount the court deems reasonable in view of the circumstances of the parties and other facts of the case.

(2) Compensation for financial loss as a result of discrimination in contravention of this chapter may be claimed pursuant to the normal rules.

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

**Section 13-10. Right of organizations to act as an agent**
An organization 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.

**Reference to legislation/Act:**
http://www.arbeidstilsynet.no/binfil/download2.php?tid=92156
http://www.arbeidstilsynet.no/fakta.html?tid=244380
http://www.arbeidstilsynet.no/lov.html?tid=78120

**ACCESS TO NATIONAL LABOR REGULATIONS**

| 4 | Do the person responsible for the implementation of GRASP (RGSP) and the employees' representative(s) have knowledge of access to national | All companies have to comply with national labor regulations.

**Reference to legislation/Act:**
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| employees’ representative(s) have knowledge of or access to recent national labor regulations? | regulations such as gross and minimum wages, working hours, trade union membership, anti-discrimination, child labor, labor contracts, holiday and maternity leave. Both the RGSP and the employees’ representative(s) know the essential points of working conditions in agriculture as formulated in the applicable GRASP National Interpretation Guidelines. | Working Environment Act: [http://www.arbeidstilsynet.no/binfil/download2.php?tid=92156](http://www.arbeidstilsynet.no/binfil/download2.php?tid=92156)  
Working conditions in Norway: [http://www.arbeidstilsynet.no/working-conditions-in-norway.html](http://www.arbeidstilsynet.no/working-conditions-in-norway.html)  
The posting of workers to and from Norway: [http://www.arbeidstilsynet.no/fakta.html?tid=78515](http://www.arbeidstilsynet.no/fakta.html?tid=78515) |

**WORKING CONTRACTS**

| 5 | Can valid copies of working contracts be shown for the employees? Are the working contracts compliant with applicable legislation and/or collective bargaining agreements and do they indicate at least full names, a job description, date of birth, date of entry, wage and the period of employment? Have they been signed by both the employee and the employer? | For every employee, a contract can be shown to the assessor on request on a sample basis. Both the employees as well as the employer have signed them. Records contain at least full names, nationality, job description, date of birth, the regular working time, wage and the period of employment (e.g. permanent, period or day laborer etc.) and for non-national employees their legal status and working permit. The contract does not show any contradiction to the self-declaration on good social practices. Records of the employees must be accessible for the last 24 months.  
Reference; Working environment Act Chapter 14  
Section 14-6. Minimum requirements regarding the content of the written contract  
The contract of employment shall contain information on matters of major importance for the employment, and shall at least provide information on the following:  
- Name of the employee and the employer (identity of the parties including).  
- The workplace. If there is no permanent workplace or main workplace, the contract of employment shall state that the employee works at different locations, and shall state the business address or, if appropriate, the home address of the employer.  
- A description of the work, or the employee’s title, post or category of work.  
- The date of commencement of the employment. |
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<td>• The expected duration if the employment is temporary, and the basis for the temporary employment.</td>
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<td>• Any provisions relating to a trial period of employment.</td>
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<td>• The employee’s entitlement to holiday and holiday pay, and the rules for fixing of dates for holidays.</td>
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<td>• The employee’s and the employer’s terms of notice.</td>
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<td>• The pay rate that applies or has been agreed on commencement of the employment, any supplements and other emoluments that are not part of the salary, e.g. pension contributions and allowances for meals or accommodation, the method of payment and payment intervals for salary payments.</td>
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<td>• Duration and disposition of the agreed daily and weekly working hours.</td>
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<td>• Length of breaks.</td>
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<td>• Agreement concerning a special working-hour arrangement pursuant to the provisions concerning reduced working hours, flexible working hours, etc.</td>
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<td>• Information concerning any collective agreements that regulate the employment. If an agreement has been concluded by parties outside the undertaking, the contract of employment shall state the identities of the parties to the collective pay agreements.</td>
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Reference:

Supplementary information: The Norwegian Labour Inspection Authority has prepared a standard contract of employment that covers the statutory requirements. This is available in several languages. [http://www.arbeidstilsynet.no/binfil/download2.php?tid=90891](http://www.arbeidstilsynet.no/binfil/download2.php?tid=90891)


Lov om arbeidsgivers innrapportering av ansettelses- og inntektsforhold m.m. (a-opplysningsloven)

About-the-a-melding (a- declaration)
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<td>The a-melding must be submitted by all who pay salaries, pensions and remunerations.</td>
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<td>The a-melding collects contains information about salaries and employments. This information is collected in one report, the a-melding, and must be submitted electronically by all who pay salaries, pensions and other remunerations at least once every month.</td>
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<td>In order to fulfill these requirements, the employee needs the social security number, including birth date, from the employee. The number is registered in HR / payroll systems and reported to the authorities on a monthly basis in order to fulfill the legal requirements.</td>
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**PAYSLIPS**

6 Is there documented evidence indicating regular payment of salaries corresponding to the contract clause?  
The employer shows adequate documentation of the salary transfer (e.g. employee’s signature on pay slip, bank transfer). Employees sign or receive copies of pay slips / pay register that make the payment transparent and comprehensible for them. Regular payment of all employees during the last 24 months is documented.  
**See above**

**Regulations referrals in Working Environment Act.:**

**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:

   g) the employee’s right to holiday and holiday pay and the provisions concerning the fixing of dates for holidays,

   h) the periods of notice applicable to the employee and the employer,

   i) the pay applicable or agreed on commencement of the employment, any supplements and other remuneration not included in the pay, for example pension payments and allowances for meals or accommodation, method of payment and payment intervals for salary payments,

   **Lønnslipp**

   Ved utbetaling av lønn skal arbeidsgiver gi deg lønnslipp som beskriver lønn, skattetrekkk og ev. andre fratrekk. Får du ikke dette, må du ta det opp med arbeidsgiveren din.

   **Reference to legislation/Act:**

### Control Point | Compliance Criteria | Interpretation for Norway
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| 7 | **WAGES** Do pay slips / pay registers indicate the conformity of payment with at least legal regulations and/or collective bargaining agreements? | **About-the-a-melding** (a-deceleration)
The a-melding / a-deceleration must be submitted by all who pay salaries, pensions and remunerations.

The a-melding collects contains information about salaries and employments. This information is collected in one report, the a-melding, and must be submitted electronically by all who pay salaries, pensions and other remunerations at least once every month.

**Working Environment Act:**
http://www.arbeidstilsynet.no/binfil/download2.php?tid=92156

|  | Wages and overtime payment documented on the pay slips / pay registers indicate compliance with legal regulations (minimum wages) and/or collective bargaining agreements as specified in the GRASP National Interpretation Guideline.. If payment is calculated per unit, employees shall be able to gain at least the legal minimum wage (on average) within regular working hours. | **Regulations referrals in Working Environment Act..:**

**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 regulated by the Holiday Act.

(2) No amounts may be deducted from pay except:
   a) when authorized by law,
   b) in respect of employees’ contributions to service pension schemes subject to the Company Pensions Act, the Contributory Pension Schemes Act or public service pension schemes,
   c) when stipulated in advance by written agreement,
   d) when a collective pay agreement provides for the withholding of trade union dues including premiums for group insurance linked to trade 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 negligence on the part of the employee in connection with the work, when the employee has acknowledged his liability in writing or it has been established by court 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 to take account of absence due to work stoppages or lockouts during the accounting period.
(3) Deductions in salary or holiday pay pursuant to the second paragraph (c), (e) and (f) shall be limited to that part of the claim which exceeds the amount reasonably needed by the employee to support himself and his household.

(4) Before effecting deductions pursuant to the second paragraph (e), the employer shall discuss the basis for and the amount of deduction with the employee and with the employees’ elected representatives unless the employee himself does not desire this.

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

Reference to legislation/Act:

Information regarding minimum wages: [http://www.arbeidstilsynet.no/fakta.html?tid=240068](http://www.arbeidstilsynet.no/fakta.html?tid=240068)

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<td>Do records indicate that no minors are employed at the company?</td>
<td>Records indicate compliance with national legislation regarding minimum age of employment. If not covered by national legislation, children below the age of 15 are not employed. If children -as core</td>
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<td>Regulations referrals in Working Environment Act..:</td>
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<td>Section 11-1. Prohibition against child labour</td>
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<td>(1) Children under 15 years of age or attending compulsory education shall not perform work subject to this Act except a) cultural work or the like,</td>
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<td>family members- are working at the company, they are not engaged in work that is dangerous to their health and safety, jeopardizes their development or prevents them from finishing their compulsory school education.</td>
<td>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 provided the child is 14 years of age or more.</td>
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<td>(2) The Ministry may by regulation issue further provisions concerning the types of work that shall be permitted pursuant to the first paragraph. Further conditions for such work may be decided.</td>
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<td>(3) Persons under 18 years of age must not perform work that may be detrimental to their safety, health, development or schooling. The Ministry may by regulation provide what types of work shall be subject to this prohibition and concerning registration of employees under 18 years of age.</td>
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<td>Reference to legislation/Act:</td>
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<td></td>
<td>Working Environment Act:</td>
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<tr>
<td>ACCESS TO COMPULSORY SCHOOL EDUCATION</td>
<td>Do the children of employees living on the company’s production/handling sites have access to compulsory school education?</td>
<td>There is documented evidence that children of employees at compulsory schooling age (according to national legislation) living on the company’s production/handling sites have access to compulsory school education, either through provided transport to a public school or through on-site schooling.</td>
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<td>9</td>
<td>Reference to legislation/Act:</td>
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<td>Working Environment Act:</td>
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<tr>
<td>TIME RECORDING SYSTEM</td>
<td>Is there a time recording system that shows working time and overtime on a daily basis for the employees?</td>
<td>There is a time recording system implemented appropriate to the size of the company that makes working hours and overtime transparent for both employees and employer on a daily basis. Working times of the employees during the last 24 months are documented. Records are regularly approved by the employees and accessible for the employees’ representative(s).</td>
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<tr>
<td>10</td>
<td>Regulations referrals in Working Environment Act.:</td>
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<td></td>
<td>Chapter 10. Working hours</td>
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<td></td>
<td>Section 10-7. Account of working hours</td>
<td>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.</td>
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<td></td>
<td>Reference to legislation/Act:</td>
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<tr>
<td><strong>WORKING HOURS AND BREAKS</strong></td>
<td><strong>11</strong></td>
<td>Documented working hours, breaks and rest days are in line with applicant legislation and/or collective bargaining agreements. If not regulated more strictly by legislation, records indicate that regular weekly working hours do not exceed a maximum of 48 hours, during peak season (harvest), weekly working time does not exceed a maximum of 60 hours. Rest breaks/days are also guaranteed during peak season.</td>
</tr>
<tr>
<td><strong>Do working hours and breaks documented in the time records comply with applicant legislation and/or collective bargaining agreements?</strong></td>
<td></td>
<td>Chapter 10. Working hours Section 10-1. Definitions (1) For the purposes of this Act, working hours means time when the employee is at the disposal of the employer. (2) For the purposes of this Act, off-duty time means time when the employee is not at the disposal of the employer. 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 strain, and that they shall be able to observe safety considerations. (2) An employee who regularly works at night shall be entitled to exemption from the working-hour arrangement that applies to the employee group if such exemption is needed by the employee concerned for health, social or other weighty welfare reasons and can be arranged without major inconvenience to the undertaking. (3) An employee shall be entitled to flexible working hours if this may be arranged without major inconvenience to the undertaking. (4) An employee who has reached the age of 62 or who for health, social or other weighty welfare reasons so needs, shall have the right to reduction of his or her normal working hours if the reduction of working hours can be arranged without major inconvenience to the undertaking. When the agreed period of reducing working hours has expired, the employee has the right to resume previous working hours. Other conditions being equal, an employee working reduced hours shall have a preferential right to increase his working hours in the event of a vacancy in the undertaking provided that the post wholly or essentially is assigned the same tasks. A preferential right pursuant to sections 14-2 and 14-3 shall take precedence over a preferential right pursuant to the present provision.</td>
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<td>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 prior to its implementation. The work schedule shall be easily accessible to the employees.</td>
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</table>

**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 half of the passive periods, but not by more than 2 hours per 24-hour day and 10 hours per seven days. When the work is particularly passive, the Labour Inspection Authority may consent to the extension of working hours in excess of that provided in the first sentence, provided that working hours do not exceed 13 hours during a period of 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 fifth of such standby duty shall as a general rule be included in the ordinary working hours. The employer and the employees’ elected representatives in undertakings bound by a collective pay agreement may by written agreement derogate from the provision of the first sentence. The Labour Inspection Authority may stipulate a different method of calculation if so requested by the employer or the employees’ elected representatives if calculation of working hours according to the first paragraph appears clearly 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 work regularly carried out on Sundays and public holidays,
   c) work which necessitates that individual employees work at least every third Sunday,
   d) work principally performed at night.
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|               |                     | (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, tunneling 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 employees are required to work at least every third Sunday, normal working hours pursuant to the first paragraph shall be reduced by regarding each hour worked on Sundays and public holidays, cf. section 10-10, first paragraph, as equal to 1 hour and 10 minutes, and each hour worked during the night, cf. section 10-11, first paragraph, as equal to 1 hour and 15 minutes, down to 36 hours per seven days. Normal working hours must regardless not exceed nine hours per 24 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 way that, on average, during a period not exceeding 52 weeks, they are no longer than prescribed by section 10-4, but that the total working hours do not exceed nine hours per 24 hours and 48 hours per seven days.  

(2) The employer and the employees' elected representatives in undertakings bound by a collective pay agreement may in writing agree that normal working hours shall be arranged in such a way that on average, during a period not exceeding 52 weeks, they are no longer than prescribed by section 10-4, but that the normal working hours do not exceed ten hours per 24 hours and 48 hours per seven days. The limit of 48 hours per seven days may be calculated according to a fixed average over a period of eight weeks provided, however, that normal working hours do not exceed 54 hours in any one week.  

(3) The Labour Inspection Authority may consent to normal working hours that on average, during a period not exceeding 26 weeks, are no longer than prescribed by section 10-4, but that the total working hours do not exceed 13 hours per 24 hours and 48 hours per seven days. The limit of 48 hours per seven days may be calculated according to a fixed average over a period of eight weeks. Before the Labour Inspection Authority makes its decision, the working hour arrangements shall be discussed with the employees' elected
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<td>Records of these discussions and a draft work schedule shall be enclosed with the application. When making its decision, the Labour Inspection Authority shall attach particular importance to the health and welfare of the employees.</td>
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**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 time-limited need for it.

2. If in the case of some employees the work exceeds the limit prescribed by the Act for normal working hours, the time in excess is regarded as overtime.

3. Before imposing work as referred to in this section, the employer shall, if possible, discuss the necessity of such work with the employees’ elected representatives.

4. Overtime work must not exceed ten hours per seven days, 25 hours per four consecutive weeks or 200 hours during a period of 52 weeks.

5. The employer and the employees’ elected representatives in undertakings bound by a collective pay agreement may agree in writing upon overtime work not exceeding 15 hours per seven days, but that total overtime work does not exceed 40 hours per four consecutive weeks. Overtime work must not exceed 300 hours during a period of 52 weeks.

6. The Labour Inspection Authority may on application in special cases permit total overtime work not exceeding 20 hours per seven days or 200 hours during a period of 26 weeks. Records of the discussions of the third paragraph shall be enclosed with the application. If the undertaking submits an application for overtime within the framework of the fifth paragraph, the reason why the matter was not solved by means of an agreement with the elected representatives of the employees shall always be stated. When making its decision, the Labour Inspection Authority shall attach particular 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 who, in each
individual case, have declared their 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 per seven days may be calculated according to a fixed average over a period of eight weeks.

(9) The employer and the employees’ elected representatives in undertakings bound by a collective pay agreement may agree in writing to exceptions from the limit of 13 hours provided in the eighth paragraph provided, however, that the total working hours do not exceed 16 hours per 24 hours. The employee shall in such case be ensured corresponding compensatory rest periods or, where this is not possible, other appropriate protection.

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

(11) For overtime work a supplement shall be paid in addition to the pay received by the employee for corresponding work during normal working 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 as off-duty time on agreed dates.

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 continuous off-duty time per 24 hours. The off-duty period shall be placed between two main work periods.

(2) An employee shall have a continuous off-duty period of 35 hours per
Control Point | Compliance Criteria | Interpretation for Norway
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seven days.
(3) The employer and the employees' elected representatives in undertakings bound by a collective pay agreement, may agree in writing upon exceptions from the provisions of the first and second paragraph. Such an agreement may only be entered into if the employee is ensured corresponding compensatory rest periods or, where this is not possible, other appropriate protection. Off-duty periods shorter than 8 hours per 24 hours or 28 hours per seven days may not be agreed. The limit of 8 hours shall not apply when work in excess of agreed working hours (cf. section 10-6, first paragraph) or work in connection with call-out during standby duty outside the workplace is necessary in order to avoid serious disturbances to operations. At undertakings which are not bound by a collective pay agreement, the employer and the employees' representatives may conclude a written agreement on the same terms to the effect that overtime may be worked during the off-duty period when this is necessary in order to avoid serious disturbances to operations.

(4) Off-duty time as referred to in the second paragraph shall as far as possible include Sundays. An employee who has worked on a Sunday or public holiday shall be off duty on the following Sunday or public holiday. The employer and the employee may agree in writing to a working-hour arrangement that ensures that the employees will be off duty on average every other Sunday and public holiday over a period of 26 weeks, provided, however, that the weekly 24-hour off-duty period falls on a Sunday or public holiday at least every third week.

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

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 breaks shall collectively amount to at least 30 minutes if the daily working hours total at least eight hours. When the employee is not free to leave the workplace during the break or where there is no satisfactory break room, the break shall be regarded as part of the working hours. When conditions so necessitate, the break may be postponed.

(2) When an employee works more than two hours after normal working...
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<td>hours, the employee shall be allowed a break of at least 30 minutes. The break is regarded as part of the working hours. Breaks which come after the end of ordinary working hours shall be subject to remuneration as overtime but shall not be included in the number of hours it is permitted to work overtime pursuant to section 10-6. When conditions so necessitate, the break may be reduced or postponed.</td>
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**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. on the day preceding the next working day. On Christmas Eve, and on the Saturdays preceding Easter Sunday and Whit Sunday no work shall be performed from 3.00 p.m. until 10.00 p.m. on the day preceding the next working day. Work performed during these periods shall be regarded as work on Sundays and public holidays.

(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 the employees’ elected representatives.

(4) In undertakings bound by a collective pay agreement, the employer and the employee’s elected representatives may enter into a written agreement concerning work on Sundays and public holidays when there is an exceptional and time-limited need for it.

(5) The employer and the employee may enter into a written agreement concerning work on Sundays and public holidays in cases other than those referred to in this section, allowing the employee corresponding time off on the days that are equivalent to Sundays and public holidays according to the employee’s religion. Such an agreement may be entered into notwithstanding the provisions of section 10-8, fourth paragraph.

**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 agreement, the employer and the employee’s elected representatives may in writing decide another period of at least eight hours including the hours between 12.00 midnight and 6.00 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) Before imposing night work, the employer shall discuss the necessity of so doing with the employees’ elected representatives.

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

(5) Normal working hours for an employee who regularly works more than three hours at night, shall on average not exceed eight hours per 24 hours. The average shall be calculated over four weeks. The minimum period for weekly off-duty time laid down in section 10-8, second paragraph, shall not be included in the calculation of the average.

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

(7) An employee who mainly works at night shall be offered a medical examination before commencing employment and subsequently at regular intervals.

(8) The employer and the employee’s elected representatives at undertakings bound by a collective pay agreement may agree in writing that the provisions of the fifth and sixth paragraphs shall be departed from. In such case, the employees shall be ensured corresponding compensatory 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
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<td>posts, with the exception of section 10-2, first, second and fourth paragraph.</td>
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<td>(2) The provisions of this chapter shall not apply to employees in particularly independent posts, with the exception of section 10-2, first, second and fourth paragraph.</td>
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<td>(3) The provisions of this chapter may be departed from in the case of work that, owing to natural disasters, accidents or other unforeseen events must be carried out in order to avert danger or damage to life or property. In such case, the employees shall be ensured corresponding compensatory rest periods or, where this is not possible, other appropriate protection.</td>
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<td>(4) Trade unions entitled to submit recommendations pursuant to the Labour Disputes Act or the Civil Service Disputes Act may, with the exception of section 10-2, first, second and fourth paragraphs, and section 10-11, seventh paragraph, enter into a collective pay agreement that departs from the provisions of this chapter. Exceptions from section 10-8, first and second paragraphs and section 10-11, fifth and sixth paragraphs, require that the employees are ensured corresponding compensatory rest periods or, where this is not possible, other appropriate protection. The conditions laid down in section 10-6, first paragraph, shall apply to the use of overtime in accordance with such a collective pay agreement. In each case, the employee must consent to carry out the overtime work. The requirement regarding individual consent shall apply correspondingly where a collective pay agreement has been entered into stipulating total average working hours of over 48 hours per seven days for the duration of one year.</td>
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<td>(5) If an agreement has been entered into as referred to in section 10-5, second paragraph, 10-6, 10-8, third paragraph, 10-10, 10-11 or 10-12, fourth paragraph, and a majority of the employees are bound by the agreement, the employer may make the provisions of the agreement concerning working hours applicable to all employees who perform work of the kind covered by the agreement.</td>
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<td>(6) The Labour Inspection Authority may consent to working hour arrangements that derogate from section 10-8 and section 10-10,</td>
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<td>second paragraph, in cases where there is a considerable distance between the workplace and the employee's place of residence. Such consent may only be granted if it is of significance to safety to provide for comprehensive regulation of working hour arrangements at the workplace. Derogation from section 10-8, first and second paragraph, requires that the employees are ensured compensatory rest periods or, where this is not possible, other appropriate protection.</td>
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<td>(7) The Labour Inspection Authority may consent to working hour arrangements that derogate from section 10-8, first and second paragraph, and the limit of 13 hours in section 10-5, third paragraph, for health and care work and for on-call duty or surveillance work where the work is wholly or partly of a passive nature (cf. section 10-4 second paragraph). Such consent may only be granted if the employees are ensured compensatory rest periods or, where this is not possible, other appropriate protection.</td>
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<td>(8) Consent pursuant to the sixth and seventh paragraphs requires that the parties do not have the power to establish the working hours arrangement concerned by means of a collective agreement.</td>
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<td>(9) If the work is of such a special nature that it would be difficult to adapt it to the provisions of this chapter, the Ministry may by regulation issue special rules providing exceptions from these provisions.</td>
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<td><strong>Section 10-13. Settlement of disputes</strong></td>
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<td>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.</td>
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<td><strong>Reference to legislation/Act:</strong></td>
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--- GRASP Module - Interpretation for Norway - 29 / 31 ---

| QMS | Does the assessment of the Quality Management System of the producer | This control point normally has no Interpretation, as it connects the GRASP requirements to the GLOBALG.A.P. Option 2 groups. |

ONLY APPLICABLE FOR PRODUCER GROUPS INTEGRATION INTO QMS
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<td>System (QMS) of the producer group show evidence of the correct implementation of GRASP for all participating producer group members?</td>
<td>group demonstrates that GRASP is correctly implemented and internally assessed. Non-compliances are identified and that corrective actions are taken to enable compliance of all participating producer group members.</td>
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**ADDITIONAL SOCIAL BENEFITS**

**R 1** What other forms of social benefit does the company offer to employees, their families and/or the community? Please specify incentives for good and safe working performance, bonus payment, support of professional development, social benefits, child care, improvement of social surroundings etc.).
Annex to GRASP Interpretation for Norway

Control Point 1:

Web site
Fagforening
Arbeidsmiljøloven
Arbeidstilsynet – rolle
Mattilsynet
Utdanningsloven

http://www.arbeidstilsynet.no/fakta.html?tid=92257

http://www.arbeidstilsynet.no/working-conditions-in-norway.html

http://www.arbeidstilsynet.no/lov.html?tid=78120

The Working Environment Act

http://www.arbeidstilsynet.no/binfil/download2.php?tid=92156