

# MANUAL FOR WORKPLACE REPRESENTATIVES



Forbundet for  
**arbeidsfolk**

NORSK ARBEIDSMANDSFORBUND





Contents

Dear workplace representative! ..... 6

About this manual ..... 7

**A workplace representative’s three  
main tasks ..... 9**

**The workplace rep as a representative ..... 14**

The expectations of you as a  
representative ..... 14

Written agreements and informal  
conversations ..... 17

Recruiting members ..... 19

Help and support ..... 22

What can the employer demand  
from you? ..... 23

Collective wage agreement ..... 26

– Two parties ..... 26

– Settlement of disputes ..... 26

– Creation of a collective wage  
agreement ..... 27

– Wage settlements ..... 27



– Demands must be presented .....	28
– Referendums .....	28
– New appointments .....	28
– Employment contracts .....	29
The most common issues .....	29
– Temporary appointments .....	30
– Social dumping .....	30
– Terminations and dismissals .....	32
– Requirements for termination .....	34
– Downsizing .....	35
– Layoffs .....	35
– Part-time/full-time employees .....	36
– Wages .....	37
– Wages during illness .....	37
– Holidays and holiday pay .....	37
Confidentiality and document storage .....	38
The Health and Safety Representative and HSE .....	38

## The workplace rep as organization

leader .....	42
Collaboration agreement .....	44
Continued development of the club .....	45
– The action plan .....	46

... as organization leader



... as trade union politician





## The workplace rep as trade union

### politician ..... 52

Information on the internet ..... 56

Prints – WEB2PRINT ..... 57

Attachments ..... 57

– Notice of election of employee  
representatives ..... 58

– Example of a request for negotiations  
according to the basic agreement ..... 60

– Example of a protocol for negotiations ..... 61

– Example of a negotiations request  
according to §17.3 of the Working  
Environment Act ..... 62

– Example of an authorization form to  
act on behalf of a member ..... 63

– Example of a request for an expanded  
position with warning of legal action ..... 64

– Example of meeting notice for an  
annual general meeting ..... 65

– Example of an overview of  
employee representatives ..... 66

– Example of an areas overview ..... 67

Glossary ..... 68

## Dear workplace representative!

This manual gives an overview and is your go-to source for information for your work as a workplace rep. For a more in-depth understanding or details, you need to look further: by making enquiries, looking in books, attending courses or browsing the internet.

You are a workplace representative for one of Norway's oldest trade unions. The Norwegian Union of General Workers (NAF) has fought to improve the everyday life of working people since 1895. Collective wage agreements, the legal system and employment rights have been established and built up through the efforts of thousands of organized tradespeople before us. As a workplace rep, you safeguard the interests of your fellow members and continue as a link in a chain that holds us together as a strong community.

You have been given the trust of your fellow members and have been chosen as their representative for the community. You are to live up to these expectations. You are a spokesperson and are going meet with your employer in times of collaboration and disagreement. Experience, education and patient effort are the mainstays of a good workplace representative. It takes time. The core values of the union are a good guide along the way. Our strength lies in our solidarity. We work together for fairness and we act honestly in all contexts.

We stand together. Good workplace representatives grow out from the strong roots of solidarity. We must all participate in the process of nurturing solidarity, but workplace representatives have a special responsibility for making the organization flourish. We can always have more members, but equally important is that we grow in our commitment to our members' rights. It's truly about the dignity of working people - nothing less.

**Erna Hagensen**  
*President*

## About this manual

This manual is an aid for you in your work as a workplace representative. You will find helpful tips and advice here, whether you are newly elected or an experienced representative.

The tasks of a workplace rep can be very different. Some are elected to new clubs where there has never been an organization before, while others are elected into well-run clubs.

If you are a new workplace representative of a new organization, you must create your own routines in order to run the new organization. If you take over a well-established post, much is already in place. When going through this manual, you must separate out the most important elements for you and grasp onto these first.

Some of the duties of the workplace rep come from the articles of association for the union club. For example, the articles of association explain how one calls in members to and holds an annual general meeting as well as how to hold elections among the members.

Other tasks are provided for in the Basic Agreement. For example, it is stated here that the workplace representative is to inform the company of who has been elected and the rights and duties of employee representatives in the company.

This booklet is translated from Norwegian and written for general information purposes. The text can not directly be understood or used as legal binding rights or obligations. In no way it can replace legislative, regulatory or administrative texts, or applicable collective agreements.

When communicating in writing e.g. with an employer, one should always use Norwegian. The forms in the attachments can be found in Norwegian on our website. The attached forms in English are for information purposes only.

## OUR VALUES - THE FOUNDATION FOR OUR UNION

### Solidarity

We are working people; that is our identity and our common cause. We are an association that unites workers, and our cause is working for their interests. Together, we are strong in the negotiation of labour rights and benefits.

### Fairness

We want people to be treated fairly. Everyone should earn a fair wage and disparity must be minimal. No one is to exploit others for their own gain. Fairness is a virtue upon which our welfare state is built, a value we must take care of.

### Honesty

We believe in an honest day's work, and we do not exploit others to enrich ourselves. We have no hidden agendas, and we say what we mean. We can be hard and stubborn, but never unfair nor unreasonable.



Forbundet for  
**arbeidsfolk**

**NORSK ARBEIDSMANDSFORBUND**

# A workplace representative's three main tasks

As a workplace rep, you are in front. You are a negotiator and spokesperson for colleagues, as well as a counsellor and supporter. However, you are also the leader for the organization in the workplace. In many cases, you are also a politician on behalf of the club and its members.

A workplace representative has many tasks. Here we have divided the tasks into three main groups:

## 1. The workplace rep as a representative

As a workplace representative, you work for members by getting involved in different workplace issues. There may be disagreements, requirements and other matters that you take up with the employer on behalf of members. You also represent the members in negotiations on various common issues, e.g. wage increases and benefits, working hours arrangements, duty schedules or the implementation of holidays. You can also participate on behalf of the community in working groups, projects or in permanent bodies in the company such as the executive committee, steering committee, health and safety committee, etc.

## 2. The workplace rep as organizer

As a workplace representative, you can be responsible for both running the present-day club as well as building the foundation for the future of the club and the union. If you are on your own as workplace rep, this is not where you are going to start. Deal with issues and put the focus on collaboration first, then you can catch up with the club matters later.

## 3. The workplace rep as union politician

As a workplace representative, you are part of a larger organization. We must all participate in the further development of the organization, and local workplace reps have many good opportunities to help shape policy, both locally and nationally.

The tasks can drift over into each other. However, the tasks also point in different directions and make different demands on the workplace representative. Workplace reps must see the whole picture and manage difficult priorities. It is human to choose the tasks we master best, but a workplace representative must first and foremost do what is necessary. For example, if we use the rep time available only on representation, which may be important, other important tasks such building up the organization may fall victim. Therefore, all union leaders, workplace representatives and club stewards must have a conscious understanding of the priorities and their use of time.

### **THE WORKPLACE REPRESENTATIVE – WHAT DO YOU GET OUT OF IT?**

- The satisfaction of doing a very important and useful job for your workmates.
- The satisfaction of helping to create orderly conditions, and a better and safer workplace.
- You learn to find solutions, also in times when there is great opposition.
- Varied tasks and the significant ability to determine outcomes in everyday life.
- You get to know new people inside and outside your company, and become part of an ever-bigger network.
- Training and support which increase your own knowledge base.
- Good comradeship and unity in one of the country's oldest and proudest unions.
- The ability to influence your own pay and working conditions in the company.

## INCREASED TRUST – INCREASED INFLUENCE

Workplace representatives are union managers – but are not like other managers in the company. While other managers are hired, the union manager is democratically elected. There is a great difference. Ordinary managers have a contract that ensures their employment. The union manager thrives on the trust given to them by those he or she represents. During one's term of service, he or she is to be a manager within the framework of NAF's articles of association, collective wage agreements and basic agreements.

A typical manager is employed by management. Although the manager must play ball with the employees and depend on their cooperation, they cannot terminate him or her. Employees must live with both good and bad managers. The role of workplace representative functions differently. The position, authority and opportunities of the workplace rep are based on the members' votes and support. Good workplace representatives attach importance to building upon the trust that has already been established. Colleagues at work who have confidence in their workplace rep increase the strength of that representative. The employer also trusts a union representative who is orderly and always has the support of his or her members. Both members and the opposite party rely on workplace reps who are organized, honest, prepared and have a good working knowledge of their tasks as workplace representative.

A positive spiral develops this way: If we build confidence, our influence will increase, and thus trust will further increase. However, it is also easy to lose trust. Then a

negative spiral will develop in the opposite direction, and one's influence will decrease. If the one's support fails, a union representative cannot count on being re-elected. In a democracy, it is the members who choose to elect or not to re-elect their representative.



... as representative



# The workplace rep as a representative

## The expectations of you as a representative

You work for the members either collectively or as a community, but you should also be there for them as individuals. You can get involved in many kinds of issues, and sometimes you may need help. The union's branch office can assist you, but the most important support is always found in your colleagues and other workplace representatives. We are always to try to solve issues in the companies where they arise.

Matters often require thorough, written preparation, perhaps more formal meetings. However, it is important to see that there are also some questions that have simple answers. Let's say a member comes to you and complains about payroll. It may then be only a matter of checking to see if a random error has been made in the calculation. Perhaps it's just a mistake, and not even an issue that needs to be dealt with by the workplace rep.

Members can come to you with both simple and difficult questions. It is easy to go to the workplace representative, perhaps much easier than trying to find the answer themselves. As a workplace rep, you are not an errand boy, but rather a spokesperson. You should expect that members dig into and investigate matters themselves before they come to you.

Questions relating to pay and employment conditions are usually raised in meetings with management. Negotiations are conducted, and agreements and protocols are written. The members expect you, as their workplace representative, to embark on the most democratic course prior to negotiations and later when entering into agreements. Requirements and mandates that are negotiated within should be determined by the members. The outcome of the negotiations should be submitted to the members for approval. Such democratic treatment among members is a great strength for the workplace representative. You are never able negotiate so well as when

## WATCH DOG

Even though you get involved in an issue, you may find that nothing happens. If you make enquires, perhaps you only get a lukewarm response. If you send an e-mail, you may only get a "I'll look into this" or "get back to you" in response. Sometimes even demands made in letter form may end up in the vacuum of silence.

Everyone is entitled to a reply, not in the least you as the workplace representative. The company is obliged to cooperate. However, you can't just accept the situation passively. It is not enough just to respond to members with "I've asked ..." or "We'll have to wait and see ...". As the workplace representative, you can and are to speak your mind. Actually, you're bit of a watchdog too.

you know that you have your members' support and feel the pressure of their expectations for the best outcome.

On the other hand, management wishes to use workplace representatives as partners and allies in their issues and goals, based on references made in the provisions for cooperation in the Basic Agreement. Make sure that you inform the members of the measures and plans you become familiar with, and that you do not enter into agreements without obtaining support in advance.

If you can avoid it, do not go into meetings alone. According to the Basic Agreement, the club's entire working committee can attend a meeting. It's advantageous to be more than one person, but be sure to have clarified in advance which of you is "running the show". Above all else, make sure everyone is unified in their understanding of the issue. If there is dissension, you become easy prey for the opposite party. Remember that you can always request a

private discussion, which is where the union representatives go out and discuss the issue between themselves before they move on in the meeting.

Always be sure to be well prepared before a meeting. You must have secured support. You must have clarified the division of tasks with the other meeting participants. As well, you must know the issue inside and out. The last-mentioned means that you must have all the facts on the table. It is at this point we remind you of the union's core value of honesty. You must also know the law and regulations that are central to the issue. It's a good idea to write a draft of the meeting's protocol in advance, to make clear to yourself what you want to achieve.

Many workplace representatives struggle to have enough time to perform their duties within working hours. There are no clear rules in the basic agreements on how many hours off you are entitled to (e.g. per week), or if the

### TEAMPLAYER OR "LONE RANGER"?

As a workplace representative, you belong to a community. Be sure to keep in touch. Make sure you have support. Seek out the members and have an open door. Collaborate with other union representatives. Discuss issues and stick to what you have agreed. Be a team player.

Avoid becoming a "lone ranger". If you isolate yourself in the office, rarely looking outside and withholding information, the members will soon start asking questions like "What is going on here?" It is not enough that individual matters are well managed. You must continue to be part of the collective you represent. If not, your ride as workplace rep will soon turn towards the setting sun and end there.

employer is to pay for a full-time workplace representative. In the Basic Agreement, employers have committed themselves to "workplace representatives being able to fulfil their duties in accordance with the Basic Agreement and the Working Environment Act and as workplace representatives in the company for their organization in an effective manner.

## Written agreements and informal conversations

From the very beginning, you should make it a habit to take notes on paper concerning issues you are going to take up with the employer. Start by making notes for your own use. Make notes of references to provisions in the system of agreements you must use, etc. When writing to the employer asking to look into an issue, be as brief as possible. Do not go into details of the issue and use up the arguments you may need in later discussions. Written enquiries are taken more seriously than oral ones, and they require written answers.

Don't blow things out of proportion by making "trivial matters" more than they actually are. However, of course, all contact with the opposite party does not need to be in writing. Good dialogue is important, and many small issues can be resolved through discussion.

You should have a good relation with management. Make informal cooperation a supporting pillar of your work. It often provides insight as to what is going to happen, and you can give signals as to what you think about it. This can build trust, which is to say that you and the boss will gradually trust each other more and more. Have coffee together or chat in the hallway. As long as you and the boss are on speaking terms, informal conversations and mutual understanding are a strength for both the company and the members. However, it is a delicate balance. From time to time, you may become unsure. Then you must withdraw and ask that the matter be discussed more formally. You can never rely on informal conversations. Regular meetings require that a protocol be written. Individual matters taken up on behalf of members, for example warnings, terminations or relocation, are always to be dealt with by the book. That is to say, according to the systems of agreements

## THE CLUB AND THE UNION – WHAT ARE THEY REALLY?

You are the workplace representative, perhaps the only one at your place of business. Therefore, you are also the club's leader. The club consists of all NAF members who are employed in the same workplace as you.

The club is a community. Regular employees must stand together to ensure a reasonable salary and a secure job. The community provides each and every member strength. Each of us, if we stand alone, become competitors with one other. In the long run, none of us will win. Alone, we would all become losers, each and every one of us.

As a club, we act collectively. We discuss an issue and come to a mutual proposal, one that we all adhere to. We are loyal to the club and to what we have agreed on. It gives us strength.

The union is the sum of all its clubs, workplace representatives and members. When all members act in solidarity, we give our leading union officials the power to represent us to employers' organizations, local and state government and politicians. Influence and power comes from having thousands of members at your back.

and laws as well as having a protocol from the meeting that shows the resolution of the matter.

It's not hard to write a protocol, and you do not have to write in a difficult, formal language. Refer to the example of a protocol in the back of the book. There does not have to be a lot of text in the protocol – record the most

important items you agree upon. Equally important is to record what you disagree upon if the matter needs to go further along in the system to find resolution. If the opposite party doesn't take the initiative to write a protocol for the meeting, then why don't you offer to do it?

In that case, it can be difficult having only informal conversations and verbal agreements to refer to. Make good habits from the start! Work at making writing a habit. Find examples of what others have used before. Ask experienced workplace reps for advice and learn from them. There are many different courses offered through the branches, the union and AOF (Educational Association). Take advantage of what is offered! After a while, as you become more secure with laws and agreements, you must be prepared for the fact that you might know the system of agreements better than the employer. Maybe you're the one who must do the teaching?

## Recruiting members

For you as a workplace representative, it is important to have the support of many members at your place of work. As a result, you will be stronger together when dealing with the employer and solidarity will reign. In some branches of the union, companies are characterized by a high turnover. This spreads to our member lists, and the workplace rep must make a concerted effort just to keep a stable number of members.

Of course, the best foundation for increasing membership as a workplace representative is keeping a good overview of new hires and those leaving the company. You must apply the provisions of the Basic Agreement § 8-1.1, which instructs the company to keep you informed of new appointments and to present new employees to you. For NAF, it is imperative that new members are continually recruited. That's why we use considerable resources on recruitment in our branches, on rewards for those who recruit new members and on developing brochures. And we know there is a great potential for membership growth.

## A BRIEF HISTORY OF TRADE UNIONS

The workers needed a tool in order to do something about working conditions and poor wages. Eventually, they used powerful instruments to force employers to come to their senses and give workers a fair share of the profits they created through the sweat of their brow. It was crucial that workers stood together, that everyone was unified in what was being demanded, for example, higher wages. If someone fell out of rank and started to work on their own, for example, offering their labour at a lower wage or accepting worse conditions than the others, then this ruined it for everyone. They needed solidarity. They had to come together with common demands and fight as a single unit. In other words, they had to organize themselves.

The fact that everyone had to stand together became particularly clear over time when work stoppages, or strikes, were used to push through their demands. A strike is only effective when the work is not performed, and the employer is forced to meet demands. That means that many, and preferably all workers, must stop working at the same time. Therefore, as many as possible had to be in the community. As many as possible had to organize themselves.

Failure to carry out the work one is given is a serious offence, and there are many examples of heated and dangerous conflicts. Many lives have been lost in labour conflicts throughout history, in Norway as well. To perform work during a strike, so-called strikebreaking, was considered a very serious offence, and the derogatory English word scabs (from the disease scabies) for a strike breaker says everything. To date,



a person can be prosecuted for calling another person a strike breaker without cause.

Although violent labour conflicts in Norway in recent times are rare, the principle that everyone must stand together is just as valid today as it ever was. It is through the organizations, or rather the unions, and the enormous support behind them, that our issues and demands can be heard. This is how the opportunity to influence and the power to negotiate is achieved.

As globalization becomes more and more a reality, having strong unions might be more important than ever. The forces that work against providing adequate working conditions and higher wages have grown stronger. Today, for example, companies can be owned by equity funds, which are far away from the companies they own and where the work is carried out. Such funds are impersonal and are created precisely to maximise the most profit for their owners/shareholders. This means that pressure on working conditions, wages and having fixed and predictable employment is greater than it has been in a long time. Even though owners and profits are spread all over the world, the struggle for better working conditions, a salary you can live off and a job you can live with must be fought for locally. Therefore, our solidarity is our strength.

## A RESOURCE FOR THE COMPANY

You are the representative for your members. However, that does not prevent your company from benefiting from employees who are organized and you as the workplace representative. Here's what your company gets in return:

- Pre-negotiated conditions. Conditions that have been negotiated previously, which remain the same for large parts of the industry.
- Equal conditions for employees that prevent discrimination due to disability, envy and unrest.
- Predictable labour costs and responsible salary negotiations.
- The workplace representative as a permanent point of contact for the employees.
- An orderly and knowledgeable opposite party in difficult issues.
- If the company wants it - a partner willing to collaborate and help steer the ship away from dangerous reefs and shoals.
- A collaborative partner who unites employees in a joint effort towards lifting and developing the workplace.

## Help and support

As a new workplace representative, you will probably come to feel that you are on your own with problems that you do not quite know how to deal with. As well, you are loaded down with tasks and obligations. Do not despair! There is a large network around you, with many possibilities.

First of all, you have to look around. Problems and issues are best solved where they occur. If you have an active club at your place of work, perhaps you're lucky enough to have other, more experienced workplace representatives nearby, and you can get good help from them. You must keep in touch with your members and show them that you expect support from them as well. Members also have a responsibility. More people than you'd think would love to give a hand, if only they were asked. There is a tremendous amount of information and knowledge on the internet (e.g. [arbeidsmandsforbundet.no](http://arbeidsmandsforbundet.no)) and in books you can access.

The union's branch offices also provide advice and support. When in doubt or if you need help to get the job done properly, the branch office and your branch is there for you with advice and support. If an issue is waylaid because of a disagreement, you should always seek advice from them.

### What can the employer demand from you?

According to § 5-1 of the Basic Agreement, workplace representatives have "an obligation to do their best to maintain a calm and congenial atmosphere of cooperation at the workplace." And it goes on to say: "Encouragement of or participation in illegal conflicts is inconsistent with the duties of the employer and the workplace representative."

The system of agreements also states that workplace reps must keep in mind that production is to be minimally affected by the performance of their duties, and that one must have permission from their immediate superior before leaving the workplace. Referring to § 5-1, management may put pressure on workplace representatives that they have to enter into agreements that have not been submitted to the members for approval. They have no right to demand this. It is up to you as the workplace rep to decide how the organizational treatment of the issue is to be on your side.

# Your rights as the workplace representative

(BA = Basic Agreement LO/NHO)

- You are the spokesperson and representative for NAF members (BA § 5-2).
- You must be able to fulfil your duties as the workplace representative in an effective manner (BA § 5-1).
- You have authority to conduct real and concrete negotiations (BA § 5-2.4).
- You may and should submit matters to members before taking a stand on the matter (BA § 5-2.2).
- You can enter into agreements on behalf of members without presenting the issue to the members, unless provisions in the collective agreement or legislation prevent it (BA § 5-2.2).
- You have the right to get involved - and seek to resolve amicably - complaints from/about an individual employee (BA § 5-2.2).
- You are to be informed of new appointments. New employees are to be informed about who the workplace representative is and presented to you (BA § 8-1).
- You are to have the time necessary to perform your duties (BA § 5-6.1).
- This time usage and organization of collaboration should be described in the agreement to collaborate with the company (BA § 9-2.3).
- You are to have lockable cabinets as well as a phone and access to the internet. You can bring up the question regarding an equipped workroom (club office) (BA § 5-6.2).
- You can participate in union meetings during working hours without a deduction in salary (BA § 5-6.4).
- You can move freely about the company to perform your duties (BA § 5-6.3).
- You are to be compensated for meetings with your company in your spare time (BA § 5-6.4).
- You cannot be denied taking time off work – without compelling reasons

- to attend NAF meetings, conferences and negotiations, courses, academic delegations, etc. (BA § 5-11.2).
- You have a preferential position regarding downsizing, reorganizations and layoffs (BA § 5-11.2).
- You have special protection against termination (BA § 5-11.1).

## Your obligations as the workplace representative

(BA = Basic Agreement LO/NHO)

- You are to ensure that the collective agreement and the Working Environment Act are complied with (BA § 5-1).
- You are to attempt to recruit anyone who can become a NAF member within your area.
- You must do your best to maintain a calm and congenial atmosphere of cooperation at the workplace. (BA § 5-1).
- You are to contact the employer or his representative directly when something is to be put forward (BA § 5-2.2).
- You are to provide the company with a response as soon as possible if there are no specific reasons to postpone the response. Notify the company of any postponement (BA § 5-2.2).
- You may not encourage or participate in illegal conflicts. Nor can you terminate your duties related to such a conflict (BA § 5-1).
- You have a duty of confidentiality in matters relating to individual members.
- You are to bring information from the company, including its decision-making bodies, to other union representatives and to the members - as far as this is possible. Rules of confidentiality or a consensus for silence, for example in an executive committee, may limit you here.

## Collective wage agreement

Collective wage agreements are the foundation of the union's work. Achieving proper pay and working conditions was the reason why workers founded trade unions in the first place. Much of what is currently regulated and perceived as natural rights for all were originally negotiated by the trade union movement.

For a new workplace representative, there is a lot to delve into, and it can look completely overwhelming. But it is not! It is imperative that you know the collective wage agreement by heart in order to safeguard members' interests, but nobody expects you to be able to do everything right away. First of all, you have to jump into the table of contents so that you know what agreements have been made. Detailed knowledge will come as you have use for it.

Learn to browse the system of agreements for the relevant provisions you are in need of. It makes the tasks of a workplace rep more exciting and challenging. You win a victory for each issue you solve without having to call on help from others.

### Two parties

Many workplace representatives struggle with an employer who will not respect the collective wage agreement. They refer to it as if it was something the union and the workplace representatives came up with on their own. Such employers must be reminded that they are co-signers of agreement, and they are obligated by it just as much as we are. We are two parties who agreed on what is written there, and both employees and employers have committed themselves to respecting and following the agreement.

### Settlement of disputes

If you are having trouble getting your employer to comply with the agreement, or if you are in total disagreement about what a provision in the agreement really means, then the dispute must be written down on paper, so the issue can be sent on. Refer to the example of a protocol for disputes in the back of the book.

## **Creation of a collective wage agreement**

To create a collective wage agreement, we must have a sufficient number of members in the company. Provisions for this are found in the Labour Disputes Act and in the Basic Agreement. In the state sector, this is regulated by the Civil Service Act.

According to the Labour Disputes Act, it is enough with one person organized in a company to make an agreement. According to the LO/NHO Basic Agreement, 10 percent of the employees need to be organized.

It is extremely important for us to be strong enough to defend the agreement. How much power we have is determined by how many members we are. Therefore, to have strong support for the agreement, we must always have membership approval and recruitment in mind.

## **Wage settlements**

If we really must struggle to come to an agreement or make improvements in the agreement with a wage settlement later on, we have a means of assault: a strike.

It is not often that we must use strikes as a weapon. However, during wage settlements, the threat of strike allows LO and the unions to put force behind their demands and achieve results in the negotiations. If a strike is to have any effect, it must be felt. If we have a workplace with 50 employees, and only 5 members can be taken out on strike, has the strike any real effect?

## **Demands must be presented**

The union can only achieve changes that are of importance to the employees by putting forward demands from members who are dependent on the provisions of the collective agreement. If the members are to feel a sense of ownership for their collective wage agreement, it must be discussed and have a living presence in the workplace. As the workplace representative,

you must take the initiative and encourage such discussions. You have a very important task in evaluating and prioritizing the demands you receive. As well, you must make suggestions for demands yourself. As you gain experience, you will acquire an overview and expertise that will enable you to easily convert members' needs into specific demands. Be sure you have your back covered by meeting with members regarding the demands that will eventually be submitted.

### **Referendums**

For some collective wage agreements, the union has very low turnout percentages during referendums. This worries many people - and it should worry even more. Is it a signal that members do not care about their collective agreement? If it was necessary to go on strike, would the support be just as low then? To get more people to participate in the referendum, workplace representatives must also encourage members and take the initiative. More about this can be found in the union's booklet: «Wage Settlements».

### **New appointments**

Workplace representatives in the government sector have the right of co-determination in regard to new appointments. This is governed by the Civil Service Act and the appointments regulations of individual business. In private companies, new appointments are under the employer's control, but there are also private companies that have appointments committees..

### **Employment contracts**

All employees must have a written employment contract. § 14-5 of the Working Environment Act stipulates that in any employment relationship with a total duration of more than one month, a written employment contract shall be entered into. Requirements for the content of such an agreement are contained in § 14-6. On Arbeidstilsynets (the Norwegian Labour Inspection Authority's) website, there are useful templates for the standard employment contract.



## **"MY PAGE" OG COMPENDIA PERSONAL**

Members and workplace representatives can view their own profile and documents on the "My page" ("Min side"="My page") of the union's website: arbeidsmandsforbundet.no. To enter, you must have a member number and a password.

Through "My page", you can access Compendia Personal. This is a reference tool for our systems of laws and agreements, and here you can also ask labour law attorneys questions.

Without logging in to our website, you also have access to collective wage agreements, the union's articles of association and "Frequently Asked Questions" (FAQ).

## **The most common issues**

Workplace representatives represent security for the members, and workplace reps gain confidence in their work when they can handle and resolve matters members need support and help with. Let's look at some of the most common issues.

### **Temporary appointments**

Permanent employment is normal, but extensive use of temporary employment has long been a problem in hiring practices. For the individual, this

creates great uncertainty about the future, and can, for example, lead to difficulty in obtaining housing loans. It can also lead to employment practices where insecurity and poorer conditions become commonplace. We do not want such conditions for our members.

The Working Environment Act § 14-9 on temporary employment starts out by establishing that permanent employment is the main rule. Temporary employment is an exception. Temporary contracts were initially only permitted in a few cases, see points a) through e). However in 2015, the letter f) was added, which, without further requirements, permits temporary jobs for up to 12 months (for up to 15 percent of the workforce). This general access is very problematic and undermines the general rule of law that permanent employment is normal (in the government sector, this is regulated in § 3 of the Civil Service Act).

Workplace representatives must work to ensure permanent employment. We must demand it. Therefore, we must follow up the question of temporary employment regarding advertisements and appointments and assist those with temporary positions to get permanent jobs. If we believe that the basis for temporary employment is not present and that the employee is entitled to permanent employment, action may be brought against the employer according to the same rules as for unlawful termination.

### **Social dumping**

Social dumping is when some employees have significantly worse pay and working conditions than usual. It is not necessarily about employees in your company. It can be, for example, employees that are hired in, are employed by a subcontractor or who are self-employed. Often this concerns foreign workers, and many times we are talking about both labour crime and human trafficking in such situations.

Social dumping has spread widely. It's bad for those who are affected by it.

They are being exploited and are very poorly paid for the work they do. If this is allowed to continue, it can be bad for us in the legitimate workforce too. Cheap goods and services, as well as contracts below cost, threaten ordinary jobs in the workforce - maybe also in your company.

As a workplace representative, you must pay attention and possibly follow up suspicions. Many "tools" have been developed that you can use:

First of all, we have collective wage agreements that the Storting (Norwegian Parliament) has made universally valid. That is to say, there is a minimum wage in the collective wage agreement that is the lowest allowable wage in the industry. Within our union, only the collective agreement for cleaning services industry has been made universally valid.

The Norwegian parliament has also adopted a regulation that can help prevent social dumping, called "Regulations on wages and working conditions in public contracts". This regulation requires that workers in companies that perform services and construction work for public contractors must have the same wages and working conditions as stipulated in the collective agreement for this type of work. Wages and working conditions refer to minimum working hours, pay, overtime allowance, shift and rotation allowances, inconvenience allowance, reimbursement for travel, board and lodging expenses, which are stipulated in the collective wage agreement if it has rules regarding these. Examples of public contractors are: Statens vegvesen (Norwegian Public Roads Administration), Bane Nord, Nye veier, local municipalities and county municipalities.

Secondly, HSE cards are required on construction sites and in the cleaning services industry. That means that everyone must be able to identify themselves and their employer.

Thirdly, universal validity implies that joint and several liability applies, among other things, to the purchase of cleaning services. This means that the client,

for example your company, can be held responsible for salary, overtime allowance and holiday pay. All companies in a contract chain can be held responsible, "one for all and all for one", to pay the wages of an employee at the bottom of the chain who does not receive his rightful due.

As a workplace rep, it is important that you pay attention and demand access to contracts. You can request discussions regarding purchase agreements as well as entering into contracts with subcontractors or suppliers. As well, you can follow up on whether the wages and working conditions stipulated in these agreements seem reasonable. In this way, you can help your company choose legitimate operators and stay on the right path.

### **Terminations and dismissals**

The Working Environment Act chapter 15 has several provisions that must be followed carefully when dealing with cases of termination or dismissal on behalf of our members. It's very important to know how such cases progress before one ends up in your lap!

According to § 15-1 of the Working Environment Act, such cases are to be discussed before a decision for termination is made. That is, the law gives the member a right to present their version. As always, it is important to write a protocol that reflects the member's description of the matter. When you, as the workplace representative, know that a member has been called into a 15-1 discussion, you must offer help right away, and you must be ready for how it plays out if a termination is to occur.

If the member receives a termination/dismissal notice, you must start immediately. It is essential here that the deadlines in § 17-3 of the Working Environment Act be complied with. To start with, negotiations with the employer must be requested within two weeks. If the negotiations do not lead to a positive result for the member, the case can be brought to court. Terminations/dismissals can be demanding cases. If you are unsure as the

workplace representative about the case or how to proceed, do not hesitate to contact the union's branch office. This is extremely important for the union's ability to proceed with the case.

Our members need assistance when they are involved in such cases. First and foremost, they need assistance in assessing whether the termination/dismissal is unjustified. If they are a victim of an unjust dismissal, they have the right to free legal aid. However, it is important to make note that this does not mean that the expense of a private lawyer is covered. Members must get in contact with the workplace representative or directly with the branch/branch secretary. Many cases are resolved at this level, after negotiations with the employer.

If the case is not resolved, NAF may send the case to LO's legal department who can consider to file a lawsuit. Initially, a request for negotiations must be sent to the employer. This must be sent within 14 days of receipt of the notice. Among the attachments at the back of the book, you will find an example of what should be in such a letter. Keep in mind that it is the one who has been terminated who must sign the letter. Workplace representatives may act on behalf of the member, if the member in question has given written authorization.

As a workplace representative, you may also occasionally have to inform members that you cannot help them, and that you (and the union) consider the decision for termination to be correct. What is most important is that you are clear about how to assess the member's situation, and that you do not waste important time by avoiding giving clear answers. If you must give such a response, you must also remember to express (preferably in writing) that the member still has the right to bring the matter further. Furthermore, you must notify the person of the relevant deadlines.

## DEADLINES FOR TERMINATIONS AND DISMISSALS

### Request for negotiations

- 14 days

### Lawsuits

- 8 weeks from termination/dismissal
- 8 weeks from the end of the negotiations when negotiations are held (according to § 17-3)

### Request to remain in the position

- Before expiry of the notice period, and before the 8-week deadline expires

### Claim for compensation only

- 6 months

## Requirements for termination

§ 15-4 of the Working Environment Act contains provisions on the form, transmission and content of the notice. Terminations must be done in writing. Before the employer decides to terminate, the question is to be discussed, as far as is practicable, with the employee and employee's workplace representative. The notice of termination is to be delivered to the employee personally or sent by registered post to the address given. The termination is deemed to have occurred when it has been received by the employee.

*The termination is to contain information about:*

the employee's right to request negotiations, bringing a lawsuit and the right to continue in the position. If the notice is based on a shortage of work, it is also to contain information on the pre-emptive rights for new appointments according to section 14-2. The name of the employer and the correct respondent is to be stated in case of any civil proceedings.

If the employer's notice of termination has not been submitted in writing or does not contain the information mentioned above, the deadline for filing a lawsuit will not apply. If the employee's case is heard in court within 4 months after the termination took place, the termination is to be considered invalid, unless special circumstances make this obviously unreasonable.

## **Downsizing**

Downsizing is a major challenge for you as a workplace representative, but unfortunately this is not a seldom occurrence. The Basic Agreement and the Working Environment Act contain provisions on how to proceed in such cases, and there is a lot to be considered: the duty to disclose information, carrying out discussions on the criteria to be followed, discussions of individual terminations, etc. We have prepared our own guidance manual in "Downsizing and Reorganization", which can be found at [arbeidsmandsforbundet.no](http://arbeidsmandsforbundet.no), and you should refer to this if you find yourself in this situation.

## **Layoffs**

Layoffs are a form of right to temporary termination, which has not been granted by law, that applies in private companies. This is especially common in cases where there are good arguments that the situation can improve. Layoffs are also far more preferred than redundancies. The provisions for laying off employees are found in the Basic Agreement chap. VII.

Questions regarding layoffs can be complex and have major consequences. Before signing a contract, you should contact the branch office and get their assessment.

## **Part-time/full-time employees**

We have many part-time employees in Norway, and we have a particularly high proportion of women who have part-time positions. Many want to work full time, or at least to a greater extent.

The Working Environment Act provides the basis for requiring an expanded

position, perhaps to full time, before the employer makes a new appointment. Part-time employees have (under certain conditions) preferential rights pursuant to § 14-3 of the Working Environment Act. When you, as the workplace representative, see that someone is quitting or hear there is new hiring, you must be on top of things. Perhaps members have already raised the question with you. Maybe you should check if any members are looking for an expanded position.

In some industries, for example in the security and cleaning services, there has been widespread use of part-time employees. It has been argued that the need for so many part-time employees is to cover duty on holidays, illnesses, short-term assignments and the like. If it had not been possible, there would have been extensive overtime, the argument went.

To make use of preferential rights, the position must be advertised. The employer is required to advertise all vacancies in the company, according to § 14-1 of the Working Environment Act (and, for example, to the Collective Agreement for Security Guards § 2, 3rd paragraph). It is important to emphasize that it is not necessarily full-time positions that need to be advertised.

If the company does not comply with this, the situation must be treated as an ordinary dispute and may possibly become a cause for legal action if not resolved. Part-time employees often also work more than the percentage of the position they were hired for.

According to § 14-4a) of the Working Environment Act, part-time employees who have worked over the agreed working hours during the previous 12 months may demand a position with a percentage equivalent to what they actually work. If the employer does not want to meet this demand, the employer must document that the need for that work is not permanent.



## **Wages**

There is no law regulating what we are entitled to get paid. The Working Environment Act states that we are to have wages, but not how much. For workers who are organized, one's salary is governed by the collective wage agreement. This contains provisions on wages and allowances, if applicable. In addition, some collective wage agreements allow for local negotiations, composition proceedings, etc.

## **Wages during illness**

We are entitled to 100 percent of wages during an illness for up to one year, after being employed 2 weeks with the same employer. Make sure to get a doctor's certificate when ill. In case of short-term sick leave, up to 3 days, one's illness can be self-registered up to 4 times within twelve months. In companies where an Agreement on Inclusive Working Conditions has been entered into, the possibilities for self-registration are expanded. Refer to the IWC agreement and reference booklets regarding this.

## **Holidays and holiday pay**

The employer can decide when we are to take holiday, but the implementation of holidays is to be discussed with the workplace representative and the employee well beforehand. Employees are entitled to know the holiday schedule as early as possible and no later than two months before holidays start. Everyone is entitled to holiday pay no matter how long or short they have been in their position. Holiday pay is to be calculated as a percentage of all earned wages (salary, bonuses, overtime pay and the like are to be included) in the previous year. Holiday pay is to be usually paid on the last payday before the holiday. One may request that holiday pay be received one week before the holiday starts, but no later. Further provisions on holidays can be found in the Act relating to holidays.

As part of LO, we have negotiated the wage rate for the fifth week of holiday. This comes in addition to the legally-established holiday, but applies only to union workforces with collective wage agreements. Get to know the

provisions on holidays and holiday pay in your collective agreement. It is also possible to negotiate your own agreement regarding holidays with your company.

## Confidentiality and document storage

As a workplace rep, you are allowed access to the personal lives of many people as well as their fates. You have a duty of confidentiality in matters relating to individual members.

However, according to the Personal Data Act, the individual must consent to you storing their personal information, and you must take care that no unauthorized person gains access to it. Documents containing personal information are always to be kept locked. If the information is stored electronically, it must also be secure, not in least through passwords, but preferably by keeping such data on an external hard drive (remember to keep a backup!). As well, remember that sensitive data such as medical information, particularly diagnoses, should not be sent by e-mail. You can read about this in the Personal Data Act.

## The Health and Safety Representative and HSE

Our working environment involves our working conditions. Typical working environment issues are reducing the danger of accidents, dust, chemicals and noise in the workplace, but can also include what's involved in work tasks, a manager's leadership style and bullying. All of which are covered by provisions in the Working Environment Act.

Workplace representatives use many of the provisions in basic agreements and collective agreements to clarify members' rights and duties. However, in terms of the working environment and HSE, the Working Environment Act

contains the provisions we need to be familiar with. Whereas the system of agreements has been negotiated between employers' and workers' organizations, this legislation has been made into law by the Norwegian parliament. At [Lovdata.no](http://Lovdata.no) and [Arbeidstilsynet.no](http://Arbeidstilsynet.no), you will find all the relevant provisions on the working environment and HSE.

There must be a health and safety representative in all workplaces. Health and safety reps are representatives for the employees in terms of the working environment and HSE. In companies with fewer than ten employees, an agreement can be reached for another scheme, for example, that the workplace rep also functions as the health and safety representative. It is common that there are several health and safety representatives in companies.

Health and safety representatives are elected by all employees or appointed by the club (when more than 50 percent of the employees are organized by the club). As the workplace representative, you must establish a close working relationship with the health and safety representative. You should go through what issues both of you want to deal with and how to complement each other in your day-to-day duties and in meetings. By all means, avoid the perception that you are trespassing on his or her territory.

Working hours is a topic that comes up for discussion between the workplace and health and safety reps. According to the Working Environment Act, workplace representatives may enter into agreements, for example, regarding the calculation of average working hours. Clearly, working hours also have a health and safety aspect, meaning that such agreements are also something the health and safety representative must be involved in. As the workplace representative, you must seek out and work with the health and safety representative and come to a mutual clarification.

The workplace rep is to participate in the development of HSE systems in the company. It is also common for the workplace representative to become one

of the employees' representatives in the health and safety committee.

Here are some important HSE points that you, as the workplace representative, should check in your company:

- Is your company divided into appropriate protected areas and does it have elected health and safety representatives in each of those areas?
- Does your company have an approved company health service that works with preventive HSE tasks? Most companies in the industries we have collective wage agreements with must have such a scheme. Check [Arbeidstilsynet.no](http://Arbeidstilsynet.no) for safety's sake.
- Does your company have an ongoing HSE strategy, including among other things, risk assessments of injury to employee health - and do the employees participate in the reviewing the assessments?
- Have you entered into an IWC agreement (it must be signed by the workplace representative) and does the company follow up on preventive measures to avoid work-loss days due to illness?

... as organization leader



# The workplace rep as organization leader

People want good representation in their workplace, and good workplace representatives bring in new members. With many members and good organization, a trade union community blooms with solidarity in the club at the workplace. You need such a community, because no one can manage to do everything on their own. In addition, it is important to ensure sustained growth: motivate your members to lend a hand and cultivate new workplace representatives.

## **ADJUST YOUR WORK AS LEADER TO THE ORGANIZATION!**

The most common perception is that a workplace representative represents and assists union members. That's right, but it is also important that workplace representatives look at themselves as organizational leaders.

How much emphasis is placed on this role depends on how the workplace representative apparatus is set up. If you are elected as the workplace representative in a relatively small and easy-to-manage company, it may not be necessary to place much emphasis on this role.

If, on the other hand, you are the workplace representative in a larger company with many employee representatives, it is more important to emphasize the role as the organization's leader. The higher you are in the hierarchy, the more important it is to focus on this role and take responsibility for the further development of the organization.

The workplace representative is also the leader of the organization, the leader of this community. It may be well-managed today, but it's also the union's workplace representative who, as the organization's leader, is to bring its structure and development into the future, most preferably in a better condition than when you accepted the duties as workplace rep!

Small steps each day add up to big results. What steps should the workplace representative take? Here are some points:

- *Make sure you have a good collaboration agreement.* The Basic Agreement has provisions for the number of employee representatives based on the number of members and size of the company. In the next section, we will go deeper into this
- *Recruit new members.* One way to raise interest is to make your colleagues aware of the need to stand together as workers. Alone we are weak; it's only as a community that we can safeguard our future, both in the workplace and in society as a whole. For 120 years, NAF has shown that we look after the interests of working people.
- *Promote club activity.* Member meetings must be organized, including general meetings, with an agenda and review of current issues. All activities must be properly prepared for and carried out, all the while maintaining our inclusive and informal style. Songs, playing or performing music, coffee and something to eat should be a natural part of this. Your branch can help you get started.
- *Seek out and acquire knowledge.* Workplace representatives, as well as members, need to learn the system of agreements, what work the union performs, etc. As many as possible must be familiar with the system agreements, the Working Environment Act and the importance of the trade union movement and its tasks. Holding the union's introduction course in the company is usually an advantage, and you can get help from the branch office with this. The workplace rep should participate in the representatives' forum, which is a local network for union representatives.
- *Plan and delegate.* The club should set goals. What goals do we have in

the coming year for membership and meetings, and what do we want to achieve in terms of working conditions? It is important to delegate, that members receive tasks that implement the plan, for example, tasks related to the recruitment of new members.

- *Talk to the members.* When the members are in one physical location, connections can be maintained by walking around and talking with the members. Where the distance is greater, make use of text messaging, Facebook Messenger, Skype or maybe have regular meetings in the club office.

## Collaboration agreement

A collaboration agreement provides orderly and stable working conditions for employee representatives. The collaboration agreement must be based on the Basic Agreement. The agreement includes provisions on the number of employee representatives, working committees, meetings, etc., that is, the organization the club has in the company. Note that the Basic Agreement has provisions for ordinary companies, but also for groups of companies and special provisions for construction companies. Check these provisions before entering into an agreement. For groups of companies, it may be appropriate to have both a group agreement and collaboration agreements in the individual companies.

The collaboration agreement must be adapted to the company. It can be complicated in cases where the group has companies with different business models. You may have to weigh the advantages between following geographical boundaries or building within a company in a group. Nevertheless, we should strive for simple, clear agreements. The agreements can, for example, contain:

- An overall formulation that recognizes the importance of employee representatives and good collaboration with the company.
- A goal for the agreement: a sentence or two that describes what the purpose of the collaboration agreement is, for example, something in the



direction of "With this agreement, we wish to lay the foundation for collaboration between the company and the workplace representative as the employees' representative, as described in the Basic Agreement LO/NHO".

- A reference to the provisions of the Basic Agreement in Chap. V (and possibly Chap. XVI for groups) so that the collaboration agreement does not need to go into detail about tasks and obligations.
- Provisions on the number of employee representatives in the company, how these are distributed in the company and what groups of employees they represent.
- Provisions for the election of employee representatives and working committees, the types of representatives to be elected and when the elections are to take place.
- Provisions on employee representatives' meetings during working hours and club member meetings.
- Provisions on time allocated for workplace representative duties, equipment and access to departments in the company.
- Provisions on who is to represent the employer at the relevant levels in the company and what powers these representatives have in meetings with the workplace representative.
- Provisions for regular contact meetings in departments and at company level (collaboration committee), e.g. every month or every 14 days. It is important that these are regular meetings, i.e. that they are also convened when there is no trouble..

Management and the employee representatives prepare the collaboration agreement in partnership.

Once the collaboration agreement has been entered into, we should start with the concrete structure of the employee representatives organization. It is necessary to have a concrete overview of what is to be put into place. Among the attachments, we have included an example form that can be used to keep an overview

## Continued development of the club

A good club is a strong tool for its members. However, we must admit that many workplace representatives operate independently and lack a unified member base. We must do something about that. Workplace representatives' and members should sit down together, review the situation thoroughly and initiate the necessary measures for improvement.

### *Where do we stand today?*

We can start by thinking about some basic prerequisites for our own organization and make notes of the keywords along the way. Here are some questions that can help get you started:

- Do we have a collaboration agreement with the company? If yes, is it sufficient?
- Do we and management agree on the employee representatives' organization and do the members know about it? Are the employee representatives visible on the company's organization chart?
- Is there a description of how collaboration is to take place at different levels of the company?
- Have employee representatives been elected as stipulated in the Basic Agreement?
- How do we ensure that we always have a list of members and possible new members?
- Do we have an established practice for being introduced to new employees, and that they meet with employee representatives during their introduction?
- Do we have a regular meeting structure? That is: regular meetings between employee representatives, club member meetings and meetings with the company.
- Are our channels of communication with members open and functioning?
- Have we made plans for the development of the employee representatives organization?
- Do we have plans for developing the organization for the future, by

recruiting younger members and employee representatives?

- Do we have plans for developing the knowledge and abilities of members and employee representatives?

If NO was the answer to many of these, you have a lot to do. If there were many YES answers, then the result gives us a good foundation for further development. Whatever the result was, if we want to get down to business, we need a plan of action.

### **The action plan**

In its simplest form, an action plan is a to-do list, a list of things to get done. However, we must be a bit more thoughtful here than just doing whatever occurs to us first. Here are some tips on which issues to single out:

- Select the most important issues, that is, those that are fundamental to the establishment of a good club apparatus. Then take the simplest of these issues and put it at the top of the list.
- Even though there's a lot to get done - don't bite off more than you can chew. It's better to give priority to two or three actions and accomplish them, then having ten actions that are half done.
- It can be a good idea to get your own house in order first. Make sure you have elected employee representatives in place, give the formal notification to the employer, make a list of the elected employee representatives, etc. before you, for example, request a comprehensive collaboration agreement.
- It's easy to become eager and get ahead of yourself when planning. Things often take longer than we think they will when sitting around the meeting table. Do not take on too many actions to work with and make sure you have a realistic schedule. It is better to have gotten some very important actions done than to sit with a great, but unrealistic plan.
- All actions should have a specific goal, a deadline, a responsible party (remember: only one), who is to be involved, and what the action will cost, if applicable. Remember, goals are something we establish so that

Action no.	Name of action	Goal
1	Hold a members' meeting	Discuss and get full support for the action plan
2	To hold an introductory course on unions	All members are to know what a trade union is and know about their rights
3	Basic agreement course	To be confident in what we can demand
4	Orientation meeting with management	Management is to be aware of our plans, that we are working with our organization
5	Collaboration agreement	Enter into an agreement that defines our organization and how we collaborate
6	Recruitment of new members	All new employees in our group are to be members Half of those not in the union are to be recruited

everyone knows where we're going, but also so we can make sure later that we've achieved what we wanted to do. It may be a good idea to propose to management that, at some point, you will conduct a collaborative conference together where the Basic Agreement's Corporate Development Action (HF-B) is a contributor. Contact the project manager in NAF for further advice on this.

Above, there is an example of a development plan from a club in a medium-sized company, which by no means has the perfect organization. Please discuss the way the goals, etc. are written and see if you can formulate

	<b>Deadline</b>	<b>Responsible</b>	<b>Participants</b>	<b>Cost</b>
	1 <sup>st</sup> Nov.	Workplace Representative	Secretary	None
	1 <sup>st</sup> Dec.	Member	NN will speak to NAF's branch office	Pizza and soft drinks, approx. NOK 2000
	15 <sup>th</sup> Nov.	Secretary	Workplace Representative Deputy	Apply to the union
	1 <sup>st</sup> Dec.	Workplace Representative	Deputy	None
	1 <sup>st</sup> Feb.	Workplace Representative	Deputy	None
	1 <sup>st</sup> Dec.	Secretary	All members are to know what a trade union is and know about their rights	

something of a similar nature. Each of the actions in the plan needs to be made more concrete.

However, such details don't appear in the plan itself; each of the responsible parties in cooperation with the other participants is to come up with the concrete details for the action. For example, if members are to be called into a members' meeting, a meeting location must be reserved, an agenda must be set up and a protocol must be written - just to name a few. These important, but relatively small steps, are not to be specified in the plan itself.



... as trade union politician



# The workplace rep as trade union politician

Why do shift workers have shorter working hours than people who work during the day? Why do we have five weeks of holiday, while people in other countries have only four or three – maybe even less? Why can't an employer fire you if he or she does not like you? Why do we have full pay during illness and state pensions for everyone?

A significant portion of the answers to these questions is related to the word "politics". Even if you shake your head over the intrigues and power plays from time to time, politics is ultimately about hard realities. Norwegian workers have a lot to thank union politicians for. Without their efforts on behalf of all of us, things would have been dismal.

As a workplace representative, you are part of a larger organization. NAF is a member organization that is run and led by members of various occupational groups. Mostly, they are workplace representatives sitting in these positions. It is therefore important that you, as workplace representatives, get involved in the union's various committees so that you can contribute to the development of the union for the benefit of its members.

As a workplace representative, it's very useful and important to be politically active. Politics is often the forum where the general terms for our members' working conditions and workplaces are established. It is our duty to help guide that development in the right direction for our members.



The trade union movement has thousands of union representatives. The strength of the trade union movement and the safety of its members throughout their working day rests on the efforts of each and every employee representative in the company. You have probably heard this many times, but it is just as true today as it ever was. Our common political strength is the sum of all the efforts of our workplace representatives on a daily basis. By helping members, you also help build a future for everyone.

As a NAF workplace representative, you are also a union leader. You take command for the members in your workplace. In meetings, you discuss issues and plans that concern your workplace and gain experience with what works and what doesn't.

Get involved in the work of the union. We can use your experience! You meet other union representatives at courses, at the representatives' forum, in the general meetings for branches and in committee work. This is where you can learn more and influence the political direction of the issues that matter most to you. It is through proposals and demands brought forward by union representatives that state policy is developed.

Politics of the union is found in its action programme. It is adopted based on propositions from union representatives and members at the national meeting every four years. The action programme governs the union's efforts towards enacting legislation in the Norwegian parliament and collaboration with the employers' organizations and individual companies. The action programme is found on NAF's website: [arbeidsmandsforbundet.no](http://arbeidsmandsforbundet.no).

As a workplace representative, you can be a candidate for or be appointed as a representative in one of the union's committees. Union representatives who want to get involved and spearhead development for our members are needed in branch committees, trade boards, as union officers and at national meetings - to name a few. This challenge is hereby given you: Seek out and acquire knowledge, get to know the issues and act on them in the best interest of the union and its members.

## A GOOD START FOR NEW WORKPLACE REPS

Here's how to get a good start:

- Make sure that a protocol was written for the meeting when you were elected. The protocol must contain at least two points: The names of the NAF members that participated in the meeting and that elected you. The protocol is proof that you can enter into agreements on behalf of the members.
- Notify the employer within 8 days that you have been elected. Notify as well, who else was elected.
- Notify the NAF branch office that you have been elected. Go to [arbeidsmandsforbundet.no](https://arbeidsmandsforbundet.no) to find the address.
- Talk with the branch office about how to get properly trained.
- Get an overview of the members in the company. Once you have been registered as a workplace representative, you can see a list of members on "My page" ("Min side="My page") at [arbeidsmandsforbundet.no](https://arbeidsmandsforbundet.no). You can also request a list from the branch office.
- If there are several employee representatives, arrange a meeting to discuss the distribution of tasks and cooperation between you.
- Read through this book and make a list of priorities for the issues you want to take up with the company, among other things, that you want a collaboration agreement that shows the number of employee representatives, regular meetings, information flow, etc.
- Ask for a meeting with the company, agree on the form for collaboration and set dates for meetings in the future.

- Get to know the managers. Ask them about their jobs and discuss how you can collaborate.
- Set up dates for members' meetings up to the next annual general meeting.
- Keep members informed about what you are working with. Explain to members that you, as a representative, are not an errand boy, but rather a spokesperson. Members must also take responsibility in a community.
- Set up a plan that shows meetings, courses, appointments, etc. that you will be attending in the coming months. Make sure you always have such a plan.

## MORE THAN 120 YEARS FIGHTING FOR WORKERS

The Norwegian Union of General Workers was one of Norway's first trade unions. It started in 1895, with two hundred road and railway workers as members. Now we are more than 33,000 members in a dozen different industries. We are part of LO, Norway's largest employee organization.

Our members are organized in nine regional branches and two industrial branches. The branches elect their key officers at their annual general meetings. Annual general meetings are put together by representatives picked from clubs in companies.

The union, as a whole, is headed by the Executive Council, the National Committee and the key officers. They are elected at the national meeting held every 4 years. Branches and the national committee select representatives for the national meeting.

## Information on the internet

As pointed out earlier, there is a great amount of information on the internet. With just a quick search, we can find a lot of good material, not in the least about labour law. However, the sheer amount can be confusing, and we can also find material written by attention-seeking amateurs or badly-argued, one-sided presentations. Nonetheless, don't let these side roads stop you from looking. Rather, be critical and talk to experienced workplace representatives before building arguments on random information. We have listed some good online sources for you below.

The legal system and guidance:

- *Arbeidsmandsforbundet* (Under the «Medlemmer/For tillitsvalgte» tab, there are guidelines for employee representatives): <http://arbeidsmandsforbundet.no/>
- *Lovdata* (Collection of Norwegian laws, regulations, court decisions, etc. Lovdata is a foundation, but functions as a collection of Norway's laws): <https://lovdata.no/>
- *Arbeidstilsynet* (Administers the Working Environment Act and the regulations in the Act. There's a lot of stuff here, especially about the working environment): <http://www.arbeidstilsynet.no/>

Basic and collective wage agreements:

- *A collection of the basic agreements and collective wage agreements* are found on the union's website. Follow this link: <http://arbeidsmandsforbundet.no/tariff-og-politikk/tariff/tariffavtaler-og-lover/>

Courses and training:

- NAF's courses for members and employee representatives can be found here: <http://arbeidsmandsforbundet.no/medlemmer/kurs/>

My page ("Min side")

- My Page provides workplace representatives with access to lists of members as a means for working better in the company. Here, workplace representatives can see payment status, those newly enrolled and find out where follow-up is required. To enter, you must have a member number, and to gain access to the workplace rep's page, you must be registered as a workplace representative with the branch office. My Page can be found here: <https://compendiamedlem.no/MEDLEM/NAF/endingweb.nsf/Logginn.xsp>

Frequently Asked Questions (FAQ)

- On the union's website, we have collected answers to several frequently asked questions. You can find FAQ here: <http://arbeidsmandsforbundet.no/faq>

### **Prints - WEB2PRINT**

Through LO Media the union has a web based printing service. It's named "WB2PRINT" and allows registered workplace reps to order e.g. materials in several languages for recruiting members. You can also order business cards, envelopes and rollups. You find the page by choosing "WEB2PRINT" at the bottom of our homepage..

### **Attachments**

On the following pages, you will find examples that can be used as templates by filling in information. Digital copies of all templates can also be found on "My page" on the union's website.

## Attachment 1. Notice of election of employee representatives

(Always use Norwegian in written communication – see our website for forms in Norwegian)



To

General Manager  
Company name

### NOTICE OF ELECTION

In accordance with Section 5-3 (5) of the Basic Agreement, we hereby notify that there has been an election of employee representatives.

The election was held at a meeting on .....

The following people were elected:

Workplace representative/club steward: ..... for two years

Deputy .....

Secretary .....

We are looking forward to our part in a successful and beneficial collaboration.

On behalf of those organized with the Norwegian Union of General Workers

.....  
Workplace Representative

## Information to the employer

As you know, the collaboration between the workplace representative and the employer is largely governed by the provisions of the Basic Agreement to which the parties in all tariff companies are bound. It is also common to enter into collaborative agreements with individual companies that regulate collaboration in more detail.

In § 5-1 of the Basic Agreement, Objectives and conduct, it is stated among other things:

*The employer and elected employee representatives are obliged to do everything possible to maintain a steady and satisfactory level of cooperation at the workplace. They shall ensure that their duties are carried out in accordance with company rules, the collective agreement and Working Environment Act, unless these tasks are specifically assigned to other bodies.*

*The mandate for employee representatives appears in § 5-2 (2) of the Basic Agreement, which includes:*

*Employee representatives are approved as representatives and spokespersons for the organized workers.*

*Employee representatives have the right to attend to and attempt to settle amicably any grievances that an individual employee has in relation to the company, or that the company has in relation to the individual employees.*

*Having a good dialogue is necessary to achieve a beneficial and constructive relationship between employee representatives and management. This is mainly governed by chapter 9 of the Basic Agreement. The heading here is Information, collaboration and co-determination. The following is stated in the introduction:*

*LO and NHO agree on the need for a good and trustworthy relationship between the employees, their representatives and management of the individual company and in the group.*

*The employees and their representatives shall have real influence and through collaboration, information and discussion contribute to increased value creation and productivity and thereby to the economic conditions for the company's continued development and safe and good jobs.*

*Management, employees and their representatives are required to take the initiative and actively contribute to collaboration.*

How this is to be achieved in practice is explained in chapter 9.

We wish you success with beneficial and constructive collaboration for the benefit of the company and its employees.

Norwegian Union of General Workers

## Attachment 2. Example of a request for negotiations according to the basic agreement

(Always use Norwegian in written communication – see our website for forms in Norwegian)

.... (trade union name) .....

.... (address, email, etc.) .....

.... (company's name).....

.... c/o (name of the relevant manager in the matter) .....

.... (place)....., ....(date).....

### REQUEST FOR NEGOTIATIONS

We hereby request to enter into negotiations in accordance with § 2. 3. of the Basic Agreement.

Matter:

.... (A very brief description of the issue is written here) .....

.....

The undersigned proposes that the meeting be held either .... (date)..... or .... (date)....

in/at .... (location) .....

For the employees, the undersigned and the deputy .... (name) ..... will be attending.

A written response would be appreciated.

With best regards,

.....(name).....

Workplace Representative



### Attachment 3. Example of a protocol for negotiations

(Always use Norwegian in written communication – see our website for forms in Norwegian)

## PROTOCOL

On .....(date)....., a negotiation meeting was held at  
.....(company's name).... , ..... (department) .....

Attending from the company:

.....(title and name).....

.....(title and name).....

Attending from the NAF club:

.....(duty title and name).....

.....(duty title and name).....

**SUBJECT MATTER:** .....(heading describing the issue)

.... (More supplementary text on the issue. What/who the issue is about, what has happened, etc. Everything of which both parties can agree on. If there is no consensus, do not write anything.).....

Employee's view:

.... (Here the views of the employee representative on the matter are written and which demands were issued. Only the employee representative can decide what to write here. This is the employee rep's reference document and the employer cannot influence the content here. Remember references to the law and/or the basic agreement/collective agreement or other sources. NB! It is important to have concrete demands such as back pay of salary, change of rotation.....

The company's view:

..... (Here the company's representatives write their views on the matter.) .....

Conclusion:

..... (Either: once agreement has been reached, the common conclusion is written here.) .....

..... (or if no agreement has been reached, you write the following: "The parties did not reach agreement and reserve the right to take the matter forward") .....

For the company

For the employees

.....

.....

(Both parties are obliged to sign, but the parties are only answerable  
for their views in the protocol)

## Attachment 4. Example of a negotiations request according to § 17.3 of the Working Environment Act

(Always use Norwegian in written communication – see our website for forms in Norwegian)

.... (company's name).....  
.... (c/o chairman or owner) .....  
.... (address).....  
.... (postal no) .... (place) .....

.... (place)....., .... (date).....

### REQUEST FOR A NEGOTIATION MEETING / WARNING OF LEGAL ACTION

Reference is made to the termination .... (name) ..... date d..... (date).....

Negotiations regarding this termination are requested within 14 days cf. the Working Environment Act § 17-3.

According to the Working Environment Act § 15-4, the reasoning behind the termination is to be given in writing and we request that this reasoning be forwarded as soon as possible.

We request that the contract, work instructions and other relevant documents (for example: the termination of the contract, protocols, warnings and the like) related to the employee's employment situation be forwarded well before the meeting is held.

A meeting time can be arranged with the workplace representative/advisor by telephone ....., or by e-mail: ..... In the negotiation meeting, employee representatives/ advisors will be attending with the person terminated.

Furthermore, you are hereby notified that legal action may be brought within the 8-week deadline to petition this termination invalid if negotiations do not occur.

The person terminated will make use of their right to continue in the position during the negotiations, and until a final court decision is reached.

With regards,

---

Signature of the person terminated

## Attachment 5. Example of an authorization form to act on behalf of a member

(Always use Norwegian in written communication – see our website for forms in Norwegian)



Forbundet for  
**arbeidsfolk**  
NORSK ARBEIDSMANDSFORBUND

### Authorization form from a member

(Statement of exemption from duty of confidentiality)

Name: \_\_\_\_\_

Employee no: \_\_\_\_\_ Date of birth \_\_\_\_\_

I, the undersigned, have requested assistance from the workplace representative in connection with the processing of my cases.

I hereby give the workplace representative for the Norwegian Union of General Workers authority to obtain any information of both an economic and medical nature.

Any relevant information may be used as part of the processing of my case. Incidentally, as a basic precondition, the information is to be stored securely and treated confidentially.

\_\_\_\_\_  
Place and date

\_\_\_\_\_  
Signature member

## Attachment 6. Example of a request for an expanded position with warning of legal action

(Always use Norwegian in written communication – see our website for forms in Norwegian)

Company ...  
c/o manager

Address

Place and date

### **REQUEST FOR AN EXPANDED POSITION / WARNING OF LEGAL ACTION**

Reference is made to the Working Environment Act §14-4a), I hereby request a permanent position corresponding to my actual working hours.

After reviewing payroll and documentation, it turns out that I have worked a ... (xx) .. % position during the last 12 months.

You are hereby notified that legal action will be brought in accordance with the Working Environment Act § 17-2 unless this request is complied with.

I request written feedback on this within 14 days. If no response is received within the deadline, I consider it a rejection of the request and the case will be brought forward.

With regards,

..... (name) .....

## Attachment 7. Example of meeting notice for an annual general meeting

(Always use Norwegian in written communication – see our website for forms in Norwegian)



### **Annual General Meeting Notice ..... (year) ..... for members of the Norwegian Union of General Workers ..... (company's name )....**

In accordance with the articles of association, Part III, § 3, all members are invited to the Annual General Meeting 2010.

Location: .....(write in the meeting location).....

Time: .....(date and time).....

#### AGENDA

1. Opening
2. Approval of the notice and the agenda of the annual general meeting
3. Election of chairman and secretary
4. Report/annual report
5. The club's progress/action plan (if you have one)
6. Financial statement with the auditor's statement (if you have one)
7. Submitted propositions
8. Election of club management and representative to the branch's annual general meeting

..... (date ).....

Matters that are to be dealt with at the annual general meeting must be submitted within 14 days before the date of the annual general meeting.

Best regards,

..... (name club steward/workplace representative).....

Steward

Attachment 8. Example of an overview of employee representatives

EMPLOYEE REPRESENTATIVES ORGANIZATION										
Department	Employee representatives	Contact information			Election period		Representation			
		Name	E-mail	Mobile	From	To	BU	AMU	Board	Other
Company	Steward / Senior Workplace Representative									
	Deputy									
	Secretary									
North	Workplace Representative									
East	Workplace Representative									
Maintenance	Workplace Representative									
	Health and Safety Representative/ Main Safety Delegate	See the HSE system								

Attachment 9. Example of an areas overview

AREAS FOR WORKPLACE REPRESENTATIVES						
Department	Employee representatives	Name	Number of members and employees (for which the employee representatives are elected)			
			Total employees	Total employees in our groups	Members	Percent of organization <sup>1</sup>
Company	Steward/ Senior Workplace Representative					
	Deputy					
	Secretary					
North	Workplace Representative					
East	Workplace Representative					
Maintenance	Workplace Representative					
TOTAL						

<sup>1</sup> (Members x 100) / Total employees in our groups

## Glossary

Here's how to understand the key concepts and words in this booklet:

### **Trade union**

An association of employees or local organizations that safeguard the members' interests regarding employers and employers' organizations. "Trade union" is a common name, both NAF, LO and clubs in companies can be called trade unions.

### **Basic Agreement**

An agreement between main organizations in the workplace. The agreement binds unions and national associations that are members in the main organizations and their members. The most well-known basic agreement is between LO and NHO, but there are several others. The basic agreements in the private sector have major common features. At the state and municipality level, there are specific basic agreements that differ somewhat in design from the basic agreements in the private sector. The basic agreements draw up the framework for collaboration between the parties at different levels, but do not contain wage rates or benefits. Wages are taken up in the collective agreement

### **Club**

All members of a company that follow the same collective agreement constitute a club, for example, a club for cleaning services employees, a club for security guards or a club for construction workers. In some places, such clubs work together as one joint club. NAF has its own articles of association for clubs. Here you will find that clubs are the lowest level in the union's structure. Clubs have one or more workplace representatives and one of these also acts as club steward. The club's highest authority is the annual general meeting where all members have the right to attend, make propositions and vote. The annual general meeting elects the employee representatives.



**Collective agreement**

A collective agreement is a collective wage agreement between a national association and a union. Collective agreements determine wage rates and other terms of employment.

**Protocol**

One or more sheets of paper where the main content of a meeting or discussion that has been held is written down. The protocol usually contains the date of the meeting/discussion, the names of the participants, the main points or at least what was agreed upon (the conclusion) and signatures that certify the content of the meeting or the consensus.

**Collective wage agreements**

Collective wage agreement is a term used for all agreements on wages and working conditions entered into between a club and the company (commonly referred to as a special agreement or local agreement), between the union and a national association (called a collective agreement), or between main organizations (called a basic agreement).

**Tariff-linked company**

A company that has entered into a collective wage agreement with a trade union, or a company that is a member of an employers' association that has a collective wage agreement with a union that has members in the company.

**Workplace representative**

A NAF member who is elected to represent the other members in a workplace. The election is written in a protocol and the employer is notified.

In Norway there are many thousands of workers  
who keep the country going with their physical labour.  
People who do the heavy lifting, that carry us on their shoulders.  
People who are out in the storm because someone must,  
who stay awake when you're asleep.  
That break their backs when nobody else wants to.  
Maybe you don't notice them.  
Because they don't shout out.  
However, they are proud of their craftsmanship.  
Also, they are not afraid to get their hands dirty.  
They are the muscles of the machinery.  
Without them, Norway comes to a stop.  
They stand together in one of Norway's oldest trade unions.  
The Norwegian Union of General Workers.

If you are one of us, take your place among us. Together we move mountains.



Forbundet for  
**arbeidsfolk**

**NORSK ARBEIDSMANDSFORBUND**

**THE NORWEGIAN UNION OF GENERAL WORKERS  
- THE UNION FOR WORKING PEOPLE**





Forbundet for  
**arbeidsfolk**

**NORSK ARBEIDSMANDSFORBUND**