

Agreement in principle for job-recruitment agencies

The parties intend to prepare a complete agreement for job-recruitment agencies. This is a provisional agreement in principle (hereinafter referred to as the Agreement) between the Norwegian Confederation of Trade Unions (LO) and the Confederation of Norwegian Enterprises (NHO) in respect of these agencies. The Agreement is to enter into force on 1 April 2010 and is intended to apply until such time as Council Directive 2008/104/EF – the Temporary Job Recruitment Agency Directive – is embodied in Norwegian Law.

Following implementation of the Directive or alternatively after 1 January 2012, the Agreement shall remain in force until it is terminated by one of the parties. The period of notice for termination is 2 months.

Part I

The basic agreement between LO and NHO

Part II

1 Area

This Agreement applies to employees in job recruitment agencies following agreement between LO and NHO. Other agreements between LO and NHO concerning recruitment agencies may continue to apply.

2 The scope of the agreement

The agreement applies to those who are employed by a company specialising in the outplacing of personnel (job-recruitment agency).

The Agreement does not apply to employees working internally in the recruitment agency.

3 Employment

Employees shall be employed in accordance with the provisions of the Norwegian Working Environment Act.

3.1 Employment agreement

An employment agreement in writing shall be issued in respect of all employees in accordance with the provisions of the Working Environment Act.

3.2 Assignment agreement

A written job assignment agreement containing all relevant information on the nature and the content of the assignment shall be issued in respect of all job assignments.

For job assignments involving overnight stays away from home, there shall be a written agreement between the employee and the recruitment agency for each individual assignment.

4 Termination and dismissal

Termination and dismissal shall take place in accordance with the provisions of the Working Environment Act. The company and the employee may agree on a longer mutual period of notice.

If an employee is offered employment in the hiring company, he/she may leave his/her position in the recruitment agency after giving notice of termination and after the period of notice, unless otherwise agreed between the parties.

5 Principle for fixing of wages

When hired out to an enterprise, the fixing of wages/wage conditions shall be based on the National Collective Agreement that applies to the industry concerned, in addition to due regard to the individual employee's competence and the wage level for equivalent work in the company hiring the employee.

5.1 Local negotiations

Bonafide negotiations on wages and working conditions shall be held once a year.

6 Working hours

Normal working hours shall not, on average exceed 37.5 hours per week. The employee shall otherwise comply with the hiring company's regulations with regard to working hours.

7 Holidays

Holiday shall be taken pursuant to the Act relating to holidays and the attachment concerning contractual holidays.

Employers are under obligation to ensure that the provisions of the Act are fulfilled and that employees are not given assignments which prevent the individual employee from taking holidays in accordance with the provisions of the Act.

8. Adjustment regulations for the second year of the Agreement

Prior to expiry of the first year of the Agreement, negotiations shall be held between NHO and LO or a body authorized by LO, concerning possible wage adjustments for the second year. The parties agree that negotiations shall be held on the basis of the economic situation at the time of negotiation and the prospects for the second year in addition to development of prices and wages during the first year of the Agreement. Any changes in the Collective Agreement for the second year shall be discussed and decided by the General Council of LO or other body authorized by LO and the General Council of NHO. Should the parties fail to agree, the organization that has submitted the request for change may, within 14 – fourteen days after negotiations, terminate the individual Collective Agreements at 14 – fourteen days notice (earliest expiry 1 April 2011).