

Social dialogue in times of crisis

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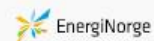
Introduction, background

- Brief presentation of NHO
- Bipartite social dialogue in general, the Norwegian experience
- What happened during covid?
- Remote work, how to handle and regulate it

NHO

- 33 000 member companies, 690 000 employees (FTEs)
- 10 regional offices
- 18 sectoral federations

Sectoral federations



Collective Agreements in a brief historical view – the starting point

- Confederation of Norwegians Enterprise (NHO) was established in 1900 (merger in 1989)
 - An answer to the creation of LO (1899)
 - Same organizational structure as LO
- The first national Collective Agreement (CA) at branch level concluded in 1907
 - Mainly about terms and conditions
 - But also the starting point for social dialogue
 - This CA is still the "mother" of all our CAs for blue collar workers

The next step – development of social dialogue

- In 1935 LO and NHO concluded a separate CA for Social Dialogue
- Purpose: creating a common understanding for the need of improving work conditions for the employees and economical performance for the companies
- This Basic Agreement is still recognized as the "the constitution of work life" in Norway
- First part of all CAs

What's the Value Added for the Employers ?



- CA is an efficient way of managing the work force
 - According to law a CBA constitutes regulation of work conditions also for non-unionized employees
- Industrial Action (eg strike) prohibited as long as the CA is in force
- Right to Industrial Action on CA Branch level (national) only
 - Sharing risks for strike – gives power in the negotiations
- Common framework/cost base
 - Work hours, shift payment, holiday entitlements etc

The role of the social partners during covid

- LO and NHO had a very strong position in designing the supporting measures from the government
- Short time work schemes were improved
- Support to companies that lost turnover
- Increased digitalisation
- Transparency re. companies' economical status for the workers representatives

Trust

- Companies received public support without a strict control – first cash out, then checking
- Frequent and close contact with the trade unions to discuss the situation prior to the negotiations. The same went for the contact between all the Employers' organisations.
- The collective bargaining round was postponed – still the pacesetting model is to be followed

Private vs public sector

- Dilemmas:
- Some companies had good times (food industry), whilst most were negatively affected
- Public sector employees were not affected
- Avoid a situation with secure employment in the public sector, with the private sector taking all the financial risk

Aim and instruments to get there

- Aim: Recovery for all sustainable enterprises
- Strong social partners
 - Partly public funding of salaries in private companies
- Developed tripartite and bipartite social dialogue
- National (sector) collective agreements
- Revision of the bankruptcy legislation

REMOTE WORK

a. Development,

6 % of workers were working from home,
around 8 hours/week (pre covid)

- 54 % of workers had the possibility to remote work
- A new reality during the covid crisis

LEGISLATION

a. Scope

- «Home»
- Takes place regularly, not sporadic (less than 1 day/week)
- Mandatory remote work, is that covered?

b. Written employment contract

- Mandatory
- Working time
- How often?
- Duty to be available
- Duties regarding equipment (ownership, maintenance, service)

c. Occupational Safety and Health (OSH)

- Employers duty to ensure that the working environment is satisfactory, as far as possible ?

d. Working time

- Flexibility on daily working time
- 40 hours/week
- Night work between 23 and 06

e. Labour Inspectorate

- No mandate to monitor and check, right to privacy

REVISED LEGISLATION

- Based on the previous legislation, some minor adjustments
- Scope; «sporadic»
- Possibility to impose remote work; no agreement needed, consult, provide employees with written information
- OSH; include psychosocial circumstances
- Labour inspectorate; mandate to enter private homes (physical?)
- New legislation adopted last year