

The employer party to the agreement is “*the ministry responsible for matters relating to Civil Service pay*”, currently the Ministry of Government Administration and Reform. In the agreement, this ministry is referred to as “*the Ministry*”. Other ministries are referred to as “*the competent ministry*” or “*a ministry*”.

References to legal provisions in the Basic Agreement are made in order to create coherence in the text and to make these provisions more accessible to users. The references are not intended to create rights or obligations for the parties beyond those provided by these Acts.

BASIC AGREEMENT FOR THE CIVIL SERVICE

PURPOSE OF THE AGREEMENT AND INTENTIONS OF THE PARTIES

Section 1 Purpose and intentions

1. Principal purpose:

The government and the confederations of government employees’ unions have entered into this Basic Agreement for the purpose of creating the best possible basis for cooperation between the parties at all levels.

The Basic Agreement for the Civil Service shall in addition serve the following purposes:

- be the basis for the employees’ right of codetermination in addition to the Civil Service Disputes Act, the Civil Service Act and the Working Environment Act among other statutes
- give the employees genuine influence on how their workplace is to be organized and how working methods are to be developed.
- be an instrument for developing management, codetermination and working environment
- provide individual employees with opportunities for professional and personal development. Work must therefore be structured and arranged in such a way as to take advantage of the employees’ knowledge and expertise.
- develop cooperation in such a way that this can contribute to flexible and user-friendly services with a satisfactory working environment, good management, improved performance and good relations with the general public

2. Distinction between political democracy and democracy at the workplace:

The rights pursuant to the Basic Agreement and the agencies’ adjustment agreements must be exercised in such a way that the government services implement the decisions of the political authorities while enabling the employees to enjoy genuine codetermination in relation to their working situation.

3. Inclusive working life:

The parties agree that it is important to make an effort to achieve a more inclusive working life for the benefit of the individual employee, the workplace and society so as to reduce sickness absenteeism and payment of disability benefits. It is also intended that an inclusive working life shall help to ensure that the resources and working capacity of individual employees are developed and applied in active work.

4. Instrument for restructuring:

The Civil Service is currently facing new demands including demands for changes in working methods, roles, organization and rules. The parties therefore view the agreement as an instrument for restructuring, efficiency improvement and renewal of the government sector. The agreement is intended to contribute to ensuring satisfactory services in order to be able to continue maintaining legitimacy and the confidence of the public.

Work on restructuring requires managers and elected union representatives with sound common strategic knowledge who are able to communicate need for changes and methods for bringing them about in such a way that they are understood and accepted by the employees. This is important for creating the necessary security and acceptance of the restructuring so that it is carried out effectively and so that the employees experience the greatest possible predictability in relation to the content of, reasons for and directions of these processes.

5. Equal parties:

The achievement of the aims of the Basic Agreement is dependent on the employees and employers in Civil Service agencies meeting as equal parties. A further requirement is that the parties meet with a will to find solutions to problems, although they have different roles and may therefore have different interests to safeguard, and that their representatives have the necessary credentials, qualifications and attitudes.

6. Exercise of the right of codetermination:

The parties agree that the right of codetermination is best exercised through the elected union representative, and that it shall be exercised in such a way that the employees are involved in the process of planning and decision-making as early as possible. The parties shall further establish conditions for forms of cooperation that allow employees to have direct influence on the organization of work and on the ways in which tasks are solved in their own work areas. In this context, the parties agree that, subject to agreements, experimental activity may be carried out to develop forms of organization and ways of working that put the employees' codetermination into effect, cf. the requirements of the Working Environment Act relating to the organization of work. This implies a common understanding that codetermination shall be exercised at all organizational levels of the agency, so that the employees are given genuine influence over the organization of work and performance of tasks, cf. otherwise the Basic Collective Agreement for the Civil Service, 2.3.1.

7. The duties of the elected union representatives:

The elected union representatives carry out their official duties as a necessary part of the democratization of the working environment within government service. Official duties in connection with the unions shall be given equal status to normal service.

Union duties build competence, and importance shall be attached to them in assessments connected with the further service and careers of the officers concerned.

The employees of an agency are expected to put forward proposals for measures to enable the agency to achieve the best possible results. The unions shall function in a manner that does not interfere with the flow of work or the efficiency of the agency.

8. The management:

Managers at all levels shall exercise a form of management that enables the elected union representatives to be involved in the decision-making process in all matters of relevance to the employees' working situation. The employer shall provide the union representatives with the best possible working conditions for attendance to their official duties.

9. Information and communications technology (ICT):

ICT shall be used to improve service to the general public, to strengthen the quality of services and to function as an important instrument for renewal and efficiency improvement.

10. The basis for personnel policy:

One of the purposes of the Basic Agreement is to create a basis for Civil Service personnel policies in the areas covered by the agreement within the limitations prescribed by statutes, regulations, etc. The parties to the Basic Agreement therefore emphasize the importance of giving priority to personnel work, and in this way contributing to performance of tasks assigned for the benefit of the public.

11. Follow-up and training:

In individual agencies, the parties shall collectively and separately ensure continuous follow-up and training of managers and union representatives, with the aim of achieving a joint understanding of the Basic Agreement's intentions. Annual appraisal meetings shall be held for exchange of experience concerning cooperation between the parties and the application of the Basic Agreement and the adjustment agreement in the individual agency, if necessary, in combination with training. Such meetings shall be held jointly by the parties in the same cooperation arena. The most senior representative for the employer is expected to attend. Minutes shall be kept of the annual meetings.

PART 1

CODETERMINATION

Chapter 1

SCOPE OF APPLICATION

Section 2 Scope of application

1. The Basic Agreement applies to the working situation of employees subject to the Act relating to Civil Service Disputes. The Basic Agreement applies to the exercise of management and cooperation in individual agencies.

2. In matters where the working situation of employees in a number of agencies is significantly affected, the codetermination principles to be followed shall be laid down in a separate agreement. The agreement shall be drawn up between the ministry concerned and the affected Civil Service unions, cf. section 9. If agencies under several separate ministries are affected, the agreement shall be drawn up between the Ministry and the confederations. The agreement shall clarify the question of who shall represent the parties. Beyond this, the designated parties should themselves be free to decide on practical arrangements within the framework laid down in section 2 (3) and section 13 of the Basic Agreement.

The Ministry may, in consultation with the confederations, issue further guidelines for the exercise of codetermination in connection with restructuring of the Civil Service.

3. The union representatives shall not participate in political decisions, decisions associated with political priorities, decisions made on the basis of statutes, regulations, resolutions of the Storting and royal decrees or decisions on issues that mainly apply to the social role of an agency (the relationship with the public). If disagreement arises between the employer and the unions in an individual agency as to whether a decision is subject to this provision, this question shall be decided by the competent ministry concerned.

The question of how a decision shall be implemented shall be made the subject of codetermination in accordance with the adjustment agreement unless the manner of implementation must also be regarded as political or affects or has significance for the political element of the decision.

4. If a political decision would be able to affect the employees' working situation to a significant extent and the agency prepares a statement in relation to the matter, the employer shall ensure that the elected union representatives are given the opportunity to express their views. The elected union representatives may not demand that the statement accompany the matter further than to the competent ministry.

5. Codetermination arrangements shall result in genuine codetermination where projects, steering groups, interim organizations or similar bodies are appointed in matters that may have considerable importance for the employees' working situation. If, in the course of the restructuring process, matters arise that, pursuant to the Basic Agreement, shall be discussed or negotiated, this shall take place continuously between the parties cf. section 9, without delaying the process.

Chapter 2

THE PLANNING OF CODETERMINATION IN INDIVIDUAL AGENCIES (ADJUSTMENT AGREEMENT)

Section 3 Main rule

The parties in individual agencies shall draw up an agreement relating to codetermination adapted to the needs of the agencies and the employees. Emphasis shall be given to arrangements whereby the employees, through their unions, are able to exercise genuine codetermination at the different levels of the agency, and in such a way that they are able to participate in the decision-making process as early as practically possible.

Section 4 Conclusion of the adjustment agreement

1. Within the framework of Part 1 of the agreement, an adjustment agreement (additional local agreement) shall be concluded within the agency concerning codetermination between the parties. If the parties agree, other means of cooperation may be adopted than those described in this agreement. Adjustment agreements must lie within the scope of the Basic Agreement and the framework laid down in section 2 (3) and section 13.

2. The adjustment agreement shall apply to the whole agency and shall contain further rules for adaptation of Part 1 of the Basic Agreement. The agreement shall include a definition of the agency concerned and of its division into separate operational units and work areas in relation to which codetermination shall be exercised, cf. section 40.

When planning the division of an agency into work areas, attention should be given to factors affecting the implementation of codetermination. In this connection, it is important to ascertain that the duties of the employer have been clearly defined in accordance with Part 1.

3. The adjustment agreement shall further clarify the division of labour between the working environment committee, cf. section 7-2 (2) of the Working Environment Act, and the fora for codetermination established in accordance with the adjustment agreement.

Note:

In government agencies where individual institutions are in certain connections regarded as separate agencies but are managed jointly with other institutions, there shall be an understanding between the unions and the ministry concerned as to how the use of the term “agency” in the Basic Agreement shall be adapted to the specific management structure concerned.

Section 5 Disputes in connection with the drawing up of the adjustment agreement (disputes of interest)

1. If the parties are unable to agree on the terms of the adjustment agreement, the disputed issues shall, if agreed by the parties, be decided by a joint committee or by the competent ministry. In such cases, the rules concerning mediation laid down in section 17 shall not apply.