

Regulations on general application of the Collective Agreement for Agriculture and Horticulture

Issued by the Tariff Board on 20 September 2010 pursuant to section 5 of the Act of 4 June 1993 No. 58 relating to general application of collective agreements, etc.

Chapter I. Introductory provisions

Section 1. The basis for general application

The regulations are laid down on the basis of the Collective Agreement for Agriculture and Horticulture 2010–2012 between the Norwegian Agricultural Employers' Association for the one part and the Norwegian Confederation of Trade Unions and the Norwegian United Federation of Trade Unions for the other part.

Section 2. Scope and extent and executive responsibility

These regulations apply to agricultural and horticultural work, work in garden centres, nurseries, warehouse and transport terminal operations, as well as all occupations in agriculture, land use and natural resource management that are naturally carried out within the industry.

The regulations shall not apply to apprentices or to persons taking part in labour market schemes.

The employer and any person managing the undertaking in the employer's stead who performs tasks as referred to in the first paragraph shall ensure that the provisions of these regulations are complied with.

Chapter II. Terms of wages and employment

Section 3. Provisions concerning wages

Workers who perform work as referred to in section 2 shall receive as a minimum the following hourly wage:

a) Vacation and harvest workers

Workers 16–17 years of age NOK 78.50

Workers 17–18 years of age NOK 81.50

Over 18 years of age – beginners up to 12 weeks NOK 100.00

Over 18 years of age – employed 12–24 weeks (3–6 months) NOK 105.50

Vacation and harvest workers shall earn personal pay seniority.

Employment of vacation and harvest workers at beginner rates shall be limited to work of up to 12 weeks' duration during a calendar year.

When pay seniority has been earned in excess of the above-mentioned (6 months), the worker shall receive the beginner rate for permanent employees over 18 years of age.

Workers over 18 years of age who are employed for more than 6 months shall receive the rate for unskilled permanent employees, cf. section 3 (b).

b) Permanently employed workers

Unskilled workers NOK 117.15

Workers 16–17 years of age NOK 86.50

Workers 17–18 years of age NOK 90.50

c) Supplement for skilled workers NOK 8.00

d) Weekend/public holiday supplement

Farm relief workers on permanent rotas

A supplement of 25% is paid per hour worked

1) between 13.00 hours on Saturday and 24.00 hours on Sunday

2) between 13.00 hours and 24.00 hours on Christmas Eve and New Year's Eve

3) between 00.00 hours and 24.00 hours on movable holidays and on 1 and 17 May

Allowances paid as reimbursement of expenditure actually incurred on account of the posting, such as expenditure on travel, board and lodging, shall not be regarded as part of the wage pursuant to the Regulations.

e) Trainees

Trainees shall receive a minimum of 60% of the rate for permanently employed unskilled workers, cf. (b).

Section 4. *Wage adjustments within the duration of these regulations*

The rates laid down in section 3 shall be amended in accordance with new wage rates following from any wage revisions, etc.

Chapter III. Departure from the Act, etc.

Section 5. *Departure from the Act*

These regulations shall not apply if the employee, on the basis of a total assessment, is covered by more favourable terms of wages and employment pursuant to agreement or pursuant to the national law that otherwise applies to the employment relationship.

Section 6. *Terms of wages and employment provided by statute or regulations*

Provisions in statutes such as the following or in other regulations that normally apply to employment relationships shall also apply to employment relationships subject to the present regulations:

- Act of 17 June 2005 No. 62 relating to working environment, working hours and employment protection, etc.
- Act of 29 April 1988 No. 21 relating to holidays and
- Act of 26 April 1947 No. 1 relating to 1 and 17 May as public holidays.

These regulations shall apply within the restrictions laid down in section 1-7 of the Act of 17 June 2005 No. 62 relating to working environment, working hours and employment protection, etc.

Chapter IV. Commencement, etc.

Section 7. Commencement and expiry

These regulations shall enter into force immediately.

These regulations shall cease to apply 1 month after the Collective Agreement for Agriculture and Horticulture 2010–2012 between the Norwegian Agricultural Employers' Association for the one part and the Norwegian Confederation of Trade Unions (LO) and the Norwegian United Federation of Trade Unions (FF) for the other is replaced by a revised collective agreement or if the Tariff Board makes a new decision concerning general application of the collective agreement.

The Regulations of 16 November 2009 No. 1375 concerning general application of the Collective Agreement for Agriculture and Horticulture shall be repealed immediately.