



Arbeids- og sosialdepartementet  
Pb 8019 Dep  
0030 OSLO

Unntatt offentlighet  
§ 15 1. ledd 1.  
punktum

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Vår ref.: 17/1379  
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Oppfølgingskontoret

Vår dato: 05.11.2017

## Vedr ESA-pakke møte

Viser til ESA-pakkemøte avholdt 27. oktober 2017. Vedlagt følger som avtalt ulike eksempler som NAV Oppfølging Utland har beskrevet. Dette er eksempler både på avslag og innvilgelser.

NAV Oppfølging Utland har for enkelthets skyld skrevet de på engelsk.

### DENIALS

1. A woman born in 1990 with Norwegian citizenship moved in august 2017 to Denmark to study at a circus academy. Her activity plan, valid from 22.06.17 to 22.12.17, was gradually to return to work. She had part-time jobs as an instructor at a municipal circus course and as a care worker at an activity center for disadvantaged children. She was under treatment from a psychologist.

NAV stopped the WAA when she moved to Denmark because she interrupted her activities. She could no longer gradually return to her workplaces in Norway and she interrupted her medical treatment. NAV assessed that to study at the circus academy was not a necessary activity in order to return to work.

2. A woman born in 1986 with Swedish citizenship wanted to move to Sweden in May 2017. She had lived in Norway from 2009. Her activity plan, valid from 04.05.17 to 02.04.18, was to complete a supported employment scheme aiming at gaining work as a care worker.

NAV notified her in July 2017 that we would stop the WAA if she moved to Sweden because her supported employment scheme would be interrupted. She remained in Norway and continued her employment scheme.

**NAV // ARBEIDS- OG VELFERSDIREKTORATET // ARBEIDS- OG TJENESTEAVDELINGEN**

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3. A man born in 1975 with Dutch citizenship moved to the Netherlands in December 2014. He had lived with his family in Norway since 2005. His latest activity plan, valid from 04.02.14 to 30.06.14, was that the NAV office should follow him up closely in order to obtain work practice and work. NAV stopped the WAA when he moved to the Netherlands.

When he moved he had been receiving WAA from October 2012. His previous work was as a salesman of trucks and construction machinery. He had an injury in his right foot that prevented him from doing heavy physical work and walking long distances. The condition was stabilized and he was no longer under active medical treatment. NAV considered that at the time he moved, he was only in need of a short period of occupational measures to be able to obtain work he was medically able to perform. NAV's position was that he could start quickly with such occupational measures, for example work practice, when he lived in Norway. Here he could participate in one of the occupational measures existing at his NAV office or take advantage of the cooperation between his NAV office and the local labor market to obtain work practice. On the other hand we had no access to such measures in the Netherlands.

Even though he didn't interrupt a formal activity plan because it was expired, he broke with the possibility to start with new appropriate activities. This means that he didn't fulfill the NIA § 11-8, where he is obliged to contribute to establish an appropriate activity plan and to participate in the agreed activities. NAV's decision was affirmed by the National Insurance Court in July 2017.

## **APPROVALS**

1. A man born in 1972 with Swedish citizenship moved to Sweden in September 2017. The distance he moved was 35 km from Halden in Norway to Strömstad in Sweden. His activity plan, valid from 03.03.16 to 31.12.17, was to complete a supported employment scheme aiming at obtain suitable work.

He found that he could travel by car from his residence in Sweden to the social enterprise in Norway, 30 minutes by car each way. He did not interrupt his activities. NAV continued the WAA and he continued in the supported employment scheme.

2. A man born in 1981 with Norwegian citizenship wanted to move to Sweden in September 2017. His activity plan from 12.12.16 to 30.06.18 was to complete pharmacy studies at a university in Sweden. He had until now followed this study from Norway as it was a distance study with meetings in Sweden only four times a year.

He did not interrupt his activities by moving to Sweden. NAV continued the WAA and he is completing his studies and activity plan in Sweden.


3. A man born in 1985 with Polish citizenship moved to Poland in December 2016. His activity plan, valid from 07.11.16 to 06.11.17 was psychiatric treatment for his serious psychological disease. He had tried occupational measures but had to quit because he was too ill.

When he moved to Poland he could continue his activity plan with appropriate psychiatric treatment there. NAV continued the WAA payments and he continued his activity plan in Poland.

Vi håper dette er tilstrekkelige eksempler slik at dere kan besvare ESA.

Med hilsen

Kristin Kvanvig  
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Oppfølgingskontoret

  
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Oppfølgingskontoret

*Dette dokumentet er godkjent elektronisk og har derfor ingen signatur*