

Regulations on partial general application of the Engineering Industry Agreement in the maritime construction industry

Issued by the Tariff Board on 22 March 2013 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

These regulations are laid down on the basis of the Engineering Industry Agreement 2012–2014 between the Confederation of Norwegian Business and Industry and the Federation of Norwegian Industries 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 shall apply to skilled workers, semi-skilled workers and unskilled workers who perform production, assembly and installation work in the maritime construction industry.

By skilled worker is meant a worker who has passed a trade examination pursuant to the Vocational Training Act, either following a contractual apprenticeship or following working experience of a trade pursuant to section 3-5 of the Education Act.

By semi-skilled worker is meant a worker of 18 or more years of age who has acquired such practice that he or she, independently and on his or her own responsibility, can operate equipment and machines or perform other semi-skilled work that is a necessary stage in production.

By unskilled worker is meant a worker who does not meet the conditions for semi-skilled worker, i.e. a worker who performs simple tasks in production.

These regulations shall not apply to apprentices or 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 production, assembly and installation work in the maritime construction industry, cf. section 2, shall receive as a minimum the following hourly wage:

- a) NOK 149.04 for skilled workers
- b) NOK 142.28 for semi-skilled workers
- c) NOK 135.60 for unskilled workers.

In the case of work requiring overnight stays away from home, with the exception of workers taken on at the work site, the following hourly supplement shall be paid:

- a) NOK 29.81 for skilled workers
- b) NOK 28.46 for semi-skilled workers

c) NOK 27.12 for unskilled workers.

At workplaces using shift work, the following hourly supplement shall be paid:

a) For work in a two-shift arrangement (36.5 hours a week):

First shift: until 14.00 hours on Saturday: no supplement

Second shift: NOK 16.38

For shift work after 14.00 hours on days before Sundays and public holidays: NOK 34.99

From 14.00 hours on Christmas Eve, New Year's Eve, and on the Saturdays before Easter Sunday and Whit Sunday: NOK 50.18

Every hour after 24.00 hours a supplement shall be paid corresponding to the supplement for the third shift.

b) For work in a three-shift arrangement (35.5 hours a week):

First shift: until 14.00 hours on Saturday: no supplement

Second shift: NOK 16.88

Third shift: NOK 25.12

For shift work after 14.00 hours on days before Sundays and public holidays: NOK 36.01.

From 14.00 hours on Christmas Eve, New Year's Eve, and on the Saturdays before Easter Sunday and Whit Sunday: NOK 51.58.

c) For continuous three-shift work (33.6 hours a week):

First shift: until 14.00 hours on Saturday: no supplement

Second shift: NOK 17.89

Third shift: NOK 26.54.

For shift work after 14.00 hours on days before Sundays and public holidays: NOK 38.02.

From 14.00 hours on Christmas Eve, New Year's Eve, and on the Saturdays before Easter Sunday and Whit Sunday: NOK 54.51.

The following table shall be used when converting from normal working hours, 37.5 hours a week, to deviating working hours:

from 37.5 hours – 36.5 hours: 2.74 %

from 37.5 hours – 35.5 hours: 5.63 %

from 37.5 hours – 33.6 hours: 11.61 %.

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.

Section 5. *Working hours*

Normal working hours must not exceed 37.5 hours a week.

In connection with shift work, the following limits apply:

- two-shift arrangements: 36.5 hours a week on average
- three-shift arrangements: 35.5 hours a week on average
- continuous shift work: 33.6 hours a week on average

Other work schedules may be agreed in accordance with the provisions of chapter 10 of the Act of 17 June 2005 No. 62 relating to Working Environment, Working Hours and Employment Protection.

Section 6. *Overtime pay*

A supplement shall be paid for work in excess of normal working hours equal to 50 per cent of the hourly rate. For work in excess of normal working hours between 21.00 hours and 06.00 hours and on Sundays and public holidays, a supplement equal to 100 per cent of the hourly rate shall be paid.

Section 7. *Travel, board and lodging expenses*

In the case of work requiring overnight stays away from home, the employer shall, according to further agreement, cover necessary expenses on commencement and completion of the assignment and for a reasonable number of journeys home.

Before the employer posts the worker to an assignment away from home, an agreement shall be made concerning board and lodging arrangements. The employer shall as a rule pay for board and lodging, but a fixed subsistence rate, payment as per account rendered or the like may be agreed.

Section 8 *Working clothes*

The employer shall provide the necessary working clothes and protective footwear suitable for the time of year and the workplace.

Chapter III. Departure from the Act, etc.

Section 9. *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.

Chapter IV. Commencement, etc.

Section 10. *Commencement and expiry*

These regulations enter into force immediately.

These regulations shall cease to apply one month after the Engineering Industry Agreement between the Norwegian Confederation of Trade Unions and the Confederation of Norwegian Business and Industry 2012–2014 is replaced by a new collective agreement or if the Tariff Board makes a new decision concerning general application of the collective agreement.

The Regulations of 20 December 2010 No. 1764 concerning partial general application of the Engineering Industry Agreement in the maritime construction industry shall be repealed immediately.