

Letter of Intent regarding a more inclusive working life
1 March 2010 – 31 December 2013
(the IA Agreement)

24 February 2010

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The IA cooperation is a policy instrument designed to help achieve the paramount goals in employment, working environment and inclusion policy. This cooperation shall supplement and reinforce other general policy instruments of legal or financial character. Through this cooperation, the various parties will actively contribute to ensuring that individual workplaces can take part in a joint and binding effort to achieve the common goals.

The results of good IA work are created in the individual enterprise. Good results require strong management engagement and systematic cooperation with the employee representatives and the safety delegate service.

The agreement to continue cooperation towards a more inclusive working life (the IA Agreement) is entered into between the Government, represented by the Minister of Labour; and the employer organizations, represented by NHO (Confederation of Norwegian Enterprise), KS (Norwegian Association of Local and Regional Authorities), Spekter, HSH (Confederation of Norwegian Commercial and Service Enterprises) and the State as employer, represented by the Minister of Government Administration, Reform and Church Affairs; and the employee organizations, represented by LO (Norwegian Confederation of Trade Unions, Unio, YS (Confederation of Vocational Unions) and Akademikerne (Federation of Norwegian Professional Associations).

This agreement replaces the Letter of Intent regarding a more inclusive working life dated 14 December 2005, with supplements dated 6 June 2006, 6 November 2006 and 15 May 2007¹.

The agreement must be viewed in context with the protocol the parties have agreed on simultaneously with the signature of this agreement. The protocol reviews the overall commitment towards reducing absence due to illness and reinforcing inclusion.

Objective of the cooperation

The paramount objective of the IA Agreement is:

¹ The cooperation on a more inclusive working life has functioned through two subsequent agreements during the period from 2001 – end of 2009. The parties to the agreement have jointly conducted a comprehensive evaluation project on the IA Agreement for the entire 2001-2009 period, as well as the effect of the statutory amendments in March 2007 as a consequence of the work by the Sick Leave Commission.

- To prevent and reduce absence due to illness, help bring employees back to work and improve the working environment, as well as prevent expulsion and withdrawal from working life.

The three national secondary goals from previous IA agreements will be continued. Compared with the previous agreements, systematic preventive HSE work in the enterprises is emphasized more strongly in order to achieve the goals. The three secondary goals are:

- 20 per cent reduction in sick leave compared with the second quarter of 2001. On a national level, this means that sick leave should not exceed 5.6 per cent.
- Increased employment of people with reduced functional ability. Specific goals from earlier supplementary agreements will be continued.
- Active employment after age 50 to be extended by six months. This means an increase in the average period during which people (over age 50) are actively employed, compared with 2009.

The agreements in the individual enterprises shall be based on the challenges in the enterprises, and shall set goals that support the national objectives, including the goal of a 20 per cent reduction in sick leave compared with the second quarter of 2001.

The parties emphasise that the various secondary goals must be viewed in context in order to achieve the intention of a more inclusive working life.

Obligations in the tripartite cooperation

The IA commitment to reduce sick leave and prevent expulsion and withdrawal will be reinforced and focused through sector/branch/industry efforts on the national, regional and/or county levels, where the point of departure is the sector's/branch's/industry's preconditions and challenges as regards absence due to illness and preventive HSE work, including:

- directing efforts towards areas with special challenges within branches, sectors, industries and groups by initiating development projects to focus and adjust measures in the IA work.
- contributing to as many enterprises as possible endorsing the IA Agreement, by entering into new or adjusting existing cooperation agreements.
- working actively to ensure that individual enterprises make training and work training positions available for people who are not employed and people who have reduced work or functional ability.

- working to achieve a good working environment with emphasis on tolerance and diversity.

The parties agree on the need to achieve a better overall understanding of the driving forces behind the development in sick leave, expulsion and withdrawal/deficient inclusion in working life. Not least, it is important to gain a better understanding of possible links between sick leave and participation in the work force on the part of persons with reduced functional ability and older employees.

The parties agree that the Minister of Labour, together with the heads of the organisations, will hold a major national policy conference once each year in which the research communities are included. The topics will be based on the development of the objectives for the agreement.

The parties agree that the Norwegian Labour and Welfare Service shall have the power to withdraw status as an IA enterprise from enterprises that do not follow up their obligations under the cooperation agreement.

Employers' and employees' obligations at the enterprise level

The results of good IA work are created in the individual enterprise. Good results require strong management engagement, long-term thinking and systematic cooperation over a long period of time.

HSE/IA work requires a long-term perspective, and demands that employers ensure that line management, supervisors, employee representatives and safety delegates have the necessary expertise to carry out this work. Broad-based employee participation is a must, including representation by the various parties in the committees the enterprise creates for this work.

About the cooperation agreement in the IA enterprises

All enterprises in Norway can participate in this cooperation by signing a cooperation agreement with the NAV working life centre and the employee representatives in the enterprise. Being an IA enterprise means that both the employer and the employees pledge systematic cooperation to achieve more inclusive workplaces. In return, IA enterprises receive special rights:

Dedicated contact person in the NAV working life centre

In a dialogue with managers and employee representatives in the enterprise, the contact person will actively support the enterprise's own efforts to develop more inclusive jobs,

including the enterprise's work to prevent absence due to illness and transition to national insurance benefits. The contact person will also contribute to ensure that relevant financial policy instruments are triggered, and take the initiative for good joint measures and activities vis-à-vis the relevant agencies and parties that can assist the enterprises in this work.

Facilitation subsidies from NAV

Facilitation subsidies can be granted to employers as compensation for additional expenses or efforts in connection with necessary facilitation, testing and training in new tasks, or practical assistance needed by the employee (reserved for IA enterprises).

Remuneration for company health service

IA enterprises can obtain full or partial refunds from NAV for the expenses they incur for use of the company health service. This presumes that the work done by the company health service contributes to helping employees avoid sick leave, or to assisting persons on sick leave or persons with reduced ability to work in returning to work (reserved for IA enterprises).

Use of self-certification

Use of self-certification for a total of 24 calendar days during a 12-month period. This means, for example, that self-certification can be used for 24 individual days. Self-certification cannot be used for more than eight days per sick leave incident.

The Norwegian Labour and Welfare Service has a number of policy instruments available for use in the follow-up and facilitation work. The working life centres can assist with information and arrangement of these general policy instruments vis-à-vis IA enterprises, including giving the IA enterprises information about the "Return faster" program.

Access to these policy instruments entails that:

- The parties in the enterprise commit to active participation in the IA work.
- As part of the HSE work, the enterprise commits to setting and following up specific activity and result goals in the sick leave work.
- At least twice a year, the enterprise must hold meetings with the management and employee representatives in which the IA work is the only item on the agenda.
- The enterprise shall provide opportunities wherein people cleared by the Labour and Welfare Service who need to test their work and functional abilities in ordinary working life can do so. This assumes that the State provides assistance through financial and competence-related measures, as well as other facilitation.

Obligations for employers and employees

The employer/employee organizations agree that they will jointly and individually facilitate activity to support these objectives. This entails, e.g. that the parties will:

- Prepare and contribute information to their members about the new IA Agreement so that existing IA enterprises and potential new IA enterprises are motivated to redouble their efforts.
- Develop training programs that enable the various enterprise players to follow up their roles in the IA work, including joint courses/training measures for the players at the workplace.
- Work to ensure that as many employers, employee representatives and safety delegates as possible complete IA courses.
- In cooperation, develop guidance tools that the enterprises can use with the aim of facilitation for persons on sick leave, or for persons who can avoid sick leave through facilitation.
- Contribute to sectors/branches with high absence rates acquiring more knowledge about causal connections for absence in their enterprises/branches, and that they institute measures in line with the objectives of the IA Agreement.
- Be a driving force behind various trial projects that could have a good effect on return-to-work objectives.
- The parties set activity goals based on national goals, adapted to the challenges and preconditions within the various tariff areas, to support the work in the enterprises.
- Develop tools that are specially adapted to different degrees of organisation and the size of the enterprise.
- Participate in the ongoing work to follow up local and central IA activity through participation in regional and national coordination groups.

The activity must be reported to the Council for Working Life and Pension Policy each six months.

The authorities' obligations

The Government will not propose changes in the sick leave benefit scheme during the term of the Agreement, neither for employees nor for employers, unless the parties agree.

Based on their roles and expertise, the authorities, represented by the Labour and Welfare Service and the Norwegian Labour Inspection Authority, shall assist in this targeted work. Each six months, the authorities must report on their own efforts and activities to the Council for Working Life and Pension Policy. The report shall contain the following:

- Number of IA enterprises, including sick leave statistics
- Status from the working life centres, including contact persons for the enterprises
- Development in the scope of occupational rehabilitation
- Development and use of the "Return faster" program
- Implementation of dialogue meeting 2
- Follow-up and development of sick leave authorization practices by the doctors
- Scope of the supervision and reactions aimed at enterprises and branches with high sick leave absence rates
- Figures showing the development in work force participation for the over 50 age group

The authorities make the following special policy instruments available for the parties in the IA work:

- NAV working life centres will be further developed, and will continue to be the Government's policy instrument vis-à-vis enterprises with IA agreements. A national coordination unit will be set up for the working life centres which will work on developing the portfolio of tasks covered by the working life centres, exchanging information and sharing effective practices.
- The IA enterprises will have a regular contact person in the working life centres who will assist the enterprise in working in a focused and goal-oriented manner on developing more inclusive workplaces.
- Facilitation subsidies
- Subsidies for the company health service

The overall level of the financial policy instruments in the current IA Agreement will be continued. The Ministry of Labour will discuss the scope and organisation of the schemes that are part of the IA Agreement now expiring, and other schemes that are important in order to achieve the national secondary goals in this IA Agreement, in the Council for Working Life and Pension Policy.

Organisation

The multipartite Council for Working Life and Pension Policy, under the leadership of the Minister of Labour, is responsible for following up the IA Agreement at the national level. The parties to the agreement must report each six months on the measures and strategies they have implemented, as well as on activities and results achieved. Future general plans, need for new studies and potential evaluations shall also be discussed.

A follow-up group will be established for the IA Agreement in the form of a working group under the Council for Working Life and Pension Policy. The central organizations and the

authorities will be represented in this group, including the Labour and Welfare Service and the Norwegian Labour Inspection Authority. The group's mandate will be to exchange and analyze important information and reports on and from the IA work, as well as to prepare discussions in the Council for Working Life and Pension Policy.

An expert group will also be established between the Ministry of Labour and the employer/employee organizations in connection with the Council for Working Life and Pension Policy with the purpose of discussing the development in the IA goals, financial and administrative consequences of the use of policy instruments in these areas, and methodical questions in these connections. The expert group will also evaluate the consequences for interpretation of the development of business cycles, overall employment and changes in the composition of employment such as changes in the percentage of seniors and the percentage of women.

Duration

The Agreement will be valid for the period from 1 March 2010 to 31 December 2013.

Follow-up

Each six months, based on experience gained and development trends, the parties shall follow up and consider the results achieved in relation to the objectives of the agreement.

- If the results of the IA work show a negative trend, the authorities will take the initiative for discussions with the parties to the agreement regarding necessary adjustments.
- If it is obviously not possible to achieve all or some of the operative goals for the agreement period using the agreed policy instruments, the agreement will cease, unless the parties agree otherwise.

Oslo, 24 February 2010

Translator's note: Signed by representatives of the following entities:

The Government, represented by the Minister of Labour

Confederation of Norwegian Enterprise

Norwegian Confederation of Trade Unions

Federation of Norwegian Commercial and
Service Enterprises (HSH)

Unio

Spekter (employers' association)

Federation of Norwegian Professional Associations

Norwegian Association of Local and
Regional Authorities (KS)

Confederation of Vocational Unions

The Norwegian State as employer, represented by the
Ministry of Government Administration, Reform and Church Affairs