

NEWS



Tuesday, September 15th, 2020

Increase/partial increase of manpower.

As the above has already become a hot topic of conversation, SEA has chosen to put together this information letter, which unfortunately will not change anything, but only shed light on some facts about lay-offs and increase of manpower after lay-offs.

Lay-offs are not regulated by law as termination/mass terminations are, hence increase of manpower is not regulated by law as in the case of increased manpower after a possible mass termination process (preferential right to new employment).

The only thing regulated by law in connection with lay-offs is the employer's duty to pay wages:

The Act relating to the duty to pay wages during a temporary lay-off (the Mandatory Wages Act)

Lay-offs is a non-statutory right the employer has and is regulated by the Basic Agreements. In our case, Chapter 7 of the Basic Agreement, which mainly regulates the right to lay-off, notice deadlines, form and content of the notice, and the employer's duty to confer with shop stewards.

In addition to this, over the years, there have been a number of "ground rules," which are referred to as the "Institute of lay-off."

As lay-offs are to be regarded as a temporary arrangement, the employer's right to control will be considered larger, and it takes quite a lot for a court to rule against the employer in lay-off cases, even though it happens from time to time.

We fully understand that those who do not benefit from the partial increase of manpower think this is bloody unfair.

At the same time, about half of those laid off who will now return to work will think it's great. As far as we understand, many of those who were first laid off will be the last to return to work.

This is very unfortunate, and SEA asked the company to pay special attention to this when planning the gradual increase of manpower.

As mentioned in our latest newsletter, we are pleased to have put in place that the company will adhere to seniority and "two positions down" on the individual crew.

Let's all cross our fingers that it will be a long time until the next time there will be a need for lay-offs.

Med vennlig hilsen / yours sincerely
SAIPEM EMPLOYEES ASSOCIATION

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