

Norway's approach in supporting occupational safety and health compliance: role of the labour inspectorate and prevention services

Report

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Executive summary

The rapidly evolving world of work, especially as regards new forms of employment, business models, the nature of work and the effects of globalisation, poses many challenges in regard to compliance with occupational safety and health (OSH) regulations and improvement of OSH. The European Agency for Safety and Health at Work's (EU-OSHA) report titled 'Improving compliance with occupational safety and health regulations: an overarching review', published in 2021, underlines the lack of data, information and knowledge about the roles of labour inspectorates and prevention services in supporting OSH compliance at the EU level. As a result, EU-OSHA decided to carry out country case studies in Norway, Germany, Poland, Portugal and Ireland followed by a comparative analysis of these five countries. This report presents the findings of the research project carried out in Norway.

The Norwegian Labour Inspection Authority is a governmental agency under the Ministry of Labour and Social Inclusion. The Authority has approximately 600 employees and consists of a central office — the Directorate — seven regional offices and 16 local offices throughout the country. The Working Environment Act (WEA) is the most important regulation on OSH in Norway. In this project, we concentrate on the following two activities:

- traditional and innovative enforcement activities carried out by the Labour Inspection Authority; and
- day-to-day activities carried out by internal or external prevention services.

The purpose of this study is to explore different initiatives to reconsider enforcement methods and to develop responsive strategies for effective utilisation. This study includes a country report, as well as six case studies¹ based on interviews with a total of 27 key informants. In addition, two policy briefs² were developed on the role of the labour inspectorate and prevention services in supporting compliance.

Every year, the Norwegian Labour Inspection Authority receives an allotment letter from the Ministry of Labour and Social Inclusion. This letter includes a financial framework and states the ministry's priorities for the Labour Inspection Authority, including targets, and reporting requirements for the following year. The Authority's main targets throughout the past three years have remained the same: (1) preventive OSH, (2) serious and decent working conditions, and (3) social dumping and work-related crime.

¹ The six case studies are referred to continuously throughout the report. The cases are numbered as 'case NO1', 'case NO2', etc., NO referring to Norway. This is further explained in the chapter on methodology.

See EU-OSHA - European Agency for Safety and Health at Work, *Norwegian Labour Inspectorate's risk-based strategy: supporting occupational safety and health compliance (case NO1)*. Available at: <https://osha.europa.eu/en/publications/norwegian-labour-inspectorates-risk-based-strategy-supporting-occupational-safety-and-health-compliance-case-no1>

See EU-OSHA - European Agency for Safety and Health at Work, *Norway's inter-agency anti-crime cooperation: supporting occupational safety and health compliance (case NO2)*. Available at: <https://osha.europa.eu/en/publications/norways-inter-agency-anti-crime-cooperation-supporting-occupational-safety-and-health-compliance-case-no2>

See EU-OSHA - European Agency for Safety and Health at Work, *Norway's experience and lessons learned from the covid-19 pandemic: supporting occupational safety and health compliance (case NO3)*. Available at: <https://osha.europa.eu/en/publications/norways-experience-and-lessons-learned-covid-19-pandemic-supporting-occupational-safety-and-health-compliance-case-no3>

See EU-OSHA - European Agency for Safety and Health at Work, *Norwegian Labour Inspectorate's call service: supporting occupational safety and health compliance (case NO4)*. Available at: <https://osha.europa.eu/en/publications/norwegian-labour-inspectorates-call-service-supporting-occupational-safety-and-health-compliance-case-no4>

See EU-OSHA - European Agency for Safety and Health at Work, *Norway's occupational health service: supporting occupational safety and health compliance (case NO5)*. Available at: <https://osha.europa.eu/en/publications/norways-occupational-health-service-supporting-occupational-safety-and-health-compliance-case-no5>

See EU-OSHA - European Agency for Safety and Health at Work, *Norway's Regional Safety Representatives: supporting occupational safety and health compliance (case NO6)*. Available at: <https://osha.europa.eu/en/publications/norways-regional-safety-representatives-supporting-occupational-safety-and-health-compliance-case-no6>

² See EU-OSHA - European Agency for Safety and Health at Work, *Enforcement and guidance activities carried out by the Norwegian Labour Inspection Authority – Considerations and transferability*. Available at: <https://osha.europa.eu/en/publications/enforcement-and-guidance-activities-carried-out-norwegian-labour-inspection-authority-considerations-and-transferability>

See EU-OSHA - European Agency for Safety and Health at Work, *External Prevention Services in Norway – Considerations and transferability*. Available at: <https://osha.europa.eu/en/publications/external-prevention-services-norway-considerations-and-transferability>

In the case studies we take a closer look at central elements of the Norwegian Labour Inspection Authority's priorities over the past decade, the Authority's risk-based strategy, the inter-agency anti-crime cooperation, the call service and lessons from the COVID-19 pandemic. The case studies also go into one of the central external prevention services, the occupational health services (OHSs). In addition, we also look at one of the prevention services that is more specific to the Norwegian OSH system and to our knowledge is not present in other European countries, the scheme of regional safety representatives (RVOs).

The Labour Inspection Authority implements a *risk-based inspection strategy*. Due to the large number of businesses, the Authority is incapable of carrying out inspections in all of them within a reasonable time frame. The strategy aims to reach the businesses whose workforce faces the greatest risk of becoming ill, being injured or being exploited because of their working conditions. The Authority has developed a prediction index, categorising enterprises into four different risk groups using data from previous inspections, and national statistics from the national statistical institute of Norway (Statistics Norway) and the National Institute of Occupational Health in Norway, as well as tip-offs. The index is based on machine learning, trained to recognise characteristics in the enterprises that are commonly linked to such risks. Together with the index, inspectors' experiences, expertise and local knowledge are also of great importance when choosing where to carry out inspections. Together, these means provide the Authority with an effective strategy for improving OSH compliance in Norwegian working life.

The inter-agency anti-crime cooperation is a collaboration between the Norwegian Labour Inspection Authority, the Norwegian Labour and Welfare Administration, the police and the Norwegian Tax Administration aiming to combat work-related crime in Norwegian working life. At the centres, representatives from each agency work in knowledge and control groups, gathering information and performing inspections with actors considered likely to commit work-related crime. One aspect of this is uncovering breaches of legislation concerning working conditions. An example is breaches of OSH regulations to generate profit, an area where OSH work and work-related crime are closely related. The co-location of the agencies has been pointed out as one major benefit of the cooperation as it allows them to make rapid decisions and exchange expertise. Moreover, concerns have been raised regarding challenges related to the sharing of confidential information between the agencies. A regulation was implemented in 2022 to address this challenge.

The pandemic hit Norwegian society and work life in the winter of 2020. That year, the Labour Inspection Authority received an additional allotment letter from the ministry ordering the Authority to take measures to limit the spread of the virus in Norwegian workplaces. The Authority quickly started conducting inspections to this end, but with an emphasis on different tools than before the pandemic. There was a larger share of digital and document inspections. The number of inspections in 2021 was on the same level as the last year before the pandemic, nearly 12,000. The government also decided that accommodation provided by employers for workers in quarantine had to be authorised by the Labour Inspection Authority. They received over 7,000 accommodation applications in 2021, 77% of which were approved.

The call service is the Norwegian Labour Inspection Authority's guide and counselling service. It provides information and guidance to employers, workers, safety representatives and others on OSH-related matters in accordance with the WEA, the General Application Act and additional regulations within the Authority's scope. The service receives questions on everything from psychosocial to musculoskeletal working environment issues and categorises the enquiries it receives into 80 different categories, with working hours being the category that recurs most frequently. The call service answers questions through phone, chat and email and recently introduced an algorithm-based chatbot. In cooperation with the Service Centre for Foreign Workers, the call service provides answers in several languages. It also played a central role in answering work-related questions during the COVID-19 pandemic.

The occupational health service scheme has been evaluated several times in the past seven years. These evaluations have shown that a large proportion of managers and safety representatives believe that OHSs strengthen efforts to create good and healthy working conditions. The net benefit of the OHS scheme is estimated to be 1.3 billion Norwegian kroner (NOK) (approximately €114,270,000 at the time of writing). Nevertheless, an expert group pointed out that there is room for improvement, emphasising that OHSs first and foremost should focus on helping businesses with their systematic OSH work and

not on providing personal healthcare to workers. In cooperation with the social partners, the government made several changes to the regulation concerning the OHS scheme, strengthening the emphasis in the WEA on OHS as a preventive service first and foremost.

The regional safety representative scheme is an extension of the WEA regulations concerning safety representatives that stipulates that all businesses with more than 10 employees are obligated to elect a safety representative. The safety representative can stop work, work operations or the use of unsafe equipment in the event of imminent danger to life or health. To protect smaller firms in vulnerable industries, namely building, construction, cleaning, and hotels and restaurants, a system of RVOs has been established. The RVOs oversee work in businesses that have not elected their own safety representative; they can fill the role of a company's safety representative until the business has elected one. In 2022, RVOs visited close to 7,000 businesses. When acting as a safety representative, an RVO can stop dangerous work. This is most common in the building sector; RVOs in this sector stopped work in accordance with WEA section 6-3 a total of 1,696 times in 2022.

For all six case studies, informants pointed out that there are valuable aspects of the activities of the Labour Inspection Authority and internal and external prevention services that could also be valuable to EU Member States. Nonetheless, for all cases, there are some country-specific underlying factors, such as legislation, authorisations, orders from different ministries, financing arrangements, research institutions and the like, that are important. An interpretation of these activities and services, as well as national adjustments, must therefore also be taken into consideration when discussing their transferability between EU Member States.

Within the framework of this study, our aim has been to present an overview the Norwegian Labour Inspection Authority as well as OSH prevention services. Nonetheless, the dual approach of enforcement and guidance from the Authority, together with other external and internal prevention services, provides an important contribution to building a safety culture in Norwegian working life.

1 Introduction

Improving occupational safety and health (OSH) and the extent and quality of compliance with OSH regulations is a longstanding objective at the European and national levels. However, meeting this objective is increasingly challenging given the rapidly evolving world of work, especially as regards new forms of employment, business models, the nature of work and the effects of globalisation.

In 2020, the European Agency for Safety and Health at Work (EU-OSHA) started an OSH overview activity on the theme of 'Supporting Compliance'. The main aim of this overview was to provide high-quality data to researchers and policymakers to improve the understanding of how to support compliance and enable better informed policies.

The first research project carried out in the framework of this OSH overview was the development of an overarching review of the extent and quality of compliance with OSH regulations. The research report, published in 2021, laid out the current knowledge in this area and it was used as a basis to guide and develop in-depth follow-up projects (EU-OSHA, 2021).

Among other things, the study concluded that efforts to improve arrangements and practices for managing OSH across a whole range of industry sectors and firm sizes — large, medium and small — are stimulated, supported and sustained by a range of institutional actors and processes both internal and external to firms. The latter include state regulators for OSH, such as OSH and labour inspectorates and the government ministries or departments of which they are a part. However, they are not limited to regulators and ministries. In some EU Member States, external prevention services have played a significant role in supporting practices that promote OSH and legislative requirements. The influence of powerful principal business actors in supply chains is increasingly seen in the conduct of work everywhere. The direct or indirect influence on OSH arrangements of insurance associations, both in incentivising prevention and in providing support for compensation, rehabilitation and return to work, is evident in some Member States, although less so in others.

As there is a lack of data, information and knowledge about the role of the labour inspectorates and prevention services in supporting OSH compliance at the EU level, as underlined in this report, it was decided to carry out country case studies in Norway, Germany, Poland, Portugal and Ireland followed by a comparative analysis of the five countries. The current report presents the findings of the research project carried out in Norway³.

³ The project consists of this report together with six case studies and two policy briefs.

The six case studies are referred to continuously throughout the report. The cases are numbered as 'case NO1', 'case NO2', etc., NO referring to Norway. This is further explained in the chapter on methodology. They are as follows:

EU-OSHA - European Agency for Safety and Health at Work, *Norwegian Labour Inspectorate's risk-based strategy: supporting occupational safety and health compliance (case NO1)*. Available at: <https://osha.europa.eu/en/publications/norwegian-labour-inspectorates-risk-based-strategy-supporting-occupational-safety-and-health-compliance-case-no1>

EU-OSHA - European Agency for Safety and Health at Work, *Norway's inter-agency anti-crime cooperation: supporting occupational safety and health compliance (case NO2)*. Available at: <https://osha.europa.eu/en/publications/norways-inter-agency-anti-crime-cooperation-supporting-occupational-safety-and-health-compliance-case-no2>

EU-OSHA - European Agency for Safety and Health at Work, *Norway's experience and lessons learned from the covid-19 pandemic: supporting occupational safety and health compliance (case NO3)*. Available at: <https://osha.europa.eu/en/publications/norways-experience-and-lessons-learned-covid-19-pandemic-supporting-occupational-safety-and-health-compliance-case-no3>

EU-OSHA - European Agency for Safety and Health at Work, *Norwegian Labour Inspectorate's call service: supporting occupational safety and health compliance (case NO4)*. Available at: <https://osha.europa.eu/en/publications/norwegian-labour-inspectorates-call-service-supporting-occupational-safety-and-health-compliance-case-no4>

EU-OSHA - European Agency for Safety and Health at Work, *Norway's occupational health service: supporting occupational safety and health compliance (case NO5)*. Available at: <https://osha.europa.eu/en/publications/norways-occupational-health-service-supporting-occupational-safety-and-health-compliance-case-no5>

EU-OSHA - European Agency for Safety and Health at Work, *Norway's Regional Safety Representatives: supporting occupational safety and health compliance (case NO6)*. Available at: <https://osha.europa.eu/en/publications/norways-regional-safety-representatives-supporting-occupational-safety-and-health-compliance-case-no6>

The policy briefs are as follows:

EU-OSHA - European Agency for Safety and Health at Work, *Enforcement and guidance activities carried out by the Norwegian Labour Inspection Authority – Considerations and transferability*. Available at: <https://osha.europa.eu/en/publications/enforcement-and-guidance-activities-carried-out-norwegian-labour-inspection-authority-considerations-and-transferability>

The Norwegian Labour Inspection Authority is a governmental agency under the Ministry of Labour and Social Inclusion.⁴ The Authority has approximately 600 employees and consists of a central office — the Directorate — seven regional offices and 16 local offices throughout the country. The Working Environment Act (WEA) is the most important regulation on OSH in Norway.⁵ The purpose of the Act is to ensure a working environment that provides the basis for a healthy and meaningful working situation that ensures full safety from harmful physical and mental impacts and that always sets a standard of welfare consistent with the level of technological and social development in society (WEA section 1-2).

It is the Labour Inspection Authority that controls businesses compliance with the preventive measures regulated through the WEA. The main measures are the election of safety representatives (including the regional safety representative (RVO) scheme), having a work environment committee and the use of an occupational health service (OHS). In addition to controlling compliance with the regulation of the preventive service, it is expected that the Norwegian Labour Inspection Authority shall provide information and guidance to businesses on how they are expected to implement the preventive measures in their systematic OSH work. The preventive measures are described in further detail below.

One way of describing national systems for labour inspectorates is by dividing them into single, dual and multifunctional inspectorates (Walters, 2016). In single systems, the inspectorates are solely responsible for OSH. In dual systems, the inspectorates cover a range of matters related to working conditions, including wages. In multifunctional systems, industrial relations, social security and employment-related matters are all under the inspectorates' aegis to varying degrees. The Norwegian system can be described as dual, since the Labour Inspection Authority also inspects wages in areas covered by generally applied collective agreements.⁶

In October 2023, the occupied Norwegian labour force amounted to just under 2.9 million people, equivalent to slightly over 70% of the population between 15 and 74 years of age (Statistics Norway, 2023). Despite facing high expectations and frequent restructurings, Norwegian workers report a high level of job satisfaction and motivation. The National Institute of Occupational Health in Norway (STAMI) reports that most people also feel that they have a high degree of control, as well as good career development and opportunities (STAMI, 2021).

Nonetheless, violence and threats remain prevalent in specific occupations, particularly in the health and social care sector (Hagen and Svalund 2019). Also, digital monitoring and surveillance systems have increased in Norwegian working life. Bråten (2019) found that new digital systems for direct monitoring and surveillance of employees' email communication and internet, computer and internal chat room use can be a source of stress and provide the employer with excessive control of work performance. Sickness absence in the Norwegian labour market is higher within certain industries. The health sector and the social service sector have the highest rate of sickness absence (8.1%), implying a potential to improve preventive safety with respect to specific working environment conditions (STAMI, 2021).

Further, there is still a high prevalence of occupational injuries in several industries, such as agriculture, fishing and transport, as well as the building and construction industry. Occupational injuries are also most prevalent among young men and foreign employees (STAMI, 2021). For traditional risk exposures such as heavy lifting, vibrations, loud noises, and inhaling chemical and biological agents, the situation can generally be described as stable.

Norwegian law states that all employees must be covered by occupational injury insurance (Occupational Injury Insurance Act). The insurance is mandatory for companies with employees and covers all employees, both full-time and part-time. It provides compensation in the event of an accident or illness during or because of work performed at the workplace during working hours.

EU-OSHA - European Agency for Safety and Health at Work, *External prevention services in Norway – Considerations and transferability*. Available at: <https://osha.europa.eu/en/publications/external-prevention-services-norway-considerations-and-transferability>

⁴ See: <https://www.arbeidstilsynet.no/en/>

⁵ See: <https://lovdata.no/dokument/NLE/lov/2005-06-17-62>

⁶ The Labour Inspection Authority has inspected wages in industries with generally applied collective agreements since 2005.

In the years after the EU enlargements in 2004 and 2007, almost 200,000 workers from EU Member States in central and eastern Europe have taken up work in Norway (Statistics Norway, 2022). This rapid increase in labour immigration intensified low-wage competition and OSH challenges in the Norwegian labour market, and especially in construction and parts of the manufacturing industry (Eldring et al., 2011). The fact that many of these workers were hired through temporary work agencies or posted, intensified labour market segmentation and precarious working conditions.

One of the most important measures that has been implemented in the Norwegian labour market to address and combat cases of social dumping is the general application of collective agreements (the General Application Act). The term social dumping refers to the practice whereby foreign workers who perform their work in Norway are given considerably worse working conditions and wages than Norwegian workers (Action plan to combat social dumping and work-related crime, 2022⁷). So far, collective agreements have been generally applied in nine industries: the construction industry; the shipbuilding industry; the agriculture and horticulture industries; industrial and private cleaning; fish processing enterprises; for electricians; for freight transport by road; for passenger transport by tour buses; and hotels and restaurants.

Migrant and temporary workers often face unique and heightened OSH risks compared to local workers. Several factors contribute to this increased vulnerability, such as language barriers, cultural differences, lack of training, discrimination and exploitation, and housing and living conditions, among others.

The increase in labour immigration has also led to extensive duties and new roles for the Labour Inspection Authority, in addition to OSH. One of these roles is the duty to inspect generally applied minimum wages. Further, the Authority has recently been assigned the responsibility of controlling compliance with the regulations for hired agency workers. Also, throughout the past decades, different governments have launched strategies to combat social dumping and work-related crime, and the Labour Inspection Authority plays a dominant role in most of them, as they can also affect OSH on a broader level. Further, in line with the tradition of social dialogue in Norwegian working life, tripartite sector programmes have been established over the last 10 years to promote decent working conditions in vulnerable industries.

The purpose of this study is to describe the current Norwegian OSH strategy and how it addresses challenges businesses face related to compliance with OSH regulations. Further, it explores different initiatives to reconsider enforcement methods and to develop responsive strategies for effective utilisation. A central question for the study concentrates on the Authority's activities.

In this project, we concentrate on traditional and innovative OSH enforcement activities carried out by the Labour Inspection Authority, as well as day-to-day activities carried out by internal or external OSH prevention services. Further, the study aims to answer the following research questions:

- Are there important recent developments in Norway concerning OSH monitoring, compliance promotion and enforcement?
- Are there, or have there been, initiatives to rethink enforcement methods and to develop a responsive strategy to utilise them?
- Is there a combined strategic inspection and enforcement model in Norway?
- How do preventive services support compliance and better OSH practices?
- Is there any need for revisions and are the requirements on preventive services flexible enough when it comes to differences in risk factors?
- What kind of data and processes are needed to establish a uniform and coordinated system to access OSH?
- Is it possible for the identified innovative approaches to be applied in EU Member States? If not, what factors support and constrain the efficiency of such instruments?

⁷ The action plan to combat social dumping and work-related crime was worked out through a cooperation between the Ministry of Labour and Social Inclusion, the Ministry of Agriculture and Food, the Ministry of Finance, the Ministry of Foreign Affairs, the Ministry of Justice and Public Security, and the Ministry of Trade, Industry and Fisheries.

- How did compliance promotion, monitoring and enforcement by OSH regulators change during the COVID-19 pandemic?
- What is the actual role of labour inspectors, and how do they contribute to building a safety culture?

1.1 The role and activities of the Labour Inspection Authority

The Norwegian Labour Inspection Authority supervises compliance with the provisions of the WEA and the General Application Act. Inspectors always have free access to premises subject to the WEA. During inspections, inspectors can check several conditions, for example the implementation of health and safety regulations and the presence of one or more safety representatives, a working environment committee (WEC) and an OHS. Further, inspectors can control employment contracts, working hours and minimum wage rates within areas covered by extended collective agreements. They can also check workers' housing conditions where the employer provides this.

Providing guidance and information is also a central part of the Authority's work. During inspections, inspectors are to provide employers and workers with guidance about working conditions and regulations, as well as information and advice to safety representatives elected among the workers. In every enterprise covered by the WEA, a safety representative is to be elected. In enterprises with fewer than 10 employees, the parties can agree upon another arrangement in writing, including an arrangement with no safety representative (Arbeidsmiljøloven, 2005, section 6-1).⁸ The inspectors are very conscious of their role, which is not to be misjudged as a sort of policing function (Andersen et al., 2016). This is important to gain the trust of employers and workers. At the same time, they are supposed to inspect and enforce OSH through sanctions when needed, in accordance with the WEA and other regulations within the Authority's scope. When suspecting illegalities outside their own jurisdiction, inspectors forward information to other authorities like the police (for instance in cases of illegal employment) and the Norwegian Tax Authority (for instance in cases of tax evasion) (Ødegård and Alsos, 2018). The purpose of the double role of inspection and guidance is to promote safety culture in the workplace.

The Labour Inspection Authority also provides workers and employers with information through their websites and through participation in various forums and collaborative projects, such as the Service Centre for Foreign Workers (SUA) and the Authority's call centre, which anyone can call or submit a question to through the Authority's webpage.⁹

1.1.1 From a Nordic perspective

Mattila-Wiro et al. (2020) emphasise that the Nordic countries have long led the global indicators for OSH. This claim is supported by estimates of injuries and illnesses, implying that Nordic countries generally tend to have healthier and safer work environments when compared to other high-income countries in North America and Europe. The Nordic countries largely use a proactive preventive approach and a tripartite framework and tend to have a strong tradition of OSH research as well as social welfare models aimed at inclusion.

The scope of work performed by the labour inspectorates of the Nordic countries is more alike than different (Mattila-Wiro et al., 2020). However, there are some differences. Addressing OSH and improving the work environments of the Nordic labour markets are at the core of the Nordic labour inspectorates, yet there are some nuances in terms of target groups and approaches. One example is that the emphasis placed on undeclared work is larger in Norway, Sweden and Denmark than in Finland and Iceland. Another is that Finnish authorities place an especially high emphasis on social wellbeing aspects, compared to the other countries.

Further, the Nordic labour inspectorates generally perform both physical and remote (postal or virtual) inspections and follow a risk-based approach (see [case NO1](#)¹⁰) (Mattila-Wiro et al., 2020; Norwegian

⁸ From 1 January 2024, businesses with five or more employees are obligated to elect a safety representative.

⁹ See: <https://www.arbeidstilsynet.no/kontakt-oss/telefon-chat/>

¹⁰ Case NO1 is available at: <https://osha.europa.eu/en/publications/norwegian-labour-inspectorates-risk-based-strategy-supporting-occupational-safety-and-health-compliance-case-no1>

Labour Inspection Authority, 2022). The Nordic labour inspectorates are all part of tripartite councils where the social partners of the country in question are represented, aiming to resolve challenges related to OSH in a consensus-based manner. Mattila-Wirolahti et al. (2020) emphasise that the traditional approaches of the Nordic labour inspectorates are being weakened by changes in working life, such as the globalised work force and business models, rapidly evolving technologies and new employer–worker relationships. Therefore, while traditional processes remain relevant, new ways of communicating, regulating and developing new policies are inevitable to remain relevant and robust and to ensure a safe and healthy working life.

1.2 OSH preventive services

In Europe, the term ‘prevention or preventive services’ is normally used to describe the qualified professional support, either internal or external to the establishment, provided to employers, which allows them to address their OSH statutory duties and improve OSH. The WEA regulates several preventive services aiming to support businesses’ compliance with OSH regulations. Some of these services are internal and some are external, and the WEA regulates when and how they should be adapted. As previously mentioned, the WEA states that businesses with more than 10 employees are obligated to elect a safety representative from among their employees (WEA chapter 6). In businesses with fewer than 10 employees, the parties may agree in writing upon a different arrangement. The businesses can choose to elect more than one safety representative. This should be decided according to the size of the business and the nature of the work and working conditions. The WEA chapter 6 regulates the duties of safety representatives. Their overall duty is to safeguard workers in matters related to the working environment. The employer shall ensure that safety representatives receive the necessary training to perform their duties in a sufficient manner. This training should be provided within normal working hours, and the employer is responsible for the costs of the training as well as other costs associated with the safety representatives’ duties. The safety representatives shall notify the employer of circumstances that may result in accidents or health hazards. Further, the employer is obligated to respond to such notifications. According to the WEA (chapter 3), employers are also required to undergo OSH training.

Safety representatives have the right to halt dangerous work if they consider that the life or health of employees are in immediate danger and that such danger cannot be averted by other means. Work may be halted until the Labour Inspection Authority has decided whether the work may be continued or not. The WEA also stipulates that safety representatives are not liable for any losses suffered by the business in the case of work being halted (WEA chapter 6). An RVO is assigned the same responsibilities, duties and rights as an elected safety representative in the workplace in enterprises where a local safety representative has not been elected. The regulations on RVOs provided by the ministry may include provisions on how the RVO shall be appointed, what responsibilities they shall have and how the costs of their activities shall be distributed. Currently, regulations state that there should be RVOs in the building and construction, hotel and restaurant, and cleaning industries. The scheme is financed by the employers in undertakings covered by the regulations, paying an annual fee (see chapter 5.2 where the RVO scheme is described in further detail).

The WEA (chapter 7) stipulates that businesses that regularly employ at least 50 employees shall have a WEC on which the employer, the employees and the OHS are represented (see next paragraph for the OHS). WECs shall also be formed in businesses with between 20 and 50 employees when this is required by any of the parties at the business. The Labour Inspection Authority can also decide that a business with fewer than 50 employees should establish a WEC if they consider that the working conditions in the business warrant it.¹¹ The WEA further stipulates that the employer and the employees shall have an equal number of members on the committee and that the chairman of the WEC shall be elected alternately from the two parties. The OHS representative has no vote in the committee. The WEA also stipulates that it is the duty of the WEC to try to create a fully satisfactory working environment in the business. The WEC should consider questions regarding the OHS and regarding training, instructions and informational activities that are of significance for the working environment in the business. The WEC should also establish and maintain the business’s systematic OSH work, including

¹¹ From 1 January 2024, businesses with 30 or more employees are obligated to have a working environment committee or when one of the parties require so in businesses with 10 to 30 employees.

health and welfare issues related to the arrangement of working hours. As is the case for the safety representatives, the employer shall ensure that WEC members receive the necessary training to properly perform their duties within normal working hours and is also responsible for the cost of training and other costs associated with the work of the WEC.

OHSs are also regulated by the WEA. The overall requirement is that the employer is obligated to provide OHSs, approved by the Labour Inspection Authority, when they consider that the risk factors in the business make it necessary. The assessment of whether an obligation to connect to an OHS exists shall be made as part of the implementation of systematic OSH measures. The WEA also states that the ministry may, by regulation, issue further provisions for when and to what extent the employer is obligated to provide an OHS. The selection of these industries is based on risk analyses. The cost of the OHS is financed by the employer. In chapter 5.1 we will give a broader description of the OHS scheme in Norway.

1.3 Traditional OSH activities and risk assessment

Through annual allotment letters, the Ministry of Labour and Social Inclusion provides the Labour Inspection Authority with concrete targets and prioritised activities, as well as available resources and frameworks for the Authority's task solutions (see chapter 3). The Norwegian Labour Inspection Authority has an independent responsibility to inform the ministry about the risk of significant deviations from the requirements set out in the allotment letter or in the implementation of other assigned tasks in the agency.

The Authority's annual plans are based on assessments of which industries and occupational groups have the highest risk of workers becoming ill, injured or exploited because of their working conditions (see [case NO1¹²](#) for more detailed information on the Authority's risk-based strategy). The annual plans also include areas to which the Authority will pay extra attention in the following year. Examples are illegal contracted labour and occupational injuries. The Authority prioritises its activities based on these assessments. Dahl et al. (2018) show that a risk-based strategy is not new to the Authority, even if it has become increasingly emphasised both by the Authority itself and in the ministry's annual allotment letters. The risk assessments are carried out using STAMI's data on the state of the working environment, other available knowledge bases and the Labour Inspection Authority's own data (Ødegård et al., 2020).

The Authority has developed its own tools that combine different sets of data, including their own database of inspections, to identify individual businesses that are high-risk with regard to illnesses, injuries or exploitation because of the workers' working conditions. The analysis of the inspection database is developed using a machine learning system to target inspections more effectively.

The Labour Inspection Authority receives tip-offs and information from trade unions, enterprises and the public. Wathne et al. (2017) found that tip-offs have become an important source for selecting inspection objects in recent years: 'almost half (47 per cent) of the inspectors believe that tip-offs to a large extent are a good source for selecting inspection objects' (Wathne et al., 2017, p.34).

Over the past decade, there have been developments in risk-based methodology that go beyond risk assessments of industries and identification of industries with high risk, such as STAMI's analysis. In 2012, the Labour Inspection Authority shifted its strategy from performing 'as many inspections as possible' to carrying out more long-term work to reveal organised crime and shady networks within the labour market (Ødegård and Alsos, 2018). As will be further elaborated in chapters 3.3 and 4.2, there is a close link between organised crime in the labour market and breaches of OSH legislation that can be harmful to the working environments. Already in 2009, the Chartered Institute of Building (CIOB¹³) found that OSH shortcomings were among the most recurring criminal activities at building and construction sites.

Further, in line with the WEA section 4-1, the ministry can require the use of health and safety cards (HSE cards) for workers in industries where it is considered necessary or appropriate to maintain the

¹² Case NO1 is available at: <https://osha.europa.eu/en/publications/norwegian-labour-inspectorates-risk-based-strategy-supporting-occupational-safety-and-health-compliance-case-no1>

¹³ Chartered Institute of Building (CIOB), a global professional body for construction management and leadership (CIOB, n.d.).

workers' OSH, as well as an overview of the workers at the workplace. The card verifies that both the company and the worker are registered on the necessary public registers.¹⁴ HSE cards are mandatory for all businesses offering cleaning services, on building and construction sites, and for businesses providing car care (Norwegian Labour Inspection Authority, n.d. e). Labour inspectors have the competence to control whether workers are carrying valid HSE cards.

1.4 Targeted areas and industries

The Norwegian Labour Inspection Authority has supervisory authority over more than 220,000 land-based enterprises with employees¹⁵ in addition to about 430,000 enterprises without employees that also have statutory duties related to parts of the working environment regulations.

Overall, these enterprises are characterised by a variety of different working environment challenges along with varying degrees of resources, willingness and ability to handle these challenges. As pointed out above, the Authority follows political guidelines, including the Organisation for Economic Co-operation and Development's (OECD) recommendations.

The OECD's recommendations on risk-based and targeted supervision:

Achieving improvements in efficiency can be a result of reviewing the overall policies, the institutional framework and the tools used by regulatory agencies. It corresponds to a greater reliance on risk analysis and on a more targeted approach to the use of inspection and enforcement resources (OECD, 2014, p.12). The labour inspectorates prioritise industries and businesses for inspections based on knowledge about the risk of work-related health injuries and target actors who set the OSH standard under pressure.

In line with this recommendation, several industries have been prioritised in Norway during the last decade. From 2013 to 2018, industrial cleaning, together with hotels and restaurants (2013-2019), were targeted industries, receiving increased attention from the Labour Inspection Authority (Andersen et al., 2016; Trygstad et al., 2014; Ødegård et al., 2020). In 2021, the Authority prioritised illegal hiring of labour, as well as infection control measures stemming from the COVID-19 pandemic. Follow-up of notifications of serious accidents at work in all industries has also been a central priority for the Authority throughout the years.

An evaluation of the Labour Inspection Authority's operations and activities from 2017 (Wathne et al., 2017) included a relatively extensive analysis of the Authority's selection of areas, as well as a targeted and systematic development of a data tool for selecting firms and organisations to be inspected (this tool is described in greater detail in [case NO1¹⁶](#)). The evaluation shows a good coherence between the overall strategic initiatives and the work carried out in the regions (Wathne et al., 2017).

1.5 Enforcement and sanctions for OSH

The Labour Inspection Authority shall supervise compliance with the provisions of and pursuant to the WEA (WEA chapter 18). Moreover, the Labour Inspection Authority shall issue orders and make the individual decisions that are necessary for the implementation of the provisions in the WEA. Orders shall be issued in writing, and time limits shall be set for their effectuation. A fine for violations may also be imposed (WEA section 18-10). A fine may be imposed even when no individual person is evidently at fault. This fine accrues to the public treasury and may be maximally equivalent to 15 times the National Insurance basic amount.¹⁷ The size of the fine is based on, among other things, the seriousness of the infringement, the degree of guilt, whether repeated infringements are involved and the preventive effect. In addition to fines, the responsible person(s) risks imprisonment for up to one year (WEA section 19-

¹⁴ See: <https://www.arbeidstilsynet.no/en/hse-cards/hse-cards/>

¹⁵ The Norwegian Ocean Industry Authority (Havindustritilsynet) is responsible for security, working environment and readiness within the ocean industry, while the Civil Aviation Authority Norway (Luffartstilsynet) contributes to safety and public utility within Norwegian aviation (Norwegian Ocean Industry Authority, 2024; Civil Aviation Authority Norway, n.d.).

¹⁶ Case NO1 is available at: <https://osha.europa.eu/en/publications/norwegian-labour-inspectorates-risk-based-strategy-supporting-occupational-safety-and-health-compliance-case-no1>

¹⁷ The National Insurance basic amount is used as a basis to calculate insurance, social security and pension benefits. In 2023, the National Insurance basic amount amounted to approximately €10,400.

1). In the event of particularly aggravating circumstances, the penalty may lead to prosecution, with a maximum sentence of five years (WEA section 19-2). In the event of immediate danger, the activities that are associated with the dangerous situation may be immediately halted, even if no order has been issued. The Authority can also impose a fine in these cases.

2 Methodology

The research methods used for this study include a desk study, as well as interviews with key informants. The desk study was carried out during the first half of 2023, providing an overview of previous research and reports on both enforcement and guidance activities carried out by the Labour Inspection Authority, as well as internal and external preventive services. Further, the interviews that followed provided in-depth information on these topics, as reported by actors who are concerned with the activities and services in their daily lives. Following the desk study, a number of case studies were conducted covering the following areas:

1. The Labour Inspection Authority's risk-based strategy ([case NO1](#)),
2. The inter-agency anti-crime cooperation ([case NO2](#)),
3. Lessons from the COVID-19 pandemic ([case NO3](#)),
4. The call service ([case NO4](#)),
5. The occupational health service ([case NO5](#)), and
6. Regional safety representatives ([case NO6](#)).

While the first four cases are concerned with enforcement and guidance activities carried out by the Labour Inspection Authority (see chapter 4 and cases 1, 2, 3 and 4), the last two cases are concerned with internal and external preventive services (see chapter 5 and cases 5 and 6). In the following sections, the methodology followed for the desk study and the interviews is presented, as well as an overview of the key informants and the respective topics.

In this project we focus on whether the Norwegian Labour Inspection Authority has the data, tools and resources needed to establish a uniform and coordinated system for promoting compliance with OSH regulations.

We concentrate on the following two activities: traditional and innovative enforcement activities carried out by the Labour Inspection Authority for OSH, and day-to-day activities carried out by internal or external OSH preventive services. To describe these activities in detail, we use a set of different methods, a desk study, qualitative interviews, cases studies and available statistics, mainly from the Norwegian Labour Inspection Authority. By combining these data, we aim to answer the main research questions in this project.

2.1 Desk study

The desk study included collection and analysis of scientific and grey literature. Information was collected from the literature, OSH legislation, reports from the actors involved, evaluations of the activities and services provided by external actors, and the like. Further, information was collected from websites concerning actors, agencies and organisations involved in the work of the Labour Inspection Authority concerning OSH and internal and external preventive services. The desk study concerned six different areas, most of which are linked to the six case studies, namely: (1) annual allotment letters to the Labour Inspection Authority from the Ministry of Labour and Social Inclusion, together with the Authority's annual reports; (2) risk-based supervision; (3) the inter-agency anti-crime cooperation; (4) the call service; (5) the OHS; and (6) RVOs. The desk study provided us with an overview of each topic and laid the foundation for the interviews that followed.

2.2 Interviews

A central part of the study was to conduct in-depth interviews with key informants. Altogether, 27 semi-structured interviews were conducted. The aim of the interviews was both to survey the main challenges the Norwegian Labour Inspection Authority faces and to discuss possible solutions. All interviews were conducted through video calls, on which two interviewers were always present: one asking questions, and the other taking notes. The duration of each interview was between 45 minutes and one hour.

The interviews followed semi-structured interview guides, based on the desk research, adapted to each case. For instance, the interview guide concerning the OHS included questions on the difference between internal and external OHSs, the link between the service and the Labour Inspection Authority, and how the service is organised, while the interview guide concerning the call service included questions related to what kind of enquiries the service receives, and about the competencies of the team

that answers these enquiries. Questions about lessons from the pandemic, the actors' role in relation to compliance with OSH regulations, and whether elements of the activities and services are transferable to EU Member States were included in almost all interviews.

Table 1 provides an overview of the interview plan, including the key informants and the topics they are concerned with. As the table presents, most of the informants had experience in and insights into different topics and were therefore asked questions related to several of our cases.

Table 1: Interview plan: overview of informants and the topics they were interviewed about

Informants	Number of respondents	Risk-based supervision	Regional safety representatives	Occupational health services	The call service	The pandemic	Inter-agency anti-crime cooperation
Representatives from the Ministry of Labour and Social Inclusion in charge of the Labour Inspection Authority	2	X	X	X	X		X
Representative from the department for working environment and regulations in the Norwegian Labour Inspection Authority	1	X				X	
Representatives for the Norwegian Confederation of Trade Unions (LO)	2	X	X	X	X	X	X
The Confederation of Norwegian Enterprise (NHO)	1	X	X	X	X		X
Inspectors in The Norwegian Labour Inspection Authority	3	X	X	X	X	X	X
The Norwegian Labour Inspection Authority representative in charge of OSH	1			X	X	X	
Occupational safety and health service	1			X		X	
Interviews in a private enterprise with an internal occupational health service	3	X	X	X	X	X	
Regional safety representatives from construction and cleaning	2	X	X	X	X	X	X
Secretariat for regional safety representatives	1		X			X	

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The call service	1				X	X	
Responsible for inter-agency anti-crime cooperation in the Labour Inspection Authority	1					X	X
Responsible for inter-agency anti-crime cooperation in the Norwegian Tax Administration, the Labour and Welfare Administration, and the police	3						X
Workers at the anti-crime centres, representing the Norwegian Labour Inspection Authority, Norwegian Labour and Welfare Administration (NAV), the police and the Norwegian Tax Administration	5	X				X	X

3 Priorities and targets of the Labour Inspection Authority

At the beginning of every year, the Norwegian Labour Inspection Authority receives an allotment letter from the Ministry of Labour and Social Inclusion that includes the Authority's financial framework and states the ministry's priorities for the Labour Inspection Authority, targets and reporting requirements for the following year (Norwegian Ministry of Labour and Social Inclusion, 2023). The allotment letters are publicly available. In return, the Labour Inspection Authority reports on its efforts and activities in its annual reports. These reports include principal figures, activities and results, answering to the reporting requirements imposed by the ministry, as well as an evaluation of the Authority's outlook. While the allotment letters constitute the foundation for the Authority's work, a certain degree of flexibility is also expected to take on new tasks that correspond to changes in the labour market. An overview of the Authority's central targets over the past decade, and the years in which they were prioritised, is presented in Table 2. The targets are based on allotment letters from 2013 until 2023 and the Authority's annual reports for the years 2013 to 2022.

Table 2 shows that some new targets have been introduced and some targets have been 'phased out', while others have remained quite constant over the years. The Authority's main targets over the past three years have remained the same: (1) preventive OSH; (2) serious and decent working conditions; and (3) combating social dumping and work-related crime.

Several targets are repeatedly emphasised from 2013 to 2018, including developing expertise on working conditions and OSH in the Authority, the Authority's credibility in society and enterprises carrying out systematic OSH work. Some of the least mentioned targets include tripartite sector programmes and cooperation between authorities at the national and transnational levels.

One target has remained constant throughout the past decade. While the wording varies to a certain degree, the target of combating social dumping and/or work-related crime has remained central in every allotment letter and annual report. In 2013, the target was formulated with the goal of hindering social dumping, while the target in 2023 was to uncover and combat work-related crime. A more detailed definition of the two terms is presented in chapter 3.1.3. In this study, we concentrate on OSH, and uncovering breaches to OSH regulations is a central part of combating work-related crime. As will be discussed in chapter 4.2, as well as in [case NO2](#)¹⁸, work-related crime often involves employers who do not support their workers with sufficient work and safety equipment, or who do not comply with OSH regulations such as the WEA.

Table 2: Overview of the Labour Inspection Authority's most central targets and the years they were prioritised, 2013-2022 (Norwegian Ministry of Labour and Social Inclusion, 2013-2023; Norwegian Labour Inspection Authority, 2013-2022¹⁹)

Targets	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022
Preventive OSH	x					x	x	x	x	x
Responsible and decent working conditions	x	x	x					x	x	x
Social dumping and work-related crime	x	x	x	x	x	x	x	x	x	x
Increased knowledge on working conditions and OSH and an emphasis on the quality of this knowledge for the Labour Inspection Authority	x	x	x	x	x	x				

¹⁸ Case NO2 is available at: <https://osha.europa.eu/en/publications/norways-inter-agency-anti-crime-cooperation-supporting-occupational-safety-and-health-compliance-case-no2>

¹⁹ The reference for Table 2 is the allotment letters to the Labour Inspection Authority from the Ministry of Labour and Social Inclusion (2013-2023), and the Labour Inspection Authority's annual reports from 2023 to 2022. A full list of the allotment letters and the annual reports are found in the reference list.

Evaluating whether working environment regulations contribute to reach OSH targets			x	x	x	x				
The Authority acts in a predictable and unified manner towards enterprises ²⁰		x		x						
The Authority holds credibility in society	x	x	x	x	x	x				
Enterprises maintain systematic OSH work	x	x	x	x	x					
Sharing of information between national authorities				x						
Cooperation with inspectorates in other countries				x						
Tripartite sector programmes		x								
'An inclusive working life' ²¹	x	x								

While some targets reoccur more often, it is important to note that the targets portray the Authority's priorities for the year in question, not its entire scope of activities, and that they are not mutually exclusive. In the following section, we take a closer look at some of the most frequently prioritised targets for the Authority over the past decade, including preventive work with OSH, expertise on working conditions and OSH, and uncovering and combating social dumping and/or work-related crime.

3.1 Preventive work with OSH

In 2013, the ministry stated that the Labour Inspection Authority would contribute to businesses' work on preventing work-related illnesses and accidents and promoting inclusion (Norwegian Ministry of Labour and Social Inclusion, 2013). The reasoning behind this priority was that working environment challenges characterised certain industries and occupational groups. The ministry therefore emphasised that the Authority should prioritise inspections in these particularly vulnerable industries, namely the cleaning industry and the health sector.

In 2023, the Ministry stated that businesses were to work with preventive working environment, health and safety in a systematic manner (Norwegian Ministry of Labour and Social Inclusion, 2023). Similar to 10 years earlier, the reasoning behind this directive was that the Authority should prioritise its work based on risk, focusing on industries and enterprises with the most prominent challenges and the greatest risk of serious health outcomes. In 2023, the work performed by the OHS at the company level and cooperation with STAMI were cited as important measures to reach this target.

In the Authority's annual report from 2013, working preventively with OSH was described as a pillar of the Authority's work (Norwegian Labour Inspection Authority, 2013). This implied that during inspections, inspectors should emphasise how systematic and preventive work with OSH can be strengthened through cooperation between employers and safety and union representatives on matters like working hour arrangements and information sharing.

The Authority states that systematic work with OSH can prevent and reduce the risk of health issues, injury and illness at work, and/or the deteriorating of such issues (Norwegian Labour Inspection Authority, 2022). To reach this goal, the Authority points out that each enterprise must map out and

²⁰ Predictable and unified in the sense that businesses can be related to one joint Labour Inspection Authority regardless of where in the country they operate or which inspectors they are visited by.

²¹ 'An inclusive working life' is a letter of intent written in collaboration between the social partners and the authorities first in 2001. The current letter of intent lasts from 2019 to 2024. The aim of 'an inclusive working life' is to create a working life that includes everyone by preventing sickness, absence and abandonment, hence contributing to increased employment (Norwegian Government, 2022).

evaluate the risk of possible dangers and issues in their working environment regularly and implement measures to reduce these risks for their workers. In 2022, the Authority controlled central requirements connected to systematic OSH work in more than 5,700 inspections and discovered breaches of these requirements in 58% of these inspections.

3.2 Expertise on working conditions and OSH

Developing expertise on working conditions and OSH was a prioritised target for the Labour Inspection Authority from 2013 to 2018. The aim of this target is for the Authority, through its own work and in cooperation with relevant knowledge providers, to contribute to a good professional basis for policymaking and administration in the area of working environments (Norwegian Ministry of Labour and Social Inclusion, 2015). The importance of knowledge concerning measures that effectively contribute to better preventive OSH work in businesses has also been emphasised (Norwegian Ministry of Labour and Social Inclusion, 2018a).

The annual report for 2017 emphasised the Authority's cooperation with the National Occupational Health Surveillance (NOA)²² and STAMI on the risk picture for Norwegian working life (Norwegian Labour Inspection Authority, 2017). The cooperation aims to contribute to a joint understanding among authorities, as well as the social partners, regarding the most serious and extensive challenges in the working environment. In 2017, the authorities cooperated on updating the risk picture and discussed it with the parties in the Labour Inspection Authority's council.²³

A prediction index was also introduced as a new supportive measure for the Authority to choose enterprises in which to conduct inspections (Norwegian Labour Inspection Authority, 2017). The supportive measure distributes all enterprises that are registered in the Central Coordinating Register for Legal Entities (CCR)²⁴ into four different risk groups. The distribution is based on the probability of the Authority uncovering serious deviations in the enterprise's working environment in the case of an inspection. Inspection data and additional information about the enterprises are analysed to uncover risks. Machine learning is used to perform analysis on a regular basis with updated and expanded data. The Authority considers these risk groups to be highly accurate (Norwegian Labour Inspection Authority, 2017).

In the annual report from 2018, the Authority presents an overview of the results from the inspections carried out during the year, divided into four risk groups (Norwegian Labour Inspection Authority, 2018). Risk group 1 has the lowest calculated risk for breaches, while risk group 4 has the highest. Table 3 gives an overview of the results from inspections carried out in 2018 based on risk groups.

Table 3: Results from inspections in enterprises in the four risk groups (Norwegian Labour Inspection Authority, 2018)

Risk group	Share of inspections with reaction	Share of breaches on the controlled matters	Number of reactions per inspection with a reaction
1	49%	18%	2.47
2	63%	26%	2.85
3	72%	36%	3.20
4	78%	44%	3.63
Average	63%	30%	2.91

²² NOA is organised as a department at STAMI (STAMI, n.d.).

²³ The council is composed of the social partners and led by the Labour Inspection Authority's director (Norwegian Government, 2018).

²⁴ The Register collects, preserves and makes available basic data about enterprises at the national level (The Brønnøysund Register Centre, 2023).

As expected, the Authority uncovered and corrected a larger share of working environment challenges through inspections in enterprises in high-risk groups than in the lower-risk groups. However, even in risk group 1, the share of inspections with reactions is relatively high. Nonetheless, the severity of the reactions is not portrayed in the table, and it could be assumed that it ranges from smaller deviations the enterprises easily can correct to more severe conditions posing a risk for life and health.

3.3 Uncovering and combating social dumping and work-related crime

The work of uncovering, combating and preventing social dumping and work-related crime has been a central target for the Labour Inspection Authority throughout the past decade. In 2015, the ministry stated that the Authority should prioritise contributing to a safe and serious working life and businesses' efforts to prevent social dumping. The same year, the government strengthened these efforts by introducing an inter-agency cooperation between the Labour Inspection Authority, the Norwegian Tax Administration, the police, and the Norwegian Labour and Welfare Administration (NAV) as a strategy against work-related crime (KPMG, 2022). The inter-agency cooperation on work-related crime is described in further detail in [case NO2²⁵](#).

Tripartite sector programmes have also been recognised as important measures to target the parts of working life where challenges related to social dumping and work-related crime are the most prominent. These have been established for: restaurants, bars and nightclubs; the transport sector; the car industry; and the cleaning industry (Norwegian Government, 2023). The tripartite sector programmes aim to mobilise employers, workers and public agencies to join their efforts and combat challenges related to working conditions and wages in these industries.

The wording of the Authority's targets related to social dumping and work-related crime over the past decade has varied to some degree, and while there are important similarities between these two terms, there are also some differences. This can be instances where there are breaches of OSH regulations, namely those concerning working hours and living standards, and/or when wages and other benefits are unacceptably low compared to what Norwegian workers normally earn, or when employers do not follow generally applied collective agreements in industries where these apply. Work-related crime can be defined as actions that are purposely breaching Norwegian laws on working conditions and wages, social insurances, taxes, rates and dues (Norwegian Labour Inspection Authority, 2022). Work-related crime is characterised by being organised and carried out in a manner that minimises production costs and exploits workers or distorts competition and contributes to undermining the structure of society. These terms, as well as their link to OSH, are described in further detail in chapter 4.2.

In the ministry's allotment letter for 2023, efforts related to 'uncovering and combating work-related crime' are still linked to the cooperation between public agencies, this time referred to as a 'broad collaboration between different agencies'. Through this collaboration, the Labour Inspection Authority and other affected agencies will cooperate on a joint effort and use of measures to have the largest possible effect on uncovering and combating work-related crime.

The Authority carries out two different types of inspections directed at work-related crime. The first kind aims to map out and uncover work-related crime, while the second aims to combat threats that have already been identified. The first generally demands fewer resources, but also usually results in fewer inspections with breaches and reactions. Table 4 provides an overview of key numbers from inspections uncovering and combating work-related crime in the past four years.

²⁵ Case NO2 is available at: <https://osha.europa.eu/en/publications/norways-inter-agency-anti-crime-cooperation-supporting-occupational-safety-and-health-compliance-case-no2>

Table 4: Key numbers for inspections related to work-related crime by intention (uncovering and combating) and in total, 2019-2022 at the labour crime centres and locally (Norwegian Labour Inspection Authority, 2022)

	2019	2020	2021	2022
Uncovering	2,305	1,469	1,337	1,474
Share of inspections with breaches	48%	53%	47%	56%
Combating	566	282	312	317
Share of inspections with breaches	75%	73%	77%	80%
In total	2,871	1,751	1,649	1,791
Share of inspections with breaches	53%	56%	52%	60%

The Authority carried out 1,791 inspections related to work-related crime in 2022, compared to 1,649 in 2021 and 1,751 in 2020, illustrating a small increase after a decline during the COVID-19 pandemic. Due to restrictions during the pandemic for the first two months of 2022, fewer inspections related to work-related crime were carried out for this period than first planned (Norwegian Labour Inspection Authority, 2022).

4 Enforcement and guidance activities carried out by the Labour Inspection Authority

In this chapter, we take a closer look at some central elements of the Norwegian Labour Inspection Authority's priorities over the past decade, namely the Authority's risk-based strategy, the inter-agency anti-crime cooperation, the call service and lessons from the COVID-19 pandemic.

4.1 The Labour Inspection Authority's risk-based strategy

As previously mentioned, the Norwegian Labour Inspection Authority has supervisory authority over more than 220,000 land-based enterprises with employees in addition to about 430,000 enterprises without employees, which also have statutory duties related to parts of the working environment regulations. Overall, these enterprises face a variety of different working environment challenges with varying degrees of resources, willingness and ability to handle these challenges. The sheer number of enterprises implies that the Labour Inspection Authority will not be able to control them all in a reasonable time span. The Authority therefore has a clear objective for the supervision of the working environment to be risk-based. This is the case for all the Nordic labour inspectorates (Dahl et al., 2018).

In general, a risk-based strategy implies that the supervisory activity should be aimed at the industries, businesses and parts of the workforce where the risk is greatest (Dahl et al., 2018). The Labour Inspection Authority's annual plans are based on risk assessments concerning illnesses, injuries and exploitation because of conditions at work. Dahl et al. (2018) have shown that this is not a new strategy, even if it has been increasingly emphasised by the inspectorate itself and articulated in the annual allocation letter from the ministry. The strategy takes the form of a process where risk-exposed occupational groups and industries are identified using the Authority's own data, data from STAMI and Statistics Norway as well as other available knowledge bases (Ødegård et al., 2020). According to Dahl et al. (2018), there are four main elements of a risk-based supervision methodology:

- how the risk-based approach is anchored (signals sent from political authorities);
- what data the agencies use in their analyses (the knowledge base available);
- how the inspectorate works to identify specific themes, industries and groups of employees; and
- how the agencies work to identify specific objects for inspection.

The Norwegian Labour Inspection Authority's risk-based strategy can more specifically be described in three steps. First, the Ministry describes which objectives the Labour Inspection Authority must prioritise in their annual allotment letter. Second, the Authority prepares a justification of its plan to prioritise as best as possible within these objectives. This justification takes the form of a document called a risk picture, which presents an overview of the central challenges and the industries that are most at risk (in terms of working environment challenges and work-related crime). Lastly, the risk picture provides the basis for prioritisation, together with the guidelines in the allotment letter. The Norwegian Labour Inspection Authority explains that their supervision is based on risk:

"... we direct our activities towards the most central working environment problems in exposed industries. Which industries we direct our efforts towards is based on a holistic assessment of employees' exposure to factors in the working environment that increase the risk of injuries, ailments and diseases. Important criteria in this assessment are severity, extent, prevention potential and the quality of knowledge. This risk-based approach enables the Norwegian Labour Inspection Authority to work in a targeted manner within various priority industries."

Over the last decade, there has been a development in the risk-based methodology that goes beyond risk assessments of high-risk industries, such as STAMI's analysis. The inspectorate has developed its own tools that combine different sets of data, including their own database of inspections, to identify individual businesses that are in the risk zone more directly. Psychosocial risks are included in that analysis too. The risk index is a statistical method for risk-based identification of specific objects of supervision. It was implemented in the agency's administrative IT system (Betzy) in spring 2017. In short, the index makes it possible to group all businesses in Norway based on risk. As presented in the previous section, these four groups are based on: (1) lowest risk, (2) low risk, (3) high risk, and (4)

highest risk. Machine learning is also utilised to identify businesses that have characteristics that are typically linked to high risks. The Authority's risk-based strategy, including experiences with the risk-index, are described in larger detail in [case NO1](#)²⁶.

4.2 Social dumping, work-related crime and the inter-agency cooperation

4.2.1 Social dumping and work-related crime

Work-related crime is not a common term at the international level, and most other countries do not have a similar approach to this topic (KPMG, 2022). Nevertheless, during recent years, the attention towards work-related crime has increased in other Nordic countries and in the Baltic States. For instance, Lithuania is currently carrying out a pilot project like the Norwegian inter-agency anti-crime cooperation. Work-related crime is when someone in the labour market intentionally breaks the law to reduce their production costs and typically involves working conditions and wages, social security and taxes (Bergsli, 2017). Work-related crime connected to working conditions and wages often takes the form of employers not supplying their workers with sufficient work and safety equipment and non-compliance with OSH regulations such as the WEA. Breaches of working time arrangements, not providing OSH education and inadequate employer-provided housing also fall under this category (Bergsli, 2017).

As discussed in chapter 3.3, work-related crime is closely connected to the term social dumping. In its 'Revised strategy for combating work related crime' (2019), the ministry describes that social dumping or 'poor working conditions' in many cases will coincide with different forms of statutes that govern working life but underlines that work-related crime involves criminal offences, which is not necessarily the case for social dumping. Trygstad et al. (2011) use the term 'irresponsibility' to describe the conduct of enterprises and employers who regularly and systematically operate on the edge of the law.

The cleaning industry is one example that is frequently mentioned when discussing work-related crime and social dumping in the Norwegian context as it is labour-intensive with few requirements for formal education, and the costs of establishing a new business are low (Trygstad et al., 2018). This has led the industry into the media spotlight on several occasions, and especially the parts of the industry operating on the edge of the law. There have been many reports of social dumping, and the number increased after the EU enlargements in 2004 and 2007. The enlargements led to a rapid increase in labour immigration to the Norwegian labour market, where dishonest actors took advantage of an increased access to labour and lower wages, often with little knowledge of Norwegian OSH regulations, by dumping the price on cleaning. Low wage competition then increased the pressure on effectiveness in the entire industry. Issues related to dishonest actors in the cleaning industry are not a new phenomenon. Trygstad et al. (2011) refer to a governmental report from as early as 1993 that aimed to describe the working environment in the Norwegian cleaning industry at the time (NOU 1993: 10).

4.2.2 The link between OSH and work-related crime

The organisation Project Norway²⁷ has previously managed two research projects concerning how work-related crime affects the building and construction industry and the real estate industry (Project Norway, 2021). Part of these projects was a comprehensive literature review, where Lohne et al. (2019) found that surprisingly few studies have been conducted regarding the link between work-related crime and OSH challenges, either nationally or internationally.

Nonetheless, Project Norway points out some examples. First, Hämäläinen (2009) analysed the under-reporting of dangerous working conditions connected to labour immigrants in Finland and found that these accidents were often not included in public registers on work-related injuries. Further, Millward (2016) analysed the infrastructure projects connected to the 2022 World Cup in Qatar and pointed out that a large number of labour immigrants were injured or died. In addition, Díaz Fuentes et al. (2016)

²⁶ Case NO1 is available at: <https://osha.europa.eu/en/publications/norwegian-labour-inspectorates-risk-based-strategy-supporting-occupational-safety-and-health-compliance-case-no1>

²⁷ Project Norway is a partner-based organisation owned by the Norwegian University of Science and Technology (Project Norway, n.d.). Partners include municipalities, universities, research institutes and the Norwegian Public Roads Administration, among others. The project establishes research programmes and aims to link academia and industry.

found that the majority of employers in the building and construction industry in New Orleans, Louisiana, did not offer sufficient safety equipment or health insurance to their workers and threatened to fire Latin-American labour immigrants who demanded this. Project Norway underlines that the lack of research concerning OSH shortcomings in a crime perspective is surprising, especially due to reports like that of the CIOB (2009) having established that these are among the most recurring criminal activities in the building and construction industry.

4.2.3 Action plans to combat social dumping and work-related crime

Various governments have introduced measures to reduce the outreach of crime in Norwegian working life, and negative publicity about individual cases and pressure from social partners have been important drivers of this development (KPMG, 2022). The EU enlargements in 2004 and 2007 created a large inflow of workers and subcontractors to Norway from central and eastern Europe; this happened concurrently with a rapid increase in the demand for labour in the Norwegian labour market (Eldring et al., 2011; Norwegian Government, 2013). The increased supply of labour willing to work for lower wages and in worse conditions than Norwegian standards and the regulation and inspections of labour immigrants' working conditions and wages have therefore been a central topic in the years following the enlargements.

In relation to these efforts, social dumping became a central term in Norwegian working life. The Stoltenberg government²⁸ presented three action plans to combat social dumping, in 2006,²⁹ 2008³⁰ and 2013³¹ (Eldring et al., 2011). These action plans became central tools and references both for public authorities and the social partners. Among numerous other objectives, the first action plan includes an increase in resources directed at the Labour Inspection Authority's inspections, the second action plan includes the establishing of RVOs in the hotel and restaurant industries (see [case NO6³²](#)), and the third action plan includes the introduction of sector programmes in licensed trade and in the road sector. In the third action plan, the government stated that the work to combat social dumping had proved that poor working conditions do not solely affect labour immigrants but also specific industries that are characterised by a number of irresponsible enterprises (Norwegian Government, 2013). Therefore, measures to create decent working conditions must be broad. One target in the third action plan was therefore to make it more difficult for dishonest actors to operate in the Norwegian labour market, and the means of the third action plan are especially directed towards the parts of the labour market characterised by low union density. Among other things, the measures are intended to ensure that labour immigrants have acceptable working conditions and wages and to prevent a division in the labour market where foreign workers are provided with substantially lower conditions and standards than for the rest of the labour market.

In 2013, there was a shift, both in governments and in action plans, and the emphasis moved from social dumping to work-related crime. In 2015, the government³³ introduced its strategy for strengthening efforts to combat work-related crime (Norwegian Government, 2015). The intent was 'both to combat work-related crime and to promote responsible and sound working conditions by means of broad cooperation between the public authorities and the social partners on prevention, knowledge sharing and enforcement' (Norwegian Government, 2015). This strategy laid the basis for the inter-agency cooperation between the Norwegian Labour Inspection Authority, NAV, the police and the Norwegian Tax Administration. The strategy was revised three times: in 2017, 2019 and 2021.

The current government³⁴ presented a new action plan in 2022. This action plan addresses both social dumping and work-related crime, illustrating the overlap between the two terms and the grey area between human trafficking and social dumping: 'The Government will review measures that can strengthen the help provided for victims of gross exploitation, and will consider criminalising other forms

²⁸ Governed from 17 October 2005 to 16 October 2013.

²⁹ Pressemelding 1.5.2006.

³⁰ Pressemelding 7.10.2008.

³¹ Norwegian Government, 2013.

³² Case NO6 is available at: <https://osha.europa.eu/en/publications/norways-regional-safety-representatives-supporting-occupational-safety-and-health-compliance-case-no6>

³³ Governed from October 2013 to October 2021.

³⁴ The current Støre Government has been governing since October 2021.

of exploitation of foreign nationals by employers that are not categorised as human trafficking' (Norwegian Government, 2022).

Like previous plans and strategies, the 2022 action plan also emphasises the strengthening of cooperation between public authorities, such as the inter-agency anti-crime cooperation (Norwegian Government, 2022). In 2023, the current government proposed to increase the maximum infringement fee the Labour Inspection Authority can impose in cases of breaches of the WEA to almost 6 million Norwegian kroner (NOK)³⁵ (approximately €527,000 at the time of writing) from the current amount to clamp down on work-related crime (Norwegian Government, 2023).

4.2.4 The inter-agency anti-crime cooperation

The inter-agency anti-crime cooperation between the Norwegian Labour Inspection Authority, NAV, the police and the Norwegian Tax Administration has established centres to prevent and combat work-related crime around the country in the cities of Oslo, Bergen, Stavanger, Kristiansand, Trondheim, Bodø, Tønsberg and Alta (KPMG, 2022).

As previously described, inter-agency anti-crime cooperation originates from the government's strategy against work-related crime in 2015. Challenges connected to work-related crime are multifaceted and are the reason why an inter-agency approach was chosen to prevent, uncover and combat it. The involved agencies have defined three target areas for the collaboration: (1) central actors who pose a threat have had their capacity and intention reduced substantially; (2) foreign workers are set to safeguard their rights and fulfil their duties; and (3) employers and consumers do not contribute to work-related crime when purchasing goods and services.

At the centres, there are expert groups that work with information and control groups carrying out inspections and measures against actors that pose a threat. These are actors with the capacity and intention to commit crimes in working life (Norwegian Labour Inspection Authority, 2023). During the cooperation's first years, the police was also part of the control groups at all the centres. However, in 2021, the Norwegian National Authority for Investigation and Prosecution of Economic and Environmental Crime (Økokrim) concluded that paragraph 7 in the Police Act did not grant the police the authority to attend joint inspections. Today, the police is present solely to protect the labour inspectors. One of the largest challenges for the cooperation has been barriers related to the sharing of information between the agencies (KPMG, 2022). In June 2022, a new regulation came into force concerning the sharing of information.

4.3 The Labour Inspection Authority's activities during the COVID-19 pandemic

The spread of COVID-19 increased in Norwegian society and workplaces, especially during autumn 2020 (Norwegian Labour Inspection Authority, 2020).³⁶ For this reason, the Labour Inspection Authority received an additional allotment letter from the ministry, ordering the Authority to contribute to limiting the spread of the virus at Norwegian workplaces and working sites. The following year, the Authority became responsible for a scheme regarding accommodation for foreign workers (Norwegian Labour Inspection Authority).³⁷

In its annual report from 2020, the Authority states that they used risk analyses to evaluate where they were needed the most during that year. Further, the Authority's guidance activities increased substantially during the pandemic. This was, among other things, a response to feedback that it was difficult to understand and keep pace with changes in regulations concerning infection control. In terms of both guidance and surveillance, the Labour inspection Authority cooperated with public health authorities and the municipalities to limit the spread of the virus.

Working life is an important arena for prevention, which takes the form of protecting workers against contamination in relation to their work, but also preventing workers from infecting third parties, including customers, patients and passengers. Foreign workers were considered an exposed group during the

³⁵ From NOK 1,779,300 to NOK 5,931,000.

³⁶ The information in these sections is mainly gathered from the Labour Inspection Authority's annual reports from 2020 and 2021.

³⁷ Annual report from the Labour Inspection Authority, 2021.

pandemic, especially due to travel, but also because of their living conditions, as many often lived in close quarters in relatively small apartments, which increased the risk of contamination.

This led to comprehensive measures being implemented to limit the virus' spread in Norway. These measures also had a massive impact on the Norwegian workforce. Workplaces in certain industries were closed for a period, for example schools and universities, shops (except groceries), hairdressers and more. During the lock-down, schools and universities switched to 'home teaching' with pupils, students and teachers working from home with online video conferencing platforms and email as the main tools for communication. All employees who were able to work from home worked remotely during this period. Nearly 40% of Norwegian employees worked from home for extensive periods (NOU 2021: 6). This means that the remaining 60% of the workforce had to work from their regular workplace under strict rules for infection control or they were fully or partially laid off since the workplace was closed or had strong restrictions on how many people could be present at the same time.

In February 2021, a lot of attention was directed towards infection control in accommodations used by foreign workers (Norwegian Labour Inspection Authority, 2021). Therefore, the Authority was given the additional task of establishing and running an authorisation scheme for accommodation. Conditions of entry into the country became stricter, and entry quarantines were introduced. Consequently, it was decided that accommodation provided by employers for workers in quarantine had to be authorised by the Labour Inspection Authority too. As seen in [case NO3³⁸](#), the Authority received over 7,000 accommodation applications in 2021. Seventy-seven per cent of the applications were approved, while the rest were rejected or withdrawn by the businesses that initially had applied for authorisation. The aim of these requirements was to ensure sufficient accommodations, as well as to reduce the risk of spreading the disease. In 2021, the Labour Inspection Authority carried out more than 400 inspections controlling accommodation, and few breaches were found (about 5% of the inspections).

4.3.1 Inspections

The Labour Inspection Authority used different measures to ensure that enterprises performed sufficient infection control to prevent exposure to the SARS-CoV-2 virus (Norwegian Labour Inspection Authority, 2020). Inspections were considered the most suitable measure in this regard as control is considered necessary to ensure sufficient compliance with regulations aimed at limiting the spread of infection, and because inspections provide inspectors with the opportunity to follow up with reactions. Based on the risk picture, the Authority imposed shorter time limits to fulfil orders during this period.

In 2020, the Authority carried out 506 inspections where one or several conditions related to the prevention of COVID-19 were controlled (Norwegian Labour Inspection Authority, 2020). Most of the inspections concerning this topic were carried out within the hotel and restaurant sectors, but also in the building and construction industry and in retail trade. Breaches of regulations concerning infection control were found in 39% of the inspections, indicating that the Authority was precise in its risk-based strategy and choice of prioritised target groups.

The control points that were used most frequently concerned whether the employer had imposed measures to remove or reduce the risk of the spread of COVID-19, and had mapped and evaluated the risk of exposure to the virus, including the health consequences for workers in case of infection (Norwegian Labour Inspection Authority, 2020). The Labour Inspection Authority also reported that virtual inspections and guidance were new solutions adjusted to the pandemic that improved the ways in which the Authority was able to reach its target groups during the pandemic.

Digital supervision was particularly common in connection with the accommodation approval scheme where the employer made quarantine housing available for migrant workers. For this supervision method, the employer filmed the accommodation to document that all necessary precautions had been taken (see [case NO3³⁹](#) for more on this). In 2021, there was a total of 331 virtual inspections and this number increased to 485 in 2022 (Norwegian Labour Inspection Authority, 2022).

³⁸ Case NO3 is available at: <https://osha.europa.eu/en/publications/norways-experience-and-lessons-learned-covid-19-pandemic-supporting-occupational-safety-and-health-compliance-case-no3>

³⁹ Case NO3 is available at: <https://osha.europa.eu/en/publications/norways-experience-and-lessons-learned-covid-19-pandemic-supporting-occupational-safety-and-health-compliance-case-no3>

4.3.2 Guidance

In addition to inspections, the Labour Inspection Authority guided and provided information about infection control and preventive measures concerning COVID-19 in working life through several means (Norwegian Labour Inspection Authority, 2020). The Authority started using social media as a channel for communication quite early, in February 2020, to recommend that employers implement risk evaluation. Later, 10 COVID-19-related posts were made on the Authority's Facebook page throughout the spring of 2020. These were seen by 380,000 people. The Authority also shared information and links to other relevant public agencies during this period.

The COVID-19 situation led to a lot of questions among both employers and workers, and the call service therefore received a lot of enquiries regarding cleaning, temporary dismissals and exemption clauses in the WEA (Norwegian Labour Inspection Authority, 2020). The Authority's webpages were updated continuously to be able to meet the needs of employers and workers in this regard. The third most visited of the Authority's websites in 2020 was a site describing what employers can do to prevent the spread of the virus.

In December 2020, the Labour Inspection Authority carried out a guidance campaign⁴⁰ directed at foreign workers with information on COVID-19 infection testing, quarantine and infection control (Norwegian Labour Inspection Authority, 2020). The campaign was carried out in dialogue with the Norwegian Directorate of Health. It was published in a number of languages such as Polish, Lithuanian, Romanian and English for people with these language settings on Facebook and Instagram. The Authority described the results of this campaign as very good.

4.4 The Labour Inspection Authority's call service

The call service is the Norwegian Labour Inspection Authority's nationwide guidance and counselling service. The unit is part of the Authority's department of communication and user dialogue and is located in Bodø (Norwegian Labour Inspection Authority, 2021). The unit is highly interdisciplinary and consists of approximately 21 full-time employees. The service is open on weekdays, from 9 a.m. to 11 a.m. and from 12 p.m. to 2 p.m. The call service is described in larger detail in [case NO4](#)⁴¹.

The call service provides advice and guidance for employers, employees and others on working environment issues within the scope of the WEA, the General Application Act and additional regulations under the authority of the Norwegian Labour Inspection Authority. Questions can be sent in Norwegian, English, Romanian, Lithuanian, Russian and Polish and answers are provided in those languages. The service contributes to the development of content on the Authority's webpage, and a large part of its work is also connected to administrating the access to information in line with the Public Administration Act.

During the COVID-19 pandemic, the Authority provided guidance and information to the public related to infection control and the pandemic through the call service (Norwegian Labour Inspection Authority, 2020). The call service received guidance from the Norwegian Directorate of Health on the parts of the COVID-19 regulations concerned with working conditions and was given a national role of answering questions concerning these regulations. Questions concerning working conditions were forwarded to the call service from the Norwegian Directorate of Health and the Norwegian Institute of Public Health. The call service also received tip-offs on breaches of infection control protocol to relieve the health authorities. In March 2020, almost 80-90% of the enquiries the call service received were COVID-19-related questions.

⁴⁰ More information is available at: <https://www.arbeidstilsynet.no/en/safety-and-health/corona-virus-information-for-workers-and-employers/>

⁴¹ Case NO4 is available at: <https://osha.europa.eu/en/publications/norwegian-labour-inspectorates-call-service-supporting-occupational-safety-and-health-compliance-case-no4>

5 Internal and external preventive services

As mentioned by way of introduction, the Ministry of Labour and Social Inclusion emphasised internal preventive services in their allotment letter to the Labour Inspection Authority in 2021. Moreover, figures from the latest 'survey on living conditions' concerning the working environment in the Norwegian labour market (LKU-A), shows considerable prevention potential among Norwegian enterprises (STAMI, 2021).

This chapter is concerned with the role of prevention services, both internal and external in supporting compliance and better OSH practices. As defined earlier, preventive services refer to requirements and arrangements that are set up to improve OSH practices, like OSH managers, safety representatives, RVOs and OHSs/psychologists, as well as training in OSH for employers and workers. During the last 10 to 15 years, several targeted measures have been introduced in recognition of the need to move away from a one-size-fits-all approach. In this section, the most important preventive services and measures are presented as well as the drivers behind recent developments.

Examples of *external* preventive services are OSH training institutions, OHSs and external funding of RVOs, in addition to public requirements for HSE cards, and public approval for businesses in certain industries. Moreover, some preventive services, like the RVO scheme, have been established in cooperation between authorities and the social partners. The requirements for *internal* preventive services are described in chapter 4 of the WEA. These are divided into: (1) organisational (general) claims; (2) individual adaption, participation and development; (3) psychosocial requirements; and (4) ergonomic, physical and biological claims. We interpret internal preventive services to be services at the workplace or within a business.

To ensure OSH, employers must ensure that systematic health and safety work is performed at all levels of the business (WEA section 3-1). This work is to be carried out in cooperation with the employees and their elected representatives. The systematic work is regulated in the internal control regulation (Internkontrollforskriften, 1996). Requirements for internal control were one major reform in the OSH domain during the 1990s that were imposed on all enterprises to work systematically with OSH. The inspiration for a separate regulation on internal control came from good experiences in the petroleum sector, which started preparing for this type of system already in the late 1970s. Internal control is primarily a method to ensure that the legal requirements for a 'fully sound working environment' are fulfilled (WEA section 1-1). The revision of the WEA in 2005 strengthened the requirements for internal control (Andersen et al., 2009). The purpose is, through requirements for systematic implementation of mapping and measures, including procedures, for entities to promote improvement on:

- occupational health and safety;
- prevention of health damage or environmental disturbances from production; and
- protection of the external environment against pollution and a better treatment of waste.

Internal control measures and procedures must be documented according to the business's nature, activities, risk conditions and size. Hence, businesses must assess risks and keep continuous track of them. The requirements for mapping, risk analysis and prevention measures are linked to the risk factors in each specific industry. A publicly appointed Working Life Law Committee, which worked from 2001 to 2004 to modernise the WEA, emphasised that the new act had to reflect that the challenges in working conditions had shifted from mainly physical factors to more psychosocial and organisational ones (NOU 2004: 5, p.173). The legislative work underlined that the concept of a 'fully responsible working environment' should embrace physical, psychosocial and organisational aspects of OSH.

As shown in chapter 1.1, it is mandatory to elect safety representatives and a WEC at the workplace when a business exceeds a certain number of employees. Businesses with 10 or more employees are obligated to elect a safety representative from among the workers (WEA section 6-1, five employees from 1 January 2024). The safety representative must be consulted during the planning and implementation of measures of significance for OSH at the workplace and be informed about occupational diseases and accidents. Businesses that regularly employ at least 50 employees (30 employees from 1 January 2024) must have a WEC on which the employer, the employees and the OHS are represented. If required of one of the parties, WECs must also be established in businesses with between 20 and 50 employees. The Labour Inspection Authority may also decide that businesses with fewer than 50 employees must establish a WEC. According to the survey on living conditions (LKU)

carried out in 2019, nine out of 10 workers employed in businesses with 10 or more employees stated that there was a safety representative at their workplace (STAMI, 2021). Sixty-eight per cent of employees confirmed the presence of a WEC in businesses that were obligated to have one (STAMI, 2021). The numbers are quite stable from 2006 to 2019. Both safety representatives and WECs are less widespread in the private service sector than in the public sector.

There are several approval schemes for businesses in exposed industries where it is assessed that there is a large risk for workers to be exposed to very low or even illegal OSH standards. Since 2012, public approval by the Norwegian Labour Inspection Authority is required for all providers of cleaning services — companies as well as self-employed individuals. In 2022, businesses providing car care and tire services also became subject to public approval. In the cleaning and car care and tire industries, companies need to document that they comply with Norwegian OSH standards and other legal obligations such as employment contracts. For customers, it is illegal to buy services from suppliers that are not approved. All companies that carry out work on building and construction sites or that wholly or partially offer cleaning services, car care, wheel storage and wheel changing are required to equip all employees (both Norwegian and foreign) with an HSE card. The HSE card shows who the worker is and which company they work for. The card verifies that both the company and the worker are registered in the necessary public registers.⁴² The government has proposed to introduce a public approval requirement for temporary work agencies. So far, the temporary agencies are obligated to register with the Labour Inspection Authority.

Employers are obligated to provide OHSs approved by the Labour Inspection Authority when necessitated by risk factors in their business, according to WEA section 3-3. These services must assist employers, workers, the WEC and safety representatives in creating safe and sound working conditions and shall have a free and independent position.

Any medical practitioner who through his/her work becomes aware of an employee who is suffering from an occupational disease must give a written notification to the Labour Inspection Authority (WEA section 5-3). Subject to the employee's consent, the employer shall be notified of the disease. Such notifications are registered in a special register for work-related diseases called RAS.⁴³

Both employers and safety representatives are obligated to undergo training in OSH work. This requirement was included as a separate section (section 3-5) in the new WEA of 2005. The safety representative shall have a minimum of 40 hours of training, and training can take place on courses organised by commercial providers, trade unions or educational organisations (Andersen and Bråten, 2011). Most actors who provide such courses are commercial providers, and they are not subject to any formal requirements in terms of competence or quality.

In the following we will go further into one of the central external preventive services, the OHS. In addition, we also look at one of the preventive services that is more specific to the Norwegian OSH system and, to our knowledge, is not present in other European countries, namely the scheme of RVOs. These two preventive services will also be part of the case studies in this project.

5.1 Occupational health services

OHSs are included in this study as an important part of the principle of internal control. The OHSs are an expert advisory service within preventive OSH work that assists employers and employees in monitoring the working environment in their business. Mandal et al. (2016) point out that the primary task of the OHSs is to support and assist businesses to ensure a good and responsible working environment based on interdisciplinary expertise. The OHSs should also provide employers with advice on how they can organise their business to ensure the best possible working environment at the system level as well as the individual level, promoting the individual's role and contribution. The requirement for an OHS is laid down in section 3-3 of the WEA, and legislators have been concerned with how OHSs can be an important tool in systematic work with OSH. According to the WEA (section 3-3), businesses must be associated with an OHS approved by the Labour Inspection Authority if the risk situation dictates it. The assessment of whether such a risk exists must be carried out as part of the business's

⁴² More information is available at: <https://www.arbeidstilsynet.no/en/hse-cards/hse-cards/>

⁴³ All doctors are obligated to report illnesses they believe to result from the patient's working situation (Norwegian Labour Inspection Authority, n.d. c). These reports are called RAS (short for report on work-related illness in Norwegian).

implementation of systematic health, environmental and safety work. At the core of this required work is the identification of risks and the implementation of measures to reduce these risks. The OHS will be able to function in part as a contributor to the risk assessment itself and in part as a measure to reduce identified risks.

Legislators have also been concerned with employers' roles in ensuring that the OHSs' contribution to a better workplace working environment meets several requirements. The Regulations concerning Organisation, Management and Employee Participation (FOR-2011-12-06-1355, section 13-2) specify that the employer shall ensure that the OHS:

- a) assists with continuous mapping of the working environment, carries out surveys of the workplaces and work processes, and assesses the risk of harm to health;
- b) proposes preventive measures and, together with the business, works on measures to reduce the risk of harm to health caused by work;
- c) assists in the planning and implementation of physical and organisational changes in the business, including the establishment, maintenance and adaptation of workplaces, premises, equipment and work processes;
- d) assists in drawing up and amending guidelines for the use of chemicals, machinery, equipment and other work processes;
- e) assists in monitoring and checking employees' health in relation to their working situation and carries out the necessary follow-up in cases laid down by the law or regulations; this is justified from an occupational health perspective, or when the undertaking's risk assessment indicates this;
- f) assists in individual adaptation, including assistance pursuant to section 4-6 of the WEA;
- g) assists in providing information and training about relevant risks relating to health, safety and the environment and relevant measures; and
- h) assists in connection with enquiries from the employee, safety representative and WEC.

Following section 13-2, the regulation in section 13-3 specifies that:

The employer shall, in cooperation with the OHS, prepare the following documentation to be included in the undertaking's systematic health, safety and environmental work:

- a) plans and annual reports for the OHS's assistance to the business;
- b) periodic reports and results of surveys, risk assessments, measurements and so on that describe hazardous working conditions, proposals for preventive measures and results; and
- c) procedures for preparing follow-up plans and adaptation measures.

Some industries are characterised by a working environment with a greater risk of illness, injury and adverse stress than others. As shown above, the WEA states that businesses within certain industries must have an approved OHS. The selection of these industries is based on risk analyses. The industries that, through this ordinance, are required to link to an OHS are exposed to risks and have major working environment challenges. This means that these are industries where it is usually necessary to carry out special monitoring of the working environment or health checks with the employees.⁴⁴ Oslo Economics (2018) has estimated the extent of the OHS scheme. They found that in 2018 around 95,000 businesses were covered by the scheme. Measured in terms of number of employees, this amounted to around 60% (1.6 million) of the Norwegian workforce. Most businesses are connected to a private and commercially run OHS, although a few large industries and some public enterprises have an internal service, the employees of which are internally employed in the enterprise. But for the most part, OHSs are provided by market-based private companies. Mundal et al. (2016) point out that OHSs is a market in which price can be a competitive advantage, that price is increasingly a point of focus, and that OHS

⁴⁴ Which industries are required to have an OHS is specified by selected industry codes (Standard of Industrial Classification 2007) and specified in Regulations concerning Organisation, Management and Employee Participation (chapter 13).

providers report that their product sells itself to an ever-lesser degree. Thus, many OHS have specific employees who focus on marketing and sales (Mundal et al., 2016).

Several changes to the laws and regulations concerning OHSs have been implemented with the intention of ensuring that the scheme works as intended. Emphasis has been placed on developing the OHS scheme in line with changes and developments in the working environment. This has been expressed, among other things, through the extension, in 2010, of the requirement that businesses be associated with a publicly approved OHS, together with an emphasis on interdisciplinary competence and competence development. During the past decades, the attention to psychosocial work environment problems has increased (NOU 2004: 5) and greater weight has been placed on quality in the OHS scheme on this part of the work environment. In the working life report (Norwegian Ministry of Labour, 2011), emphasis was also placed on aiming for a dynamic system where a professional assessment is made approximately every five years of what industries should require an approved OHS. There have been several minor adjustments and adaptations to ensure a more accurate scheme, while the overall intentions and goals of the OHS scheme have remained fixed.

Through several of the tripartite sector programmes, there has been a focus on how the OHS scheme works in industries with a particularly high risk for poor OSH standards. These industries include transport, cleaning, and restaurants and bars. In these studies, the role of OHSs has been assessed within the specific industries and contextual challenges linked to the working environment and risk (see Jensen et al., 2014; Trygstad et al., 2011, 2012, 2014; Andersen et al., 2016; Ødegård et al., 2020). Evaluations have also been carried out of the OHS scheme as such. SINTEF evaluated OHSs' operation in 2016 (Mandal et al., 2016). This evaluation showed that a large proportion of managers and safety representatives (about two-thirds of both company managers and safety representatives) believe that the OHSs strengthen efforts to create good and healthy working conditions. Both business managers and OHS managers largely believe that the OHS, overall, works in line with the regulations (Mandal et al., 2016). Nevertheless, OHS managers believe that there are some factors that take up capacity and limit the possibilities of providing the statutory services. One factor is businesses' demands for general health checks and individual treatment and follow-up, which takes resources away from the collective, preventive work at the enterprise level. The evaluation also showed that sector and company size are important factors when it comes to companies' work with the working environment, OSH and the use of OHSs. The consensus that the OHS is an important contributor to OSH and a good working environment is greater in larger companies than in smaller companies. Company managers in manufacturing agree with this claim to a greater extent than managers and safety representatives in other sectors. The same is true of company managers and safety representatives in large companies (Mandal et al., 2016).

5.1.1 The expert group on the future of OHSs in Norway

In 2017, The Ministry of Labour and Social Inclusion decided to set up an expert group to review and assess the OHSs in Norway. The mandate stated that there would still be a requirement that businesses must obtain advice and assistance for OSH work when the level of risk in the business requires it. The expert group was asked to assess whether the OHS scheme was working as intended and whether it was a reliable and targeted scheme. The expert group was asked to outline and assess various models as alternatives to the OHS scheme and handed over their final report in June 2018. The following chapter is largely based on the expert group's report (Norwegian Ministry of Labour and Social Inclusion, 2018b).

As part of their work, the expert group ordered two independent reports from private consultant companies, Ipsos and Oslo Economics, to provide additional knowledge on the OHSs. Oslo Economics (2018) found, in line with Mandal et al. (2016), that a lack of understanding and unclear boundaries between public health and occupational health could contribute to a draining of OHS resources from group-based to individual-directed measures. Oslo Economics also calculated the societal benefit of the OHS scheme. These calculations were based on assumptions about the size of the share of the non-optimal working environment a well-functioning OHS scheme can prevent. The estimates are uncertain and conservative, but Oslo Economics suggests that a net social benefit of the OHS could amount to NOK 1.3 billion per year.

The expert group evaluated four systems for organising working environment advice and assistance and pointed out that there are various systems for working environment advice in all well-developed industrialised countries. A common reference point for the various European countries is the EU OSH Framework Directive (89/391/EEC). However, the group also pointed out that the systems in the various

European countries are very different and therefore difficult to compare. Based on international studies, the expert group identified four typologies or ideal types of advisory systems. The models can be combined in many ways. The group underlined that there is no evidence that one model is better than another and emphasises that EU Member States have developed systems that combine the models in different ways. The typologies are categorised as:

- *Statutory arrangement:* Requirements have been set in national legislation for businesses to secure working environment advice.
- *Insurance-based scheme:* The business pays for the advice through an insurance plan.
- *Social partner-based arrangement:* The social partners have concluded agreements on working environment advice.
- *Market-based arrangement:* Businesses buy advice as they wish.

The expert group also looked more closely into the advantages and disadvantages of the four arrangements. One advantage of a statutory system, where the legislation determines how the scheme is to be managed, financed, organised and what tasks should be included, and to a certain extent professional content, is that it largely ensures independence in the consultancy. Possible weaknesses of such a system are that the working environment advisers do not have sufficient contact with and knowledge of the businesses they are to advise, and that businesses can perceive the advice as irrelevant.

An insurance-based scheme is usually the starting point for countries where large parts of the social expenditures are covered through employer-based insurance schemes. The strength of such a system is that the advisory system creates incentives that unite employers', workers' and the insurance companies' interests in reducing the number of employees who drop out of working life for shorter or longer periods. An active effort to improve the working environment will reduce costs for the insurance industry, the employers' insurance premium and the employees' risk of being exposed to working environment challenges. A weakness of an insurance-based scheme is that efforts can be focused on the areas where the potential for savings is greatest. The insurance companies will be able to prioritise preventive work related to occupational accidents, which can be very costly. This could be at the expense of long-term work aimed at conditions that can cause severe health problems over time.

An agreement-based arrangement between the social partners creates trust between the adviser and the business and can stimulate outreach activities. The strength of a party-based system can be proximity and knowledge linked to certain industry agreements. The disadvantage is that the focus is only on areas that the parties have designated as a problem. Therefore, the advice will not always highlight the societal interest of having a good working environment. Another weakness of a party-based system is that unorganised businesses and employees are not directly heard.

A market-based arrangement works best and has the greatest effect in businesses that understand their own work environment challenges and prioritise addressing them. When a business does not have the expertise or resources to solve these problems itself, relevant actors are contacted in the market for aid. The weakness of such a system is that businesses often do not know their own needs for working environment advice. It is also often the case that companies do not have professional expertise in the field of the working environment and thus insufficient competence to order services from the OHS. Another disadvantage of a market-based system could be that only businesses with good finances, and those that prioritise their working environment, will seek counselling.

The Norwegian OHS scheme is based on a statutory arrangement in the national legislation, mainly through the WEA, regulating how businesses should provide an OHS. At the same time, as the expert group points out, elements of other systems also characterise the Norwegian scheme. Many businesses choose to purchase OHSs from private providers. The welfare scheme, in which social security benefits are mainly covered by the public sector, is a distinctive feature in the Norwegian model. However, there are insurance elements in Norwegian working life as well. All Norwegian employers are obligated to take out occupational injury insurance for their employees, covering any compensation in the event of occupational injury and occupational disease.

To make their final recommendation on the Norwegian OHS scheme, the expert group received input from a number of actors in the OSH field on how OHSs should work and be developed and improved.

These actors included trade unions, employer organisations, various governmental actors and professional associations within OHSs. After reviewing schemes in other countries, the expert group did not consider any other approach to work better for the Norwegian context than the scheme that is currently being used. Nonetheless, the expert group also pointed out that the Norwegian system has significant potential for improvement. These improvements can best be made within the framework of a law-based system to ensure the best, most accurate and cost-effective arrangement in terms of quality. However, questions have been raised regarding effectiveness and whether competition between OHSs can create issues with the quality of their service. A law-based system could be arranged in a dynamic way to ensure that OHSs always have the requisite knowledge and necessary competence to be able to provide qualified advice regarding a constantly changing working life. The expert group concluded that a renewed and modified law-based system is also the best suited to develop an easier system that works better than the current solution, contributing to simplification and increased efficiency.

The expert group also shed light on Oslo Economics' study, which shows that a non-optimal working environment is unproductive for businesses and very costly for society. Through their study, Oslo Economics also points out that the OHS scheme contributes to preventing an unfavourable working environment as its impacts on businesses and society include, among other things, reduced health loss, increased labour force participation and reduced sickness absence, increased productivity and saved healthcare costs.

The expert group's overall conclusions were that, considering Norwegian conditions, it is most appropriate to proceed with a law-based model because it is less dependent on economic cycles than other models. A law-based model also interacts best with the other means used in the Norwegian work and welfare area. There is also a significantly lower need for investment in further development and optimisation of a law-based model. However, the group recommended strengthening the focus on the core tasks of working preventively with the working environment and proposed changing the regulatory provisions so that they more clearly define the content of OHSs with an emphasis on primary prevention. This was proposed in combination with various measures to raise the level of competence in businesses and in OHSs.

5.1.2 Changes in the regulations

Following the expert group's report, a development project was carried out under the auspices of the Ministry of Labour and Social Inclusion, in which the Norwegian Labour Inspection Authority and STAMI participated.⁴⁵ The social partners took part as a reference group. A proposal was prepared for a package of measures that aimed to contribute to more targeted and efficient OHSs. The proposed measures included:

- Clarification of the criteria for the requirement to use an OHS 'when the risk conditions warrant it'.
- Academic basis and process for regular updates of which industries are obligated to use an OHS.
- Clarification and dissemination of the requirements for obtaining an exemption from the industry regulations.
- Clarification of the regulations concerning the purpose, roles and tasks of the OHS.
- Introduction of new regulatory requirements aimed at the OHS, i.e. requirements for documentation of work methodology, for instance prioritisation of targeted work with a preventive work environment.
- Continuation of the current approval scheme, in addition to a new requirement for all employees in the OHS to undergo compulsory training concerning the OHS's purpose, roles, tasks and work style.
- Supervision by the authorities, including supervision of the OHS's follow-up and activities, not just of employers' use of the scheme.

⁴⁵ See: <https://www.regjeringen.no/no/dokumenter/rapport-om-bedriftshelsetjenesten/id2786047/>

- Guidance and dissemination work aimed at both businesses and the OHS, i.e. through the inclusive working environment initiative.
- Preparation and distribution of tools to help businesses, including indicative standard tender documents and indicative contracts for cooperation between businesses and the OHS.
- Follow-up from the social partners. The organisations must, via their internal communication work, contribute to increasing client competence and correct use of the OHS among their members.

To clarify the relationship between preventive OSH and personal health services, changes were made to both the WEA and the regulations of the OHS. From 1 January 2023, the WEA section 3-3 (2) was changed to sharpen the focus on promoting OSH; the new section 3-3 (2) states that: 'The occupational health service shall assist the employer, the employees, the working environment committee and safety representatives in creating a safe working environment that promotes good occupational health'. The initial section was not very different but focused more on the OHS 'creating healthy and safe working conditions'. Although the change in wording can be considered minor, it signals that the OHS's focus should be on OSH. As part of the clarification of the role of the OHS, changes were also made in the approval scheme for the OHS, including specification on training for OHS personnel, the role of the service and the requirement for assistance provided by the OHS. This resulted in two new sections in the regulation (FOR-2011-12-06-1355):

Section 2-3. Requirement for mandatory training in the purpose and role of the occupational health service

The occupational health service shall ensure that its personnel, including hired personnel and independent contractors, receive mandatory training in the purpose and role of the occupational health service. The training shall:

- a. provide the occupational health service's personnel with an understanding of the legal basis for the occupational health service;
- b. provide the occupational health service's personnel with an understanding of the occupational health service's assignment and core tasks.

Other equivalent education and training may replace the mandatory training.

Section 2-4. Requirement for assistance from the occupational health service

The occupational health service is obligated to organise its assistance to the business based on the risk factors in the business that have triggered an obligation for the occupational health service. The occupational health service's overall assistance must focus on the preventive occupational health, safety and environmental work.

The occupational health service's assistance must be in compliance with Sections 13-2 and 13-3 of the Regulations concerning Organisation, Management and Employee Participation. The occupational health service must also assist the employer with the matters that are listed in Section 13-2 a–h and, in cooperation with the employer, assist in preparing the documentation stipulated in Section 13-3 a–c.

The occupational health service must be able to document that the assistance provided satisfies the above-mentioned requirements and document how they prioritise the assistance that is focused on the preventive risk-based work in the business.

Services in addition to what is stated in the first, second and third paragraphs constitute additional services and must be differentiated as such. The scope of additional services must be documented in written descriptions of deliveries, and possibly also in contracts and invoices.

5.2 Regional safety representatives

The WEA states that businesses with more than 10 employees (five employees from 1 January 2024) are obligated to elect a safety representative from among the employees (WEA chapter 6). The safety representatives, who are elected for two years at a time, represent employees in OSH matters and are appointed to look after their interests in matters concerning the working environment. The safety representative has the right to stop dangerous work if he or she believes there is an immediate danger to the workers' lives or health (WEA section 6-3). Work can then be stopped until the Labour Inspection Authority has decided whether it can continue or not. The safety representative scheme is international, but the right to close a workplace is only found in Norway and Sweden (Forseth and Torvatn, 2015).

To protect smaller firms in vulnerable industries, a system of RVOs is set up in construction, cleaning, and hotels and restaurants. RVOs work in business that have not elected their own safety representative or established a WEC pursuant to the provisions of the WEA. Until a safety representative has been elected for the business, the RVO has the same authority as an elected safety representative and can enter the role of the company's safety representative. By regulation, RVOs must have at least three years' experience of work in one of the discipline groups they are to serve as RVO for. They shall also have at least three years' experience as employee representatives, of which at least two years as a safety representative.

RVOs are organised in regions with one RVO serving each region. The regions and the number of RVOs are not the same for all industries. For the building industry, the country is divided into 15 regions, while for construction (building of roads, railways, etc.), there are 14 regions. For hotels and restaurants, there are nine regions, and for the cleaning industry there are seven regions. The different numbers of RVOs in each industry is mainly a result of the structure of the industries and the number of businesses in each of them.

The RVO scheme has been an important tool for improving OSH in selected exposed industries. The scheme was established in 1981 by Norwegian authorities in collaboration with the social partners to improve the working environment standard in particularly exposed industries. It is regulated through a separate regulation (FOR-2011-12-06-1355). At first, the scheme aimed to help increase safety and improve the working environment for workers in the building and construction industries. For construction activities, RVOs are appointed and employed by the Norwegian United Federation of Trade Unions and for infrastructure activities (e.g. construction of roads, railroads) by the Norwegian Workers' Union.

From 2013, an RVO scheme was also implemented for hotels and restaurants and in the cleaning industry. As opposed to the RVOs in construction, the RVOs in hotels and restaurants and in the cleaning industry are employed by the Norwegian Labour Inspection Authority. The RVOs in construction and infrastructure are organised as a fund with a Fund Board. The board consists of representatives from the Association of Machine Contractors, the National Association of the Building Industry, the Norwegian Workers' Confederation, the Norwegian Confederation of Trade Unions and the Norwegian Labour Inspection Authority. The representative from the Norwegian Labour Inspection Authority is the chairman of the board. RVOs in hotels and restaurants and in the cleaning industry are organised in the same way, under a common fund with representatives from the Norwegian Federation of Service Industries and Retail Trade, The Norwegian Hospitality Association, the Norwegian Workers' Confederation, the Norwegian Confederation of Trade Unions and the Norwegian Labour Inspection Authority. The representative from the Norwegian Labour Inspection Authority is again the chairperson of the board.

In businesses covered by the regulations, the scheme is financed by employers, who pay an annual fee to the two funds for RVOs. In building and construction, the fee is capped at 0.05% of the payroll expenses and is calculated in such a manner that, at the turn of the year, the scheme has not accumulated a profit that is higher than its annual operating costs. The minimum fee is NOK 500 (approximately €44 at the time of writing), including for businesses with no employees. In the accommodation, restaurant and cleaning sectors the scheme is financed by the employers in businesses covered by the regulations paying a fee of 0.065% of the payroll expenses. The fee is at least NOK 250 (approximately €22 at the time of writing), including for businesses with no employees. The Fund Board has the authority to reduce the fee should the scheme give rise to a considerable profit.

The Fund Board shall reduce the fee if the scheme, at the turn of the year, has accumulated a profit corresponding to the total operating costs for the previous year.⁴⁶

The RVOs shall, by means of advice and guidance:⁴⁷

- contribute to the creation of a protection representative/protection service where one is not already in place;
- if necessary, step in and act as safety representative at workplaces where no safety representative has been elected;
- contribute to securing a coordination agreement for the individual companies' safety and environmental work at workplaces with several employers in the same location;
- make the employer and employees aware of the obligation to establish a working environment committee (AMU) in businesses that have an obligation to do so;
- notify the Labour Inspection Authority if the business does not establish a safety representative/safety service/WEC after they have been made aware of this duty; and
- contribute to strengthening OSH routines and ensure that the existing safety representatives function as intended; give advice and guidance to the safety representative/employees and the company on safety and environmental work.

RVOs make unannounced and announced visits to businesses, and largely carry out preventive work. They identify deficiencies, inform about regulations, and propose solutions to working environment issues in consultation with the business and its employees. Psychosocial risks are also considered by RVOs as important risk factors. In building and construction, at workplaces with several employers, it must be agreed who will coordinate the company's safety and environmental work. Where this is not the case, RVOs point this out.

As described above, the scheme allows safety representatives to stop work, work operations or the use of unsafe equipment in the event of imminent danger to life or health. This also applies to RVOs when acting as a safety representative in a company. Stopping work is most common in the construction sector, and not so much in the other areas. According to their annual report from 2022, the RVOs in building visited 3,539 building sites and stopped work according to WEA section 6-3 a total of 1,696 times. The RVOs in construction made 2,386 visits and stopped 66 work operations. The most common reason to stop work in the building industry was working at height with lack of fall protection.

According to the Authority's annual report from 2022, RVOs in hotels and restaurants and in cleaning carried out a total of 1,051 company visits throughout that year, of which 699 were at restaurants, 138 at hotels and 214 at cleaning companies. Seventy-two per cent of the visits were made in businesses with fewer than 50 employees. As the immediate danger to life and health is not as common in hotels, restaurants and the cleaning industry, the most common task for the RVOs in these industries is to guide companies to comply with the OSH regulations. In the Authority's annual report for 2022, the five topics RVOs provided guidance on the most were:

- election and role of a safety representative;
- mapping and risk assessment of the working environment;
- the importance of having a management system for OSH and deviation control;
- the need for workers to be familiar with the OSH system in the company; and
- the need for workers to be familiar with the OHS.

During their visits, the RVOs recorded whether the business had chosen a safety representative in 379 enterprises. Of these, 239 lacked a safety representative despite being obligated to have one, and in 104 of the 239, RVOs assisted in getting safety representatives in place. The remaining companies were

⁴⁶ FOR-2011-12-06-1360.

⁴⁷ See: <https://rvofond.no/hrr/info-in-english>

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either still being followed up by RVOs, had opted for an agreement on a different scheme or had discontinued their business.

6 Overview of the case studies

A central part of this study was conducting six independent case studies, which can be found in separate documents. The case studies concern some of the main topics that are presented in this report. Four of the studies are concerned with enforcement and guidance activities carried out by the Norwegian Labour Inspection Authority (cases NO1-4). These include the Authority's risk-based strategy, the inter-agency anti-crime cooperation, lessons learned from the COVID-19 pandemic and the call service. The two remaining case studies (cases NO5-6) are concerned with internal and external preventive services. They include the OHSs and RVOs. Tables 5-10 provide a brief overview of these case studies.

Table 5: Overview of [case NO1⁴⁸](#): Risk-based strategy

Case	1: Risk-based strategy
Short description	The Labour Inspection Authority supervises more than 220,000 land-based Norwegian enterprises with employees, and 430,000 enterprises without employees have statutory duties under parts of the working environment regulations. The enterprises are characterised by a variety of different working environment challenges and different abilities to address them. As it is practically incapable of carrying out inspections in all enterprises within a reasonable time frame, the Authority has implemented a risk-based strategy that aims to reach industries, businesses and parts of the workforce characterised by the greatest risks (Dahl et al., 2018).
Organisations involved	Several actors were relevant to this case study, as the risk-based strategy largely influences the ways in which the Authority carries out its work. The Authority's risk-based strategy was discussed in our interviews with the Ministry of Labour and Social Inclusion, members of the Labour Inspection Authority's council representing the social partners, a representative from the Authority's division for working environment regulations, inspectors, a representative from a private enterprise obligated to have an OHS and RVOs.
Basic structure	For their risk-based strategy, the Authority's sources of data include findings from previous inspections (location, enterprise, what was checked, breaches and reactions), tip-offs from employers, workers, safety representatives and others, and RAS notifications (doctors are obligated to report illnesses they believe to be a result of their patient's work situation; RAS is short for report on work-related illness in Norwegian). Further, the Authority uses data from Statistics Norway and STAMI. Based on these sources of data, the Authority has developed a prediction index, sorting businesses into four different risk categories. The categories are used when planning inspections.
Improvements	A prediction index is not to be used as a blueprint. Inspectors emphasise that their experiences and local knowledge are also decisive factors when making decisions on where to carry out inspections. Inspectors who have a lot of experience might find that the index limits their work.
Target groups	The risk-based strategy is directed at sorting out industries, businesses and actors that pose the largest risks in the Norwegian labour market.
Supervisory or preventive approach	The risk-based strategy is dual. It lays the basis for inspections to supervise high-risk actors in the labour market. Inspectors have the authority to impose sanctions when discovering breaches. At the same time, the Authority works preventively by visiting high-risk industries, businesses and actors. Through its inspections, the Authority illustrates its presence to actors operating on the edge of the law and provides guidance to employers, enabling them to comply with OSH laws and regulations.
Degree of innovation	The Authority uses regression analysis to calculate the probability of risks. Through machine learning, the Authority identifies businesses that have characteristics that are typically linked to high risks. The Authority considers these predictions to be approximately 80% accurate. The model that is being used currently is being trained every month.
Transferability	Our informants expressed that the risk-based strategy has valuable aspects that could be used in EU Member States as well. Informants also noted that the tools that are used are based on country-specific measures and resources, such as directions from the ministry, or on data from national research institutes.

⁴⁸ Case NO1 is available at: <https://osha.europa.eu/en/publications/norwegian-labour-inspectorates-risk-based-strategy-supporting-occupational-safety-and-health-compliance-case-no1>

Table 6: Overview of [case NO2⁴⁹](#): Inter-agency anti-crime cooperation

Case	2: Inter-agency anti-crime cooperation
Short description	The inter-agency anti-crime cooperation is a collaboration between the Norwegian Labour Inspection Authority, the police, NAV and the Norwegian Tax Administration. The cooperation originated from the Solberg Government's 2015 strategy to combat work-related crime (Ministry of Labour and Social Inclusion, 2015). An inter-agency approach was initiated to address the challenges posed by social dumping and work-related crime due to the multifaceted nature of these phenomena.
Organisations involved	Several of our informants were relevant when discussing the work of the inter-agency anti-crime cooperation. The cooperation was discussed in our interviews with a representative from the Ministry of Labour and Social Inclusion, members representing the social partners in the Council of the Labour Inspection Authority, RVOs, and workers at the anti-crime centres representing the Labour Inspection Authority, NAV, the police and the Norwegian Tax Administration.
Basic structure	There are currently eight inter-agency anti-crime centres spread around the country, in Oslo, Bergen, Stavanger, Kristiansand, Trondheim, Bodø, Tønsberg and Alta. About half of the inspectors in the Authority who work with work-related crime are based in the inter-agency cooperation, while the other half work in the Authority with social dumping. The centres consist of knowledge groups and control groups. The knowledge groups gather data on specific actors or industries considered high-risk, while the control groups carry out inspections with these actors or in these industries. Geographically, the centres are organised in accordance with the police districts. Often, the centres also cooperate with external agencies, such as municipalities, the Norwegian Food Safety Authority, customs or the Public Roads Administration.
Improvements	A central barrier for the cooperation has concerned the sharing of confidential information between the participating agencies. Being unable to share information in an efficient manner hinders the co-location of relevant information on industries and actors that the cooperation has decided to prioritise. A regulation on the sharing of confidential information and the management of personal information in the inter-agency anti-crime cooperation (a-kriminformasjonsforskriften, 2022) was implemented to ensure the necessary access for sharing and other management of confidential information to establish an effective cooperation to prevent and combat work-related crime.
Target groups	The cooperation is intended to reduce the capacity of and deter actors who pose a threat of performing social dumping or conducting work-related crime in Norwegian working life. Further, the cooperation aims to enable foreign workers to safeguard their rights and fulfil their duties in the labour market.
Supervisory or preventive approach	The cooperation represents a supervisory approach, targeting specific industries and actors posing threats of social dumping and work-related crime.
Degree of innovation	The co-location of agencies whose competences complement each other to work for the same goal provides a great degree of innovation. Nonetheless, digital innovations such as a common IT system for information sharing, or a joint point of contact for external actors, have proved to be difficult.
Transferability	Our informants emphasised the advantages of agencies being co-located as a notable benefit when discussing transferability to other countries. The Norwegian and Lithuanian labour inspectorates are currently cooperating on a pilot project to establish a similar inter-agency anti-crime cooperation in Lithuania.

⁴⁹ Case NO2 is available at: <https://osha.europa.eu/en/publications/norways-inter-agency-anti-crime-cooperation-supporting-occupational-safety-and-health-compliance-case-no2>

Table 7: Overview of [case NO3⁵⁰](#): Lessons from the COVID-19 pandemic

Case	3: Lessons from the COVID-19 pandemic
Short description	As in other countries, COVID-19, which hit the world at the beginning of 2020, had a massive impact on the Norwegian workforce. Nearly 40% of workers worked from home for extensive periods, meaning the other 60% of the workforce worked from their regular workplace under strict rules for inspection control. The Norwegian Labour Inspection Authority was given the task of following up on employers to ensure that they complied with all relevant requirements in the regulations.
Organisations involved	This case study was discussed in our interviews with representatives from the Labour Inspection Authority, namely three leaders and three inspectors. Further, it was discussed in interviews with two RVOs, one from the construction industry and one from the cleaning industry.
Basic structure	The Labour Inspection Authority had three focal points for their inspections during this period. The Authority was to inspect whether employers had: (1) implemented measures and/or prepared a plan to remove or reduce the risk of spreading the virus; (2) mapped and assessed the risk of exposure to the virus; and (3) implemented routines to detect, prevent and possibly correct violations of requirements laid down by the WEA.
Target groups	As the aim was to make sure employers and workers took measures to reduce the risk and limit the spread of the virus in the workplace in compliance with relevant requirements in the pandemic regulations, employers and workers are the target groups.
Supervisory or preventive approach	The Authority's role during the pandemic was both supervisory and preventive to ensure adequate compliance with the infection prevention regulations.
Degree of innovation	During the pandemic, the Authority started using digital solutions as part of their supervision methodology. For instance, the accommodation approval scheme required that the Authority carry out inspections at a selection of accommodations. This was partially accomplished by conducting virtual inspections where the employer filmed at the site.

⁵⁰ Case NO3 is available at: <https://osha.europa.eu/en/publications/norways-experience-and-lessons-learned-covid-19-pandemic-supporting-occupational-safety-and-health-compliance-case-no3>

Table 8: Overview of [case NO4⁵¹](#): The call service

Case	4: The call service
Short description	The call service is the Labour Inspection Authority's guidance and counselling service. The service operates at the national level and provides information and guidance on OSH-related matters in accordance with the WEA, the General Application Act and additional regulations within the Authority's scope.
Organisations involved	Several actors make use of the service by seeking advice or consultation on matters related to compliance with OSH regulations. The service is available to employers, employees, inspectors, safety representatives and others who may have questions related to these matters. The service was discussed in our interviews with a representative from the Ministry of Labour and Social Inclusion, inspectors from the Authority, a representative from a private enterprise obligated to have an OHS, RVOs and a leader from the call service.
Basic structure	The call service is located in Bodø (in northern Norway) and is part of the Labour Inspection Authority's department on communication and user dialogue. The set of legislation that the team must respond to is very broad, and the service receives questions related to everything from psychosocial to musculoskeletal working environment issues. Therefore, the call service's employees come from a variety of occupational backgrounds. The service answers enquiries through phone, chat and email. The service collects data on the enquiries they receive and groups them all by categories based on different topics. Altogether, there are 80 different categories, portraying the broad range of enquiries.
Improvements	The call service emphasised that a higher degree of analysis of the enquiries they receive could be useful, for instance gathering data on what industries make the most enquiries.
Target groups	The call service's target group is employers, employees, safety representatives and others who have questions related to OSH matters within the scope of the WEA and additional regulations within the scope of the Labour Inspection Authority.
Supervisory or preventive approach	It could be considered that the call service represents a preventive approach as it aims to provide actors with the right knowledge and tools to comply with relevant OSH regulations and does not have a supervisory approach other than forwarding information to the Authority in cases where they are informed of serious breaches.
Degree of innovation	In January of 2023, the call service introduced a chatbot. The chatbot is expected to answer more than 60,000 enquiries this year. The chatbot is algorithm-based, and uses a database to recognise words in the question and then finds the right answer from a database of prewritten answers. When the chatbot is unable to answer a question, the person who asked the question is forwarded to a chat with a worker in the call service.
Transferability	It was emphasised by one of the informants in the call service that it should be possible to transfer the service's work to other countries. Moreover, it was also stated that transferability would depend on the arrangements other countries have for their labour inspectorates, and that one premise would be for them to have a regulation concerning guidance within the existing legal framework.

⁵¹ Case NO4 is available at: <https://osha.europa.eu/en/publications/norwegian-labour-inspectorates-call-service-supporting-occupational-safety-and-health-compliance-case-no4>

Table 9: Overview of [case NO5⁵²](#): Occupational health services

Case	5: Occupational health services
Short description	An OHS is an expert advisory service assisting employers and workers to monitor the working environment at their workplace. It is the businesses that assess whether the risk situation in their business indicates that they should be connected to an OHS or not. Further, the WEA stipulates that in some industries, enterprises are obligated to be linked to an OHS. Most businesses pay for an external OHS, while a few larger ones also have their own internal OHS.
Organisations involved	The OHS was discussed in our interviews with representatives from the Ministry of Labour and Social Inclusion, the social partners who are part of the Labour Inspection Authority's council, an RVO and representatives from the Labour Inspection Authority, namely one representative from the Authority's division of working environment and regulations and three inspectors. Further, the OHS was discussed in interviews with representatives from a business that is obligated to have an OHS, including company managers, safety representatives and representatives of the OHS.
Basic structure	The primary task of the OHS is to support and assist businesses in ensuring a good and responsible working environment based on interdisciplinary expertise. The OHS should also provide employers with advice on how they can organise their business to ensure the best possible working environment – at the system level, but also through the promotion of the role and contribution of both the management and individual workers. The case presents a specific example of how an OHS can work.
Improvements	Changes were made to the regulations on the OHS in 2023 (FOR-2023-03-01-275). The changes clarified that the priority of the OHS should be on preventive OSH rather than individual healthcare for workers. It is still too early to say how these new regulations will change the ways the OHS works with preventive OSH, but it should make clear that the OHS's responsibility is to help enterprises comply with OSH laws and regulations.
Target groups	The target group is businesses obligated to have an OHS and the goal is to ensure their compliance with the OHS scheme. The Labour Inspection Authority aims to ensure this through the sharing of information and through inspections.
Supervisory or preventive approach	The Labour Inspection Authority uses both supervisory and preventive approaches when it comes to the OHS. Through inspections, inspectors verify that businesses that are obligated to use an OHS do so, and that it is used in a satisfactory manner. Both the inspectors' dialogue with businesses during inspections and the businesses' reactions can contain guidance on how compliance with OSH regulations can happen through the regulation of and cooperation with the OHS.
Degree of innovation	The Norwegian OHS scheme goes back numerous decades, and its development has largely been part of a tripartite cooperation between national authorities and the social partners. The OHS scheme has also undergone several recent evaluations and regulation changes, which are not so much about innovation but rather a step-by-step development.
Transferability	Our informants were quite uncertain as to whether the OHS scheme would be transferable to other countries. One of our informants had learned through the Senior Labour Inspectors' Committee that many EU Member States have similar OHS arrangements but there are some challenges, for instance in terms of the financing. Another of our informants emphasised that working preventively in cooperation with an OHS is an advantage, but also underlined that it must be part of the systematic OSH work in each individual company.

⁵² Case NO5 is available at: <https://osha.europa.eu/en/publications/norways-occupational-health-service-supporting-occupational-safety-and-health-compliance-case-no5>

Table 10: Overview of [case NO6⁵³](#): Regional safety representatives

Case	6: Regional safety representatives
Short description	The scheme of RVOs was established by Norwegian authorities and social partners in 1981 to improve the working environment for workers in the building and construction industry. Since 2013, the scheme has also covered hotels and restaurants and the cleaning industry. RVOs take on the role of safety representatives in enterprises that have not elected one. For building activities, RVOs are employed by the Norwegian United Federation of Trade Unions, and for construction activities by the Norwegian Workers' Union. In the cleaning industry, and for hotels and restaurants, RVOs are employed by the Labour Inspection Authority as a compromise between the social partners.
Organisations involved	RVOs were discussed in our interviews with representatives from the Ministry of Labour and Social Inclusion, representatives from the social partners in the Labour Inspection Authority's council, a leader from the Authority's department for supervision, a leader from the RVO secretariat, an inspector, two RVOs (one from the construction industry and one from the cleaning industry), a chief representative in a construction company and one OSH leader in a construction company.
Basic structure	RVOs are organised in regions with one RVO serving each region. The regions and the number of RVOs differ between industries. To a certain degree, the choice of where the RVOs go on visits is random. However, many of them have worked in their industry for a long time and know where they are likely to find someone at risk of breaching the regulations and needing OSH guidance.
Target groups	RVOs are to work in enterprises that have not elected a safety representative pursuant to the provisions of the WEA. Until a safety representative has been elected, the RVO has the same authority as a safety representative in the enterprise.
Supervisory or preventive approach	RVOs are not part of the Labour Inspection Authority's supervisory or sanctioning system. Nonetheless, they do have access to sanctions in cases where they discover work processes that pose imminent danger to life or health as they can stop the work process through the WEA. RVOs also place a particular emphasis on preventive services and information tasks, for instance by offering digital forums and courses on OSH, as well as providing guidance both during visits and on their website.
Degree of innovation	RVOs have monthly virtual meetings with each other via video conferencing platforms to exchange experiences. In the cleaning industry, RVOs have also started to use Microsoft Teams for communication with safety representatives in the enterprises, inviting safety representatives who have joined their forum to follow webinars on different topics.
Transferability	The RVO scheme is connected to the general scheme of safety representatives within the WEA. The scheme states that all companies with more than 10 employees (five starting in 2024) are obligated to have their employees select a safety representative to represent the staff on OSH-related matters in the enterprise. Our informants were positive regarding the transferability of the RVO scheme to other countries but emphasised that the arrangement must be included in governmental regulations, and also pointed to financing as one potential barrier.

⁵³ Case NO6 is available at: <https://osha.europa.eu/en/publications/norways-regional-safety-representatives-supporting-occupational-safety-and-health-compliance-case-no6>

7 Discussion

As presented by way of introduction, the aim of this study is to describe the current Norwegian OSH strategy and how it addresses the challenges businesses face related to compliance with OSH regulations. In this chapter, we discuss the effectiveness and results of specific enforcement and guidance activities carried out by the Labour Inspection Authority, as well as internal and external preventive services. We concentrate on these activities' and services' contributions to ensuring compliance with OSH regulations among actors in Norwegian working life. Further, based on the interviews, we discuss the transferability of these activities and services to EU/EEA Member States.

7.1 Enforcement and guidance activities carried out by the Labour Inspection Authority

The enforcement and guidance activities carried out by the Labour Inspection Authority that have been investigated in this study are: (1) the Authority's risk-based strategy for choosing where to carry out inspections; (2) the inter-agency anti-crime cooperation, in which the Authority plays a central role concerning employers' breaches of OSH legislation; (3) activities the Authority carried out during the pandemic, and the lessons learned from this experience; and (4) the Authority's guidance and counselling service — the call service. The effectiveness of these activities and transferability aspects are discussed below.

The Authority's risk-based strategy

Due to the large number of enterprises it supervises, the Labour Inspection Authority has implemented a risk-based strategy with the aim of reaching the industries, businesses and parts of the workforce characterised by the greatest risks (Dahl et al., 2018). These risks include becoming ill and being injured or exploited because of one's working conditions. The Authority uses machine learning and regression analysis to calculate the probability of risks, where the machine is trained to identify enterprises with characteristics that are often linked to high risk. It is our understanding that the risk-based strategy is effective for achieving compliance with OSH regulations when all the Authority's measures are taken into consideration as this is when the most high-risk actors are reached. These measures include important sources of data, such as information on actors and industries from previous inspections, RAS notifications (special register for work-related diseases), statistics from STAMI and Statistics Norway, and tip-offs from workers, safety representatives and others.

Further, it is clear through the interviews conducted that inspectors' local knowledge, insights and expertise are also of decisive importance when selecting targets for inspection where the risks are the highest (see [case NO1](#)⁵⁴ for further information). Inspectors add valuable insights that are not necessarily covered by the prediction index. Through the interviews, it was also noted that additional data on matters like work-related injuries could be useful to develop the risk-based strategy even further. The Labour Inspection Authority has, through its annual reports, shown that most working environment challenges are uncovered and corrected through inspections carried out in enterprises that are considered as high-risk according to the Authority's risk-based strategy. For instance, in its annual report for 2018, the Authority reported that the share of inspections leading to reactions in risk group 1 (low risk) amounted to 49%, compared to inspections leading to reactions in risk group 4 (high risk), which was at 78% (Norwegian Labour Inspection Authority, 2018). To that end, the Authority considers the risk-based strategy as an effective approach.

It was noted by several of the informants that aspects of the Authority's risk-based strategy are valuable when considering similar solutions in EU Member States. It was also noted that the Norwegian Labour Inspection Authority looked to neighbouring countries when developing its approach. Nonetheless, some informants also noted that priorities and tools used in the strategy are based on nationally determined processes, such as directions from the Ministry of Labour and Social Inclusion, and that a lot of the data that are used as a basis for the prediction index are based on research from national

⁵⁴ Case NO1 is available at: <https://osha.europa.eu/en/publications/norwegian-labour-inspectorates-risk-based-strategy-supporting-occupational-safety-and-health-compliance-case-no1>

research institutes. Therefore, informants emphasised that whether a similar approach could be used in other countries would depend on what tools and data the country in question has available.

The inter-agency anti-crime cooperation

An inter-agency approach between the Labour Inspection Authority, NAV, the police and the Norwegian Tax Administration was initiated to address challenges posed by social dumping and work-related crime, originating from the Solberg Government's 2015 strategy to combat work-related crime (Ministry of Labour and Social Inclusion, 2015). While social dumping is directed at foreign workers who receive considerably worse working conditions and wages than Norwegian workers, work-related crime refers to actions where someone purposely breaches laws to reduce their production costs (Action plan to combat social dumping and work-related crime, 2022; Bergsli, 2017). As the focus of this study is on OSH, special attention is given to breaches of laws on working conditions and wages, which could take the form of, for example, employers supplying their workers with insufficient work and safety equipment, or not complying with OSH regulations such as the WEA (the work of the inter-agency anti-crime cooperation is discussed in further detail in [case NO2⁵⁵](#)).

In terms of the effectiveness of the inter-agency cooperation, the informants noted that there are some main benefits and some central challenges to this type of cooperation. On the one hand, the agencies involved, and their various competences, are highly complementary. On the other hand, it can be difficult for four different agencies to cooperate in a coordinated manner. It is our impression that one key benefit of the inter-agency cooperation is the co-location of the agencies, which allows for the exchange of knowledge and insights, as well as the ability to make rapid decisions when needed. Nonetheless, it is also our impression that the cooperation still experiences challenges related to the lack of a joint IT system for all the agencies and a failure to share confidential information, although some of the informants noted that this had improved since the implementation of a new regulation on information sharing in 2022 (a-kriminformasjonsforskriften, 2022). Further, through the interviews, it was noted that the workers at the anti-crime centres have generally had a range of different language skills and that the agencies' cooperation with the Service Centre for Foreign Workers (SUA) on this matter has been very useful. The Authority regards that being able to communicate in different languages, especially when dealing with incidents of social dumping, is another important factor for success.

One informant, who works as an inspector at an anti-crime centre, emphasised that, at large, the cooperation aims to clear the way to remove actors with dishonest intentions from the labour market as they breach the regulations of the agencies involved. The inspector emphasised that when the agencies that are part of the anti-crime cooperation show their presence through inspections, fewer actors are tempted to take shortcuts and to compete unfairly. Hence, the cooperation lifts the general standard in the labour market. The inspector further emphasised the anti-crime cooperation's work with OSH, which is especially the responsibility of the Labour Inspection Authority. The aim of this work is to prevent breaches of regulations connected to working conditions, which is a central part of the anti-crime cooperation.

For the inter-agency anti-crime cooperation, the advantages of co-locating several agencies should be emphasised when discussing the cooperation's transferability to EU Member States. This is one factor that has been highlighted by several of the informants as a major benefit of the cooperation. Also, it was noted that agencies from several EU Member States have visited the Norwegian anti-crime centres to learn about the cooperation. The impression among the workers who have been involved in these visits is that the visitors are generally positive but also have a lot of questions concerning the practical aspects of the cooperation and how inter-agency issues are resolved. As previously described, these are some of the concerns that have been raised through evaluations in Norway as well, especially in connection to the sharing of confidential information between the agencies. As reported, a pilot is currently being carried out in Lithuania to establish an inter-agency anti-crime cooperation similar to the Norwegian model.

⁵⁵ Case NO2 is available at: <https://osha.europa.eu/en/publications/norways-inter-agency-anti-crime-cooperation-supporting-occupational-safety-and-health-compliance-case-no2>

Activities during and lessons learned from the COVID-19 pandemic

In 2020, the Labour Inspection Authority received an additional allotment letter from the ministry with orders to help limit the spread of the virus at Norwegian workplaces. Through risk analyses, the Authority identified where labour inspectors were needed the most during this period (see [case NO3⁵⁶](#) for a more detailed description). Further, the guidance authority the Labour Inspection Authority adopted, also increased comprehensively during this period as a response to feedback from employers and workers that it was difficult to understand and keep pace with the changes in regulations on infection control. Examples of specific tasks carried out by the Authority during the pandemic are infection controls in accommodations used by foreign workers and the organisation of the authorisation scheme for these accommodations.

While it is challenging to assess the Authority's effectiveness in such an extreme situation as the pandemic, the Authority completely turned its inspection practices around during this two-year period, managing to conduct thousands of inspections to ensure that employers followed infection control regulations. The Authority reports that throughout 2019, the last year before the pandemic hit, it carried out more than 12,000 inspections, a number that dropped to just under 10,000 in 2020 and increased back to nearly 12,000 again during 2021. These numbers imply that the Authority maintained its activities to address enterprises' challenges related to compliance with OSH regulations, although with a greater emphasis on infection control than OSH in general during this period. Further, the Authority made use of digital tools to perform virtual inspections, for instance when checking the accommodations of foreign workers in accordance with the authorisation scheme.

Another lesson learned from the pandemic was the importance of collaboration between different authorities. One of the leaders from the Authority who was interviewed stated that the pandemic had opened the Authority's eyes to the importance of crisis preparedness, both internally and externally to other authorities, in situations where a crisis hits working life. The pandemic has prepared the Labour Inspection Authority for future crises, and the Authority is now concerned with keeping these structures in place for the future.

When discussing how the Labour Inspection Authority's activities during the pandemic and the lessons learned can be transferred to EU Member States, the importance of providing information to employers, workers and safety representatives was highlighted. This activity has been described as a central means of sorting out and explaining what rules concerning infection control, and changes to these rules, were implemented during this period. Lessons also include the importance of coordinating between public authorities to make sure that information is presented in a unified way to the public. The use of digital platforms (commonly used in video conferencing) for inspections, guidance and communication in general was also cited as an important practice for the Authority during the pandemic, and it still characterises the Authority's work to a certain degree.

The call service

As the Labour Inspection Authority's guidance and counselling service, the call service provides information and guidance to employers, workers, safety representatives and others concerning OSH-related matters in accordance with the WEA, the General Application Act and additional regulations within the Authority's scope. The call service is considered by the Authority to be an effective means for the labour inspectorate to address the challenges that businesses face related to compliance with OSH regulations. The reason for this is that the call service provides them with information and guidance to act in accordance with the regulations (the call service is also discussed in [case NO4⁵⁷](#)).

The unit consists of a team with a large variety of occupational backgrounds, providing guidance through phone, chat and emails. In cooperation with the SUA, the service also provides answers to enquiries in several languages in writing. The introduction of a chatbot at the beginning of 2023 has improved the call service's effectiveness even further. The chatbot is algorithm-based, using a database to recognise words in the question and then finding the correct answer in another database of prewritten answers.

⁵⁶ Case NO3 is available at: <https://osha.europa.eu/en/publications/norways-experience-and-lessons-learned-covid-19-pandemic-supporting-occupational-safety-and-health-compliance-case-no3>

⁵⁷ Case NO4 is available at: <https://osha.europa.eu/en/publications/norwegian-labour-inspectorates-call-service-supporting-occupational-safety-and-health-compliance-case-no4>

While it cannot formulate answers on its own, it has still become an important tool for the call service, with one informant reporting that it is expected to answer more than 60,000 enquiries in 2024.

In 2022, the call service provided 33,433 answers by telephone guidance and 24,106 through email and chat in relation to 80 different categories on OSH-related topics. The service also provides answers to Norwegian youths' enquiries regarding working life through the website 'ung.no' ('young.no'). The service also played an important role during the COVID-19 pandemic by answering nationwide enquiries about the new COVID-19 regulations concerning working conditions (Norwegian Labour Inspection Authority, 2020). To this end, the service received guidance on these regulations from the Norwegian Directorate of Health. It is the combination of these activities that make the call service a central actor in spreading awareness and providing knowledge about OSH regulations in Norwegian working life.

The informant from the call service emphasised that transferring the service's work to EU Member States should be possible. Nonetheless, it was stated that the level of transferability would depend on the arrangements available in each Member State. The reason for this is that a premise for having a nationwide guidance counselling would be an arrangement for providing guidance within the existing legal framework.

7.2 Internal and external preventive services

For internal and external preventive services, this study has taken a closer look at: (1) the OHS, which assists employers and workers in monitoring the working environment in their business; and (2) RVOs, who take on the role of safety representative in businesses where such an arrangement has not yet been established. The effectiveness of these activities and their transferable aspects are discussed below.

Occupational health services

The OHSs are a longstanding preventive service in Norway. They are an advisory service within preventive OSH work that assists employers and employees in monitoring the working environment in their business. The primary task of OHSs is to support and assist businesses to ensure a good and responsible working environment based on interdisciplinary expertise. Further, the OHSs aim to provide employers with advice on how they can organise their business to ensure the best possible working environment, both at the system level and at the individual level. The OHS scheme is laid out in section 3-3 of the WEA, and legislators have been concerned with how the OHS can be an important tool for systematic OSH work. The WEA (section 3-3) stipulates that businesses must connect to an OHS if the risk situation dictates it. The WEA also states that businesses within certain industries must have an approved OHS. The selection of these industries is based on risk analyses. In 2018, around 95,000 businesses were covered by the OHS scheme, which amounted to approximately 60% (1.6 million) of the Norwegian workforce (Oslo Economics, 2018).

In the case study ([case NO5⁵⁸](#)), the inspectors described a situation with great variance in how enterprises and the OHS cooperate on OSH-related matters. Some OHSs provide good, adequate, relevant assistance, while others do not. The inspectors pointed out that some of the larger OHSs are a bit distant in their assistance. The inspectors all noted that for an OHS to provide good assistance, it must be present in the business on a regular basis to understand the OSH challenges of each company. At the same time, the informants pointed out that there are major differences, even within the industries that are obligated to have an OHS.

The importance of asking workers during inspections whether they are familiar with the OHS or not was also emphasised by inspectors in the case study. Inspectors also underlined that it is important to request documentation from the business's employment agreements, risk assessments, assistance plans and annual reports during inspections, to see the enterprise's history on collaborating with the OHS. The inspectors informed that they also find businesses that are obligated to associate with an approved OHS that but are not. In these situations, businesses are ordered to establish an association with an approved OHS.

⁵⁸ Case NO5 is available at: <https://osha.europa.eu/en/publications/norways-occupational-health-service-supporting-occupational-safety-and-health-compliance-case-no5>

The interviews revealed that collaboration with the OHS varies greatly between businesses. The inspectors described that the success of an OHS is often connected to the will of a business's management, which must not see the OHS solely as a cost but as a contribution. Some managements prioritise using the cheapest OHS. This seldomly leads to good cooperation between the business and the OHS.

Within the framework of this project, it was not possible to assess all the achievements of the scheme. SINTEF evaluated the OHSs' operations in 2016 (Mandal et al., 2016) and showed that a large proportion of managers and safety representatives believe that the OHSs help create good and healthy working conditions in Norwegian working life. Further, Oslo Economics (2018) quantified the extent to which OHS can prevent a non-optimal working environment. For the OHS scheme's current practice, Oslo Economics calculated that the total social costs amount to €186 million (NOK 2.1 billion), while the value of the total benefit amounts to €300 million (NOK 3.4 billion). The net benefit to society is €114 million (NOK 1.3 billion).⁵⁹ Oslo Economics emphasises that estimates are uncertain and that they have sought to use conservative estimates.

These evaluations also show that there are some factors that take up capacity and limit the possibilities of providing the statutory services (Mandal et al., 2016; Oslo Economics, 2018). For example, when businesses demand general health checks and individual treatment and follow-up, it takes resources away from the collective preventive work at the enterprise level. As a result, changes to the regulations on OHSs (FOR-2023-03-01-275) came into force in 2023. The changes clarified that the priority of the OHS should be preventive OSH rather than individual healthcare for workers. It is too early to say in what ways these new regulations will change how the OHS works with preventive OSH. The changes are also being evaluated.

Our interviews have given us the impression that many of the informants are uncertain as to whether the OHS scheme would be transferable to other EU Member States or not. Challenges related to the financing of the scheme were a major reason for this uncertainty. One of the informants emphasised that businesses' preventive work in cooperation with an OHS is an advantage, but for this cooperation to be successful, the OHS must be part of the systematic OSH work in each individual enterprise.

Regional safety representatives

The RVO scheme is an extension of the regulations under the WEA concerning safety representatives (this subject is also discussed in further detail in [case NO6⁶⁰](#)). Businesses with more than 10 employees (five employees from 1 January 2024) are obligated to elect a safety representative from among the employees (WEA chapter 6). To protect smaller firms in vulnerable industries, a system of RVOs has been set up in the construction, cleaning, and hotels and restaurant industries. RVOs oversee work in businesses that have not elected their own safety representative or established a WEC pursuant to the provisions of the WEA. RVOs can serve as the company's safety representative until the business has elected one. They must have at least three years of experience working in the industry they are to serve in and at least three years of experience as an employee representative, of which at least two as a safety representative. RVOs are organised into regions with one RVO serving each region. The RVOs in the building and construction industries are employed by their unions, while the RVOs in the hotels and restaurants and cleaning industries are employed by the Norwegian Labour Inspection Authority.

Combined, the 45 RVOs in building, construction, hotels and restaurants, and in cleaning visited 4,590 businesses in 2022. The RVOs in construction (building of roads, railroads, etc.) made 2,386 visits and stopped 66 work operations. The most common reason for stopping the work in the building industry has to do with work at height and the lack of fall protection. The RVO scheme describes that the safety representative can stop work, work operations or the use of unsafe equipment in the event of an imminent danger to life or health. This also applies to the RVO when acting as a safety representative in a company.

Stopping work is most common in the building industry and less so in the other industries. The secretariat for RVOs states that RVOs do not have to stop work as often in hotels, restaurants and the cleaning

⁵⁹ All values are conversion from Norwegian kroner at the time of writing.

⁶⁰ Case NO6 is available at: <https://osha.europa.eu/en/publications/norways-regional-safety-representatives-supporting-occupational-safety-and-health-compliance-case-no6>

industry as in the building and construction industries. The reason for this is that imminent dangers are not as common in these industries. Nevertheless, there have been a few stoppages this year. RVOs are also in an ongoing discussion with the Labour Inspection Authority regarding long-term negative psychosocial risk exposure and what documentation is required to halt work due to this. This is a more common risk in these sectors.

The main responsibilities of RVOs are to ensure that companies which should have an elected safety representative will get one and to also to ensure that the elected representatives have the training the law requires them to have. In the building industry in particular, they do so by stopping work that poses an imminent risk to workers' health or lives. As seen in chapter 5.2, RVOs in construction stopped work processes in nearly half of their visits, or more than 1,700 times in 2022.

Because the RVO scheme is connected to the general scheme for safety representatives in the WEA, any country that wishes to use a similar scheme should have some sort of general arrangement for safety representatives in place. Several informants expressed the belief that RVOs could be transferable to other EU Member States, but as in the case of the OHS, emphasised that financing is an important factor that must be addressed. Our informants also pointed out that to be implemented successfully, the arrangement should be included in governmental regulations. Another important consideration is the fact that the scheme must target exposed industries and is not intended as a general scheme for all working life.

7.3 Research findings

This study, aimed to describe central elements of the Norwegian OSH strategy and how it addresses challenges businesses face related to compliance with OSH regulations. The study focused on two main dimensions: traditional and innovative activities carried out by the Labour Inspection Authority, and activities carried out by internal and external OSH preventive services. Based on the collected information, we attempt to answer a number of the study's research questions:

Are there important recent developments in Norway concerning OSH monitoring, compliance promotion and enforcement?

The Labour Inspection Authority has introduced several important developments concerning OSH monitoring, compliance promotion and enforcement in recent years — one being the use of machine learning for the Authority's risk-based strategy. Using machine learning, the Authority aims to identify the industries, enterprises and actors in Norwegian working life characterised by the largest risks in terms of workers becoming ill, being injured or being exploited due to their working conditions. Introducing machine learning to its risk analysis has helped the Authority become more precise when choosing where to conduct inspections. The machine is trained to identify businesses with characteristics that are often linked to high risk based on numerous sources of data available to the Authority. The Authority has reported that a larger share of breaches is found in enterprises in high-risk groups than in those in low-risk groups. However, it is important to note that inspectors' expertise and local knowledge also play a decisive role when choosing where and with whom to carry out inspections.

Another innovation linked to the promotion of compliance is the recently introduced chatbot used by the Authority's call service. The chatbot is algorithm-based, recognising words from the questions it receives and then selecting the correct answer from a database of prewritten answers. One informant, who works in the call service, informed us that the chatbot is expected to answer more than 60,000 enquiries in 2024. Thus, the chatbot has improved the effectiveness of the call service, providing more employers, safety representatives and workers with answers on OSH-related matters in accordance with the WEA, the General Application Act and additional regulations within the Authority's scope. Hence, the introduction of the chatbot helps promote compliance by assisting employers with questions related to OSH regulations.

Lastly, the Authority went through some major adjustments and developments concerning OSH monitoring, as well as the promotion and enforcement of compliance, in response to the COVID-19 pandemic. During the pandemic, the Authority turned its practice around, directing it towards infection control in the workplace and work-related accommodations. Throughout the year 2021, the Authority carried out just over 7,200 inspections where one or more conditions were related to infection control, in addition to providing guidance to businesses that were not supervised. As it was receiving a large

number of questions, the Authority also introduced an informational webpage⁶¹ with information about the coronavirus for workers and employers. One specific example of a development used by the Authority during the pandemic is virtual inspections. When the Authority introduced an authorisation scheme for quarantine accommodations provided by employers for workers upon entry into Norway in the beginning of 2021, a share of the inspections to supervise the standard of these accommodations took place virtually, through video calls.

Is there (or has there been) a debate (or initiatives) in Norway over rethinking enforcement methods and developing a responsive strategy to utilise them?

The inter-agency anti-crime cooperation, in which several agencies cooperate to uncover and combat work-related crime (including breaches of OSH regulations), is one example of a way to strengthen the response strategy and enforcement in the Norwegian labour market. There have been some obstacles to information sharing between the agencies. However, new regulations are now in place that aim to at least partly solve this problem. In our case ([case NO2⁶²](#)), we found that combining different agencies' enforcement methods and legal basis is an effective way to combat work-related crime. The anti-crime cooperation can use the best suited regulations to 'take out' actors who engage in work-related crime. Whether the regulations used are under the aegis of the Norwegian Tax Administration or the Labour Inspection Authority is of little importance. The main point is to stop the actors who engage in work-related crime.

This example also shows that there is a willingness among Norwegian authorities to revise laws and regulations in the interest of creating better enforcement methods and developing responsive strategies to utilise them. On work-related matters, these processes, as a rule, also involve the social partners in a tripartite cooperation with public authorities and legislators.

Is there a combined strategic inspection and enforcement model in Norway?

In terms of a combined, strategic inspection and enforcement model in Norwegian working life, the inter-agency anti-crime cooperation is the most pertinent example. In this arrangement, the Labour Inspection Authority, the Norwegian Tax Administration, the police and NAV cooperate to uncover and combat work-related crime. The agencies involved inhabit different legal authorities, complementing one another when uncovering employers acting against the law. In connection to breaching laws related to working conditions and wages, work-related crime can take the form of employers supplying their workers with insufficient work and safety equipment or not complying with OSH regulations such as the WEA. These are breaches under the aegis of the Labour Inspection Authority.

What kind of data and processes are needed to establish a uniform and coordinated system to access OSH?

As previously discussed, the Labour Inspection Authority uses manifold data sources for its risk analysis to identify the most high-risk industries, enterprises and actors in the Norwegian labour market. These data include information from previous inspections, including the location of the inspection, the name of the enterprise, what the inspectors investigated during the inspection, the results of the inspection and the feedback the enterprises are given by the Authority. Tip-offs from workers, safety representatives and others about questionable working conditions are also received and analysed at the central level before being directed to the most relevant units in the Authority. Together with their local knowledge of the enterprises, labour inspectors use the prediction index that has been developed to reach areas of the labour market characterised by high risk at the central level throughout the entire country so that the Authority can act in a uniform and coordinated manner.

How do preventive services support compliance and better OSH practices? Is there a need for revisions and are the requirements for preventive services flexible enough in relation to differences in risk factors?

The preventive services discussed in this study have undergone several major changes with the aim of establishing a more uniform and coordinated system to assess OSH. In the case of the OHSs ([case](#)

⁶¹ See: <https://www.arbeidstilsynet.no/en/safety-and-health/corona-virus-information-for-workers-and-employers/>

⁶² Case NO2 is available at: <https://osha.europa.eu/en/publications/norways-inter-agency-anti-crime-cooperation-supporting-occupational-safety-and-health-compliance-case-no2>

[NO5⁶³](#)), interviewees and previous research, indicate that the OHSs have an increased focus on individual healthcare rather than on how to support and assist businesses in ensuring a good and responsible working environment. These findings have resulted in several changes to the WEA, including regulations to clarify that the OHS's main task is to concentrate on systematic OSH work. These changes have also provided the Labour inspection Authority with a clearer mandate to inspect companies' use of OHSs.

Both the regional and general safety delegate schemes have undergone changes. The RVO scheme was established in 1981 in the building and construction industries with the aim of ensuring that enterprises within these industries were compliant with the WEA on OSH-related matters. The scheme originated from the recognition that both these industries were characterised by a high risk of fatal accidents and a greater incidence of long-term health damage. Further, there was a need to improve working conditions in the industry in general, but particularly in the smallest companies, where compliance with OSH regulations was most lacking.

Moreover, during the early 2000s, the focus on the scarce OSH standards that characterised parts of the service industries increased. The RVO scheme was therefore expanded to include hotels, restaurants and the cleaning industry. There were different needs and challenges in these industries, and the regional safety delegates were organised differently than the delegates in the building and construction industries. These differences resulted from various challenges, including from the organisation of these industries and from differing opinions among the social partners regarding the organisation of the RVOs in these industries.

Although the schemes are organised differently, the regulation of the regional safety delegates' authority in the WEA is the same, which proves that a scheme originally designed for one sector can be adapted for other sectors when legislators do not introduce regulations with specific reference to sectors and/or how to specifically organise the service. This is usually possible, as legislators focus on making regulations according to function-based principles. On the other hand, when legislators find it necessary, they can make more specific changes to the WEA. One example is the changes made to the general RVO scheme (which applies from January 2024), which specify that all businesses with five or more employees must have an elected safety representative.

Is it possible for the identified innovative approaches to be applied in other EU Member States? If not, what factors support and constrain the efficiency of such instruments?

For all six cases, informants pointed out that there are aspects of the activities of the Labour Inspection Authority and the internal and external preventive services that could also be valuable to other EU Member States. Nonetheless, for all cases, there are some country-specific underlying factors, such as legislation, authorisations, orders by different ministries, arrangements for financing and research institutions, that are important. An interpretation of these activities and services, as well as national adjustments, must therefore also be taken into consideration when discussing the transferability between EU Member States.

What is the actual role of labour inspectors and how do they contribute to building a safety culture?

In this report, it is presented that the Norwegian Labour Inspection Authority has a dual approach: enforcement and guidance. Enforcement takes place through inspections. These are mainly conducted based on the Authority's risk-based strategy to target the industries, businesses and actors with the highest risk in terms of workers becoming ill, being injured or being exploited due to their working conditions. Guidance is provided through several efforts. The Authority's website⁶⁴ contains extensive information on all aspects of its areas of authority, such as working hours, generally applied minimum wages, employment contracts and foreign proficiency certificates. It was emphasised by one of the informants that these pages are informative and easy to access. The information provided by the Authority is also often available in several languages in addition to Norwegian, including English and Polish. The Authority's website also proved very important and effective during the COVID-19 pandemic

⁶³ Case NO5 is available at: <https://osha.europa.eu/en/publications/norways-occupational-health-service-supporting-occupational-safety-and-health-compliance-case-no5>

⁶⁴ See: <https://arbeidstilsynet.no/>

as a means of informing employers, workers and the general public about the changing regulations during this period.

The inspectors interviewed in this study also emphasised that providing direct guidance during inspections is of great importance. During inspections, inspectors must balance their roles of enforcer and guide. The call centre is another central part of the Authority's guiding role. Like the website, it provides information in several languages, and it guides workers, employees, shop stewards and safety representatives towards answers to their questions concerning laws and regulations related to Norwegian working life.

Within the framework of this study, the aim was not to carry out a full-scale evaluation of the Norwegian Labour Inspection Authority and other preventive services. Nonetheless, as we have seen in this report the Authority's dual approach of enforcement and guidance, together with other external and internal preventive services, provides an important contribution to building a safety culture in Norwegian working life.

8 Conclusion

The Labour Inspection Authority has introduced several important developments concerning OSH monitoring, compliance promotion and enforcement in recent years — one being the use of machine learning to implement its risk-based strategy. Effective data analysis, facilitated by machine learning, can be used for risk analysis, allowing the labour inspectorates to be more precise when choosing where to conduct inspections. Several sources of data such as information from previous inspections, location, OSH topics investigated, violations and so on could be used as input for the analysis. However, the inspectors' expertise and local knowledge should also be considered when planning inspections.

The current situation and new challenges for OSH require the labour inspectorate to follow a dual approach that includes enforcement and guidance. Direct guidance during inspections is of great importance and contributes to building safety culture. Intelligent chatbots could facilitate provision of OSH-specific information in call centres. Inter-agency cooperation can strengthen the response strategy and enforcement in the labour market.

OHSs' main task should be to concentrate on systematic OSH work. Revision of OSH legislation and regulations, as well as responsive strategies to utilise them, may be needed for effective enforcement. These processes, as a rule, should also involve the social partners in a tripartite cooperation with public authorities and the legislator.

The practices presented here could, in principle, be transferable to other EU Member States. However, there are some country-specific underlying factors, such as legislation, authorisations, orders by different ministries, financing arrangements and research institutions, that should be considered when discussing transferability.

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Norway's approach in supporting occupational safety and health compliance: role of the labour inspectorate and prevention services

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