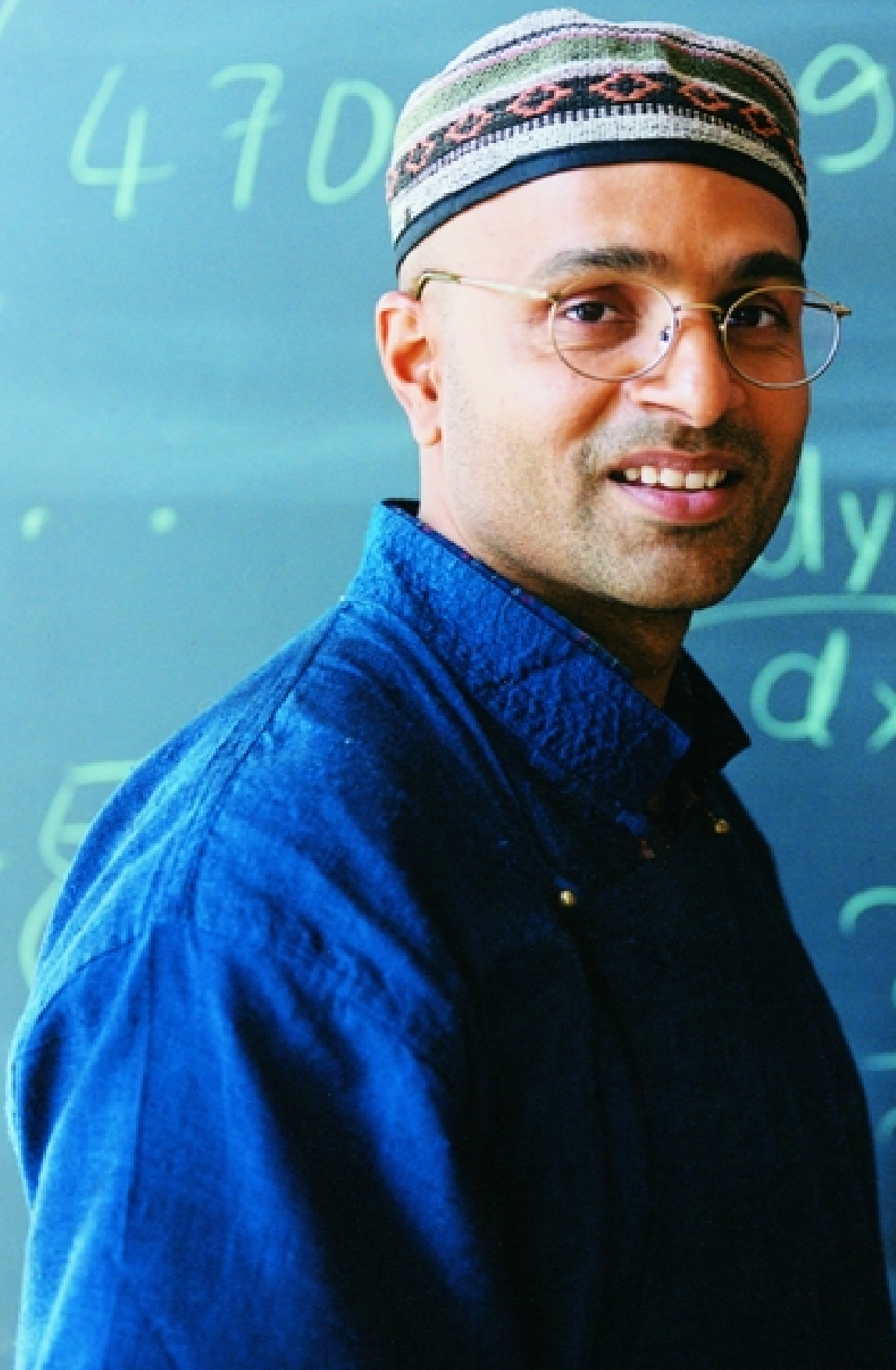


“Specialists”

– working in Norway as a skilled worker



CONTENTS

- 3 The specialist provision
- 4 Interview with teacher Aseem Shrivastava
- 6 Requirements for skilled workers applying for a work permit
- 7 The application
- 8 Interview with Registered Nurse Anna Majerz Cebula
- 10 Agencies hiring out labour
- 11 Healthcare personnel and authorization

This brochure from the Norwegian Directorate of Immigration provides information on what is required of foreign nationals who are skilled workers or have special qualifications to obtain a work permit in Norway.

With the change in the regulations concerning work permits for persons with such competence, taking effect as of 1 January 2002, it is now easier for skilled workers to apply for a work permit.

GENERAL

The general rule is that all foreign nationals who intend to work, whether paid or unpaid, or who want to run their own business in Norway, must hold a work permit. Nationals from Nordic countries are exempted from this rule; they do not need a work permit.

EEA and EFTA nationals are not dealt with in this brochure.

Information on work permits for those who wish to take employment as, for example, au-pairs, trainees, seasonal workers etc. is available on the UDI's website: <http://www.udi.no>.

Please note that the regulations described in this brochure are subject to change.



THE SPECIALIST PROVISION

For a skilled worker or a person who has special qualifications to be granted a work permit, it is a condition that his or her expertise is necessary for the business enterprise. This means that the work the job-seeker is to perform requires a person with special training.

As of 1 January 2002, simpler rules apply to the processing of applications for work permits for skilled workers, also referred to as the "specialist provision" (Section 2 and Section 3 second paragraph (a) of the Immigration Regulations). One of the changes to the rules was the introduction of a quota for the number of skilled workers or persons

with special qualifications that may be granted a work permit. In January 2002 the quota was set at 5000 persons. Thus, until the quota has been filled, it is not a requirement for being granted a work permit as a specialist that the position cannot be filled with domestic labour (or labour from EEA and EFTA countries). If the quota is full,

it is still possible to be granted a work permit as a specialist, but under stricter conditions.



Teacher ASEEM SHRIVASTAVA

Aseem Shrivastava from India wanted a change in his life and work experience from abroad. His employer, United World College (UWC) in India, offered him a new position as a philosophy teacher at their sister school Red Cross Nordic UWC in the county of Sogn and Fjordane in Norway. One year later he really enjoys being in Norway, but offers the following advice to other job-seekers from abroad: "Bring warm woollens!"

This is not the first time Shrivastava has worked and lived abroad. He studied in the US and was employed as a teacher at the college level in the US for more than ten years. He then moved back to India, but after four years in his home country his wanderlust returned.

"I wanted a change, and wanted to work in another country than India and the US. I also wanted to stay within the UWC system. The job in Norway was absolutely perfect," says Shrivastava.

He tells us that the processing of his case took more time than he expected. He was sent an Offer of Employment and application papers from his new employer in the middle of April, submitted his application through the Norwegian consulate, and waited until August before receiving his work permit.

"There were no problems with the application, but it did take more time than I'd expected. I did not come to Norway before the middle of August, a little delayed according to my plans," he says.

However, the wait was worth it. Shrivastava enjoys being a teacher at the UWC in Sogn and Fjordane very much, and is full of praise for the school.

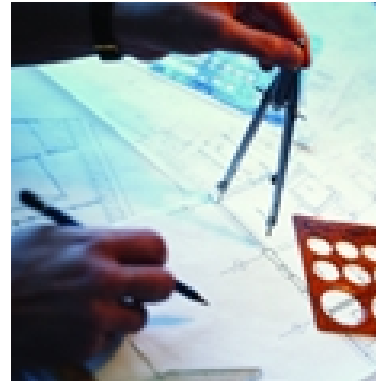
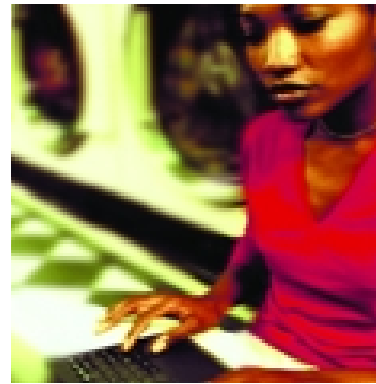
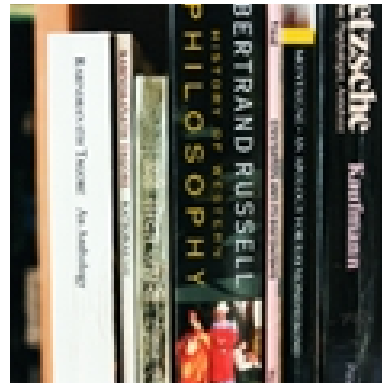
"The working environment in Norway is different from India. They are more professional here, and more systematic when it comes to dealing with the board and management," Shrivastava maintains.

It did not take long for Shrivastava to become accustomed to working in Norway. The system as well as the staff and students at the international school in Norway are quite similar to Shrivastava's previous place of work in India. Moreover, with English as the language of instruction, he does not encounter any language problems during his working day. He readily admits that he would have liked to be better in Norwegian.

"I would recommend other foreign nationals who want to work in Norway to learn the language because if you don't, you'll miss out on a lot of things," adds Shrivastava encouragingly.

The philosophy teacher has a contract until next year, but hopes to continue working in Norway for another two or three years. Then he would like to return home to India, as he feels that it is his duty to do so.

"Working in Norway is a wonderful experience, seeing a fair society that treats you well. The major difference for me was the climate. So I would urge others who would like to find employment here: Bring warm woollens and make sure that you can go south during your summer holidays!"



Requirements for SKILLED WORKERS APPLYING FOR A WORK PERMIT

Below is a description of the general conditions and terms used in Sections 2 and 3 of the Immigration Regulations.

"SKILLED WORKERS"

A skilled worker is a person who has education/-training in a particular trade/profession at least at the upper-secondary-education level. This education/-training must be documented.

"SPECIAL QUALIFICATIONS"

To satisfy this requirement, work experience (and any courses) must have had a somewhat longer duration than the training/education in the field. It must also be possible to document these qualifications.

A concrete assessment will be made in each case.

"OFFER OF EMPLOYMENT"

Before a skilled worker and/or a person with special qualifications may apply for a work permit, she/he must have a concrete offer of employment. The "Offer of Employment" form is used for this purpose. This form can be obtained from the police and must be filled in by the employer. The form/-offer must be signed by the applicant. Generally, the offer of employment must be valid for at least one year.

"PAY AND WORKING CONDITIONS"

Pay and working conditions must not be less favourable than those provided by a current collective agreement, pay scale or what is otherwise normal for the place and occupation concerned.

"PLACE OF WORK"

A work permit for a skilled worker must be linked to a specific job and a specific place of work. The employee can thus not take other employment in or outside the company.

Special requirements apply if the person in question is to work for a job placement agency. For more details see under "Agencies hiring out labour".

The employer's place of business must be in Norway.

THE APPLICATION

This section describes the application process. This varies depending on the applicant, his or her background and experience, and the country from which the application for a work permit is submitted.

Applicants from visa-free countries

WITH AN OFFER OF EMPLOYMENT

If a skilled worker or a person who has special qualifications has already received a concrete offer of employment, she/he may either submit an application through the nearest Norwegian foreign service mission (embassy or consulate general), or travel to Norway and submit the application through the police in Norway.

WITHOUT AN OFFER OF EMPLOYMENT

A skilled worker or a person who has special qualifications who has not received an offer of employment may travel to Norway and look for work. If an offer of employment is received, the person in question may submit the application for a work permit to the police in the district of the place of employment.

Work may not begin before a work permit has been granted.

Applicants from countries that come under the visa requirement

WITH AN OFFER OF EMPLOYMENT

If a skilled worker or a person who has special qualifications has already received a concrete offer of employment

or entered into a contract of employment with a company in Norway, she/he may either submit an application for a job-seeker visa or an application for a work permit through a Norwegian embassy or consulate general.

With a job-seeker visa the holder may travel to Norway and apply for a work permit through the police. Work may not be started before a work permit has been granted by the UDI.

Alternatively, the applicant may wait in his/her country of origin until the application for a work permit has been processed by the UDI in Norway. He or she may then commence working immediately after entry.

WITHOUT AN OFFER OF EMPLOYMENT

Skilled workers or persons with special qualifications who want to come to Norway to find employment may also apply for a job-seeker visa. If they find employment, they may apply for a work permit through the police. If the applicant does not receive an offer of employment, she/he must return to the country of origin when the visa expires.

General conditions whether or not a visa is required:

1. Point in time of application

Whether a person has entered Norway with a job-seeker visa or is exempted

from the visa requirement, the application for a work permit must be submitted before the visa period expires. The application must be submitted to the police at the place of work.

2. Provisional work permit

As mentioned above, the applicant cannot start working before a work permit has been granted. This permit is granted by the UDI.

However, the police may grant a provisional work permit if certain conditions have been satisfied. For example, the applicant must have special education/training, and the performance of the work tasks must require a person with such skills.

3. Duration

A work permit is normally granted for one year at a time and may be extended. After three years the skilled worker is entitled to a settlement permit. When a person is granted a settlement permit, she/he has the right to live permanently in Norway and is no longer tied to a particular employer or a particular place of work.

4. Asylum seekers

Persons staying in Norway in connection with an application for asylum or while waiting to leave the country after such an application has been rejected may not apply for a work permit.



Nurse ANNA MAJERZ CEBULA

Curiosity brought Anna Majerz Cebula to Oslo from Krakow, Poland. Her wish to work in a Norwegian nursing home was realized thanks to Anna's qualifications and skills, and to the assistance of her Norwegian employer. However, even if she loves eating fish, she still misses her Polish pirogues.

After reading about Norway and watching a film about the country on TV, Anna discovered that Norway need nurses. "I was interested but a little nervous. I'd never been abroad before. But, the offer I received was good, and curiosity got the better of me."

The Norwegian Labour Market Administration (Aetat) and the labour market authorities in Poland are working together to recruit Polish healthcare personnel, and through this venture Anna came into contact with Norwegian employers. They introduced themselves to Anna and her Polish colleagues in Warsaw in the spring of 2001.

Anna talked to the St Hanshaugen Healthcare Centre and then signed a contract of employment with them. With the contract serving as her entrance ticket to her new workplace in Oslo, Anna started three months of language training in Poland. In the meantime the application process started. Anna had her CV and diplomas translated, applied for a license from the Norwegian Registration Authority for Health Personnel and applied for a work permit

through the Norwegian Embassy in Warsaw.

"No more than a month later all my permits had been granted," says Anna. "But for some of my friends it took three or four months before they received their permits," she says. In most cases the reason was that the offer of employment from the new employer was incomplete.

Anna gives much of the credit to her Norwegian employer, St Hanshaugen Healthcare Centre, for her case being processed so quickly. Her employer played an active part in the process, communicating with Anna by mail etc. Both Anna and her employer point out the importance of having all permits in order well in advance. Many job-seekers burn their bridges behind them and have to go to their new employer as soon as their language training has been completed.

Anna came to Oslo in the autumn of 2001.

"I like my job. It's easier here than in Poland," she says.

At her previous workplace, the 'Rydegiera' nursing home in

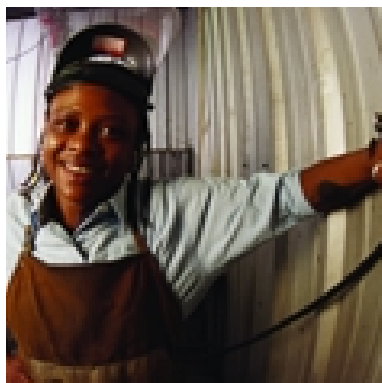
Krakow, the surgery department was staffed with five nurses who were looking after 50 patients. Only three were on duty during the night shift. The pay is better here too, but that's not the most important thing, says Anna: "Curiosity and the wish to see Norway motivated me. I'd heard about Norway and Norwegian nursing homes, and I'm not sorry I came. I've already applied for a residence permit for another year."

She considers the language the major hurdle. Learning the language well is important, she feels. "I've attended a language course in Norway, I use Norwegian at home and with friends, but this is a difficult language to learn, even though Norwegians are very helpful," says Anna, who has satisfied her curiosity at a Norwegian healthcare centre over the last year.

"But even if I like to eat fish, I sometimes miss our Polish sauerkraut 'Bigos'," adds Anna Majerz Cebula with a smile.

AGENCIES HIRING OUT LABOUR

The Directorate of Immigration basically wishes to treat all companies/employers equally. This also applies to agencies employing foreign nationals to hire them out, such as Manpower, Adecco etc. The immigration authorities must at all times be informed of where such foreign-national employees are and the type of work they are performing. The immigration authorities require that contact is restricted to one employer for each person.



The Directorate will therefore set special requirements for such companies as to finances and the type of business undertaken. This includes a requirement that the company has been registered with the Brønnøysund Register Centre as an enterprise whose business objective is to hire out labour.

It is also required that the employee has a permanent position and that she/he is to perform work tasks that require a person with such skills

The UDI has issued a circular describing these requirements.

HEALTHCARE PERSONNEL AND AUTHORIZATION



To work in Norway, foreign-national healthcare workers must have authorization or a licence from the Norwegian Registration Authority for Health Personnel.

Such authorizations must be in order before the UDI can process an application for a work permit as a specialist from occupational groups such as doctors or nurses.

The address of the Norwegian Registration Authority for Health Personnel (SAFH) is:
Statens autorisasjonskontor for helsepersonell (SAFH)
P.O. Box 8053 Dep, N-0031 Oslo
Telephone +47 22 00 39 50,
telefax +47 22 00 39 99
E-mail postmottak@safh.stat.no

Norwegian Directorate of Immigration
Post Office Box 8108 Dep 0032 Oslo, Norway
Office address: Hausmanns gate 21
Telephone: + 47 23 35 15 00
Telefax: + 47 23 35 15 01
www.udi.no
E-mail: udi@udi.no

The UDI has an information service for applicants
(called OTS) which can answer questions on:

- How to apply
- Case-processing time
- What stage your case is at/if your case has been finalised
- Where the answer to your application has been sent

Opening hours:

Mon-Fri 09:00 – 14:30

Telephone: +47 23 35 16 00

E-mail: ots@udi.no