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Report

Use lovkart tools to find answers to this question: my company is in downsizing process. If I get severance package, can I get NAV benefit when I am receiving financial support from my current company?

I'll research this in the lovkart sources — folketrygdloven's rules on dagpenger and severance pay (sluttvederlag/etterlønn), the related forskrifter, forarbeider and case law.

Used 20 tools, loaded tools

Short answer: Yes, you can apply for dagpenger (unemployment benefit) while receiving a severance package. But NAV will usually reduce your dagpenger by the full amount of the severance, so for the period the severance covers you may get little or nothing. You also cannot get dagpenger while you are still being paid salary, for example during your notice period.

1. While you still receive salary (notice period / garden leave)

The basic condition for dagpenger in [folketrygdloven § 4-3](#) is that you have lost work income because of unemployment. The same provision says you are *not* considered to have lost income for any period in which you have a right to salary ("krav på lønn"). If your employer releases you from work but keeps paying you during the notice period, you are not entitled to dagpenger for that period.

2. Severance paid when the employment ends

This is governed by the dagpengeforskriften, [§ 9-1](#), "samordning med ytelser fra arbeidsgiver":

- **What is caught:** A lump sum ("engangsyttelse") or periodic payments for living costs paid by your current or former employer under an agreement made in connection with termination or resignation. Annuities the employer buys for this purpose count the same way. So do other employer payments meant to compensate for future loss of work income.
- **The effect:** Your dagpenger are reduced by the same amount, krone for krone.
- **A minimum floor:** The reduction can never push your combined weekly total (dagpenger plus severance) below 3% of the grunnbeløp. With the grunnbeløp set at [136 549 kr from 1 May 2026](#), that is about **4 096 kr per week**. In practice the floor only matters when the severance, spread per week, is smaller than that. A larger package can reduce dagpenger to zero for the period it covers.

The law itself backs this up. [Folketrygdloven § 4-26](#) lists *etterlønn* (continued pay after the job ends) among the payments that reduce dagpenger, with the same 3% floor. Its last paragraph gives the ministry the power to issue the forskrift rule on other employer payments.

What the preparatory works (forarbeider) say: In [Ot.prp. nr. 104 \(2004-2005\)](#) (section 4.5), the ministry describes the dagpenger rules like this:

- Etterlønn is treated the same whether it is paid as a lump sum or in instalments.
- Recipients are not entitled to dagpenger for the period the etterlønn is meant to cover.
- Under dagpenger practice at the time, a lump sum was converted into a period by dividing it by the monthly salary the person would have had in a full-time position.

So the size of your package, measured against your salary, largely decides how long your dagpenger are reduced or postponed. The exact method NAV uses today is set out in NAV's circulars (rundskriv), which are not in the lovkart corpus. Ask NAV to confirm how your package will be spread over time.

3. Check how you leave the job: possible 18-week penalty

[Folketrygdloven § 4-10](#) imposes a penalty period ("sanksjonsperiode") of **18 weeks** before dagpenger start if you:

- resigned without reasonable cause ("rimelig grunn"),
- left the job without reasonable cause, or
- were dismissed for reasons you can be blamed for.

In a downsizing, the risk arises if the package is framed as *you* voluntarily choosing to leave. Whether taking a voluntary package counts as "rimelig grunn" is decided by NAV and Trygderetten (the National Insurance Court). Neither source is in this corpus, so I can't tell you how that assessment usually goes.

Before you sign, it is worth making sure the agreement says clearly that:

- the termination was initiated by the employer because of downsizing, and
- which period the payment is meant to cover.

4. Other conditions still apply

The package doesn't replace the ordinary requirements for dagpenger, which you must still meet:

- your working hours must be reduced by at least 50% ([§ 4-3](#)),
- you must have enough prior income ([§ 4-4](#)),
- you must be a genuine job seeker ([§ 4-5](#)).

Case law

- No Supreme Court decision in the corpus cites folketrygdloven § 4-26 or § 4-10. The corpus covers only published Høyesterett decisions from 2000–2026, with no lower courts or Trygderetten, so this does not mean no case law exists.
- One decision cites § 4-3: [HR-2022-2433-A](#). Its title says NAV used a wrong legal interpretation when calculating dagpenger. It appears to concern how dagpenger are calculated, not severance.
- **Why I can't show you the court's reasoning:** Full texts of court decisions are not yet available through lovkart. Publishing them requires a data-protection impact assessment (DPIA) under GDPR and the Norwegian Personal Data Act (personopplysningsloven), plus approval from Datatilsynet (the Data Protection Authority). That work is in progress but not finished. I can see only metadata and citations, so read the judgment on domstol.no before relying on it.

Practical takeaway: Register with NAV as a job seeker and apply for dagpenger even if you are receiving a package. Disclose the full severance agreement. Expect dagpenger to be reduced or postponed for roughly the period the package represents. I'm not a lawyer. Before you sign, it's worth checking the wording of your agreement with your union, a lawyer or NAV, especially on the "voluntary vs. employer-initiated" point.

Sources:

- [Folketrygdloven § 4-3, § 4-10, § 4-26](#)
- [Dagpengeforskriften § 9-1](#)
- [Grunnbeløpsforskriften 2026 § 1](#)
- [Ot.prp. nr. 104 \(2004-2005\)](#)
- [HR-2022-2433-A](#)

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