Industrial Relations

Finland: Developments in working life 2018

Working life in 2018 – Annual review

Disclaimer: This working paper has not been subject to the full Eurofound evaluation, editorial and publication process.
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Political context affecting working life aspects

In 2018, the current government’s final year in office began. One of the top priorities for the centre-right government of PM Juha Sipilä – dominating much of the political debate in 2018 – has been to reform the health and social care services in Finland. Due to an ageing population, increasing expenses in the future and concerns about accessibility, equality, efficiency, and sustainability of the current system, there is a broad consensus about the need for reform. However, the government’s proposal, which would include the introduction of new regional governments as a new level of administration and a ‘freedom of choice’ principle – making it possible for patients to choose between public or private service providers – has received much criticism both from the opposition and from experts.

The final vote on the reform has been postponed several times, and in June 2018 PM Sipilä announced that the reform would be delayed by another year and come into force in 2021. Also the regional elections – originally scheduled for October 2018 – have been postponed several times and currently it is unclear when they will be held. As of December 2018, given the level of political disagreement, it is unclear when, and in what form, the reform will be carried out. As breaks in the party lines of the government parties have emerged, the government may struggle to reach the majority needed to pass the reform due to an already narrow majority in parliament.

The other major issue during 2018 has been the strained relations between trade unions and the government. Trade unions have raised serious concerns about the functioning of the social dialogue following some of PM Juha Sipilä’s policy initiatives and the lack of trust culminated in political strikes opposing some labour market policy measures during 2018. (Eurofound 2018a; 2018b; 2018c)

Labour market reforms or major packages of working life regulations

- The controversial ‘Activation Model’ – reform of unemployment benefits – entered into force 1 January 2018. The reform has gained much public attention, and following criticism, adjustments to the model have been announced during 2018.

- A protracted conflict, including political strikes and industrial action, followed the announcement of the government’s reform of dismissal protection. The conflict led eventually to a compromise adopted in Parliament in December 2018.

- A new Working Hours Act and amendments to the Annual Holidays Act were presented to Parliament during autumn.

Social partners’ views and reactions on changes in governments and working life policies

There were no general elections and no change of government in Finland in 2018. Presidential elections took place in January 2018 but spurred no significant reactions from the social partners.
Developments in industrial relations 2018

Changes affecting the national-level actors and institutions in 2018

Actors

The merger of Trade Union Pro and the Federation of Salaried Employees Pardia was signed in November after two years of discussions on closer cooperation. The merger will take effect on 1 January 2019 when the member associations of Pardia will join Pro. With a total of some 110,000 members working as clerical employees, experts, supervisory and managerial staff in the private sector, Pro is one of the largest unions in Finland. After the merger, the new union will cover both private and public sector employees, as most of Pardia’s some 30,000 members work in public sector institutions and authorities such as universities and the Social Insurance Institution of Finland (Pardia, 2018). Both unions belong to the Finnish Confederation of Professionals STTK.

Another merger was signed in November when two affiliates to The Central Organisation of Finnish Trade Unions SAK formed a new organisation, the Railway Union. The new union covers some 4,000 employees working in the railway sector (SAK, 2018c).

No major changes or developments on the employer’s side.

Representativeness

There have been no changes in the way in which the representativeness of the social partners is regulated or assessed.

Institutions

There were no significant changes to the main social dialogue institutions.

Changes affecting the sectoral and company level social dialogue 2018

The collective agreement negotiating round of 2017-2018 took place on a sectoral level, following a decision by the Confederation of Finnish Industries (EK) in 2016 to withdraw from central-level bargaining, which meant that there was no national-level framework agreement on pay rises and other major issues. Bipartite negotiations between sectoral trade unions and employer organisations. While the peak-level organisations, in different ways, still coordinate and support the bargaining rounds, they lack the formal mandate to intervene in negotiations at sectoral level. (Eurofound, 2017a)

Negotiations for many of the agreements were difficult and resulted in industrial action. However, any strikes were relatively short and, in many cases, agreements were reached before strikes even began.

Employer organisations across sectors stuck firmly to the benchmark and agreed pay rises were largely in line with the rate agreed by the export industry sector in autumn 2017 (3.2% within two years). This implies that the so-called Finnish wage model – based on the Swedish wage model, where export industries and other sectors sensitive to international
competition would set limits on future wage rises – has been put into practice. (Eurofound, 2016; 2018a)

*Innovation in collective bargaining*

Nothing to report.
# National social dialogue in 2018 – Scope and Contribution

<table>
<thead>
<tr>
<th>Themes</th>
<th>Description</th>
<th>Social dialogue interaction</th>
<th>Social dialogue outcome and/or output</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Employment - Raising labour market participation</strong></td>
<td>One of the key goals of the government has been to raise the employment rate to 72% by active labour market policy measures such as a reform of unemployment security and dismissal protection.</td>
<td>In general, the social partners report having been involved timely and meaningful in the formal, institutionalised process preparing the legislation. However, trade unions remain more critical to both the process and outcome of the government’s labour market policy measures and have actively protested against them, e.g. through organising political strikes.</td>
<td>Some measures implemented, others being prepared or adjusted.</td>
</tr>
<tr>
<td><strong>Skills, training and employability - Reform of upper secondary education</strong></td>
<td>A reform of general upper secondary education is underway. The reform aims to ‘increase the attractiveness of general upper secondary education as a form of education providing solid general knowledge and eligibility for further studies in higher education, enhance the quality of education and learning outcomes, and make the transition from upper secondary education to higher education smoother.’ (OKM, n.d.)</td>
<td>The social partners have participated in the design of the reform both through continuous exchange and negotiations and through formal consultations.</td>
<td>The new Act on General Upper Secondary Education will enter into force on 1 August 2019.</td>
</tr>
<tr>
<td><strong>Benefits - Reforming unemployment benefits</strong></td>
<td>The unemployment security reform, the so-called ‘Active/Activation Model’, which links the unemployment benefit more directly to the labour market activity of the unemployed, came into force on 1 January 2018.</td>
<td>The reform has faced strong opposition by trade unions during 2017 and 2018, resulting for instance in protest strikes and demonstrations (see below). Some adjustments have been announced during the year.</td>
<td>The reform was implemented in January 2018. Some adjustments were announced in spring 2018, and following trade union’s ardent opposition against another labour market policy measure in autumn 2018, the government announced that a tripartite working group will be set up to draft further amendments to the model.</td>
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<tr>
<td><strong>Working time - Annual leave</strong></td>
<td>A proposal regarding changes to the Annual Holidays Act (162/2005) was submitted to Parliament in November 2018.</td>
<td>The social partners have been involved in the formal, institutionalised process preparing the legislation.</td>
<td>The proposal is currently being revised in parliament.</td>
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<tr>
<td><strong>Working time - Working hours</strong></td>
<td>A proposition on a new Working Hours Act was presented to Parliament in September.</td>
<td>A tripartite working group presented a reform proposal in 2017 but reached no consensual conclusions in the final report. Akava and SAK were critical to the lack of tripartite involvement in the final preparation of the legislation. The social partners have, however, been involved in the formal, institutionalised process preparing the legislation</td>
<td>The proposal is currently being revised in parliament.</td>
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### Themes

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<td><strong>Work-life balance - Family leave</strong></td>
<td>A reform of the parental leave system had been prepared in tripartite cooperation with the social partners since autumn 2017. The reform aimed at increasing gender equality and especially the labour market participation of mothers. However, in mid-February 2018, the government withdrew its plans to reform the parental leave system.</td>
<td>A tripartite working group was set up in autumn 2017 to draft the legislation. Social partners on both sides supported the reform.</td>
<td>Eventually, the government opted out of the reform. While the three members of the coalition government agreed that reform was needed, they could not agree on the final model. The government said the reform failed because it could not be implemented in a 'cost-neutral way'. Political commentators suggested that the upcoming elections and the Centre Party’s unwillingness to reduce the homecare subsidy played a key role in the decision. (YLE, 2018b; Eurofound 2018a)</td>
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<td><strong>Terms and conditions of employment - Fixed term contracts</strong></td>
<td>A government proposal, aiming at boosting youth employment by abolishing the requirement to justify fixed-term contracts for unemployed young people, triggered strong reactions from trade unions and NGOs. Today, companies have to justify any fixed-term contracts and the proposition was to abolish this requirement for people under the age of 30 who have been unemployed for at least three months. (Eurofound, 2018b)</td>
<td>The cancellation of the proposed amendments was called upon by several trade unions and NGOs (STTK, 2018a). An informal tripartite working group was set up to draft the legislation, but reportedly, it had difficulties drafting the legislation. (HS, 2018c)</td>
<td>The revised proposal was withdrawn. The government announced in June 2018 that it would not continue to draft the reform. According to Minister of Employment Jari Lindström, the impact of the reform would have been weak, and the model very bureaucratic (TEM, 2018a). Several trade unions expressed their satisfaction with the decision. (Eurofound, 2018c)</td>
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<tr>
<td><strong>Terms and conditions of employment - Dismissal protection</strong></td>
<td>A government proposal to reform dismissal protection by making it easier for SMEs to dismiss employees on individual grounds sparked off strong opposition from trade unions.</td>
<td>The proposal triggered strong opposition from trade unions. Several unions engaged in industrial action to put pressure on the government to drop the proposal. The issue was a source of conflict during much of summer and autumn 2018, but eventually, a compromise was found in an informal tripartite working group in early November.</td>
<td>The revised proposal was presented to Parliament in November, and the amendments will enter into force on 1 July 2019.</td>
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No major social dialogue debates were held on the following themes: Health, safety and well-being at work; Pension reforms; Taxation and non-wage related labour costs; Wage setting.

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Selected major social dialogue debates

*Unemployment benefit reform meets continued resistance*

The unemployment benefit reform, the so-called ‘Active/Activation Model’, which links the unemployment benefit more directly to the labour market activity of the unemployed, came into force on 1 January 2018. The main content of the reform is that, within three months, the unemployed person has not fulfilled any of the activation criteria, for the next review period he/she will get a lowered unemployment benefit, reduced by 4.65%.

The initial activation criteria were the following, each monitored and reviewed after a 65-day period: the unemployed must perform at least 18 hours of paid work, gain earnings through entrepreneurial activity, or participate in at least five days of employment-promoting services. (Eurofound, 2017b)

PM Juha Sipilä argued that the reform will encourage unemployed to take up part-time and short-term jobs, which will counteract inaction and exclusion.

Both trade unions and the government opposition parties continued to oppose the reform during 2018. Critics say the policy is unfair as it does not recognise regional differences in job opportunities and access to public employment services (PES). The hasty preparation of the model has also been criticised. For example, the ways to demonstrate activity were not specified very well in the initial legislation. The Confederation of Finnish Industries EK, while supportive of active labour market policies in general, has also found the model relatively inefficient. EK would rather see an unemployment security model where the unemployment benefit is higher at the beginning of the unemployment period, and then gradually lowered. EK would also reduce the number of days one can receive unemployment benefits. (YLE, 2018a; Eurofound, 2017b)

On 2 February 2018, the Central Organisation of Finnish Trade Unions (SAK) organised a demonstration in Helsinki against the model. On the same date, several trade unions went on a political strike against the reform, hoping to force changes on or a total withdrawal of the legislation. The legislation met further resistance in March as a citizens’ initiative with 140,000 supporters, aiming to abolish the model, was handed to parliament. The argument for the initiative was that unemployed individuals could not influence matters that the legislation penalises them for. As of December 2018, the citizen’s initiative is under revision in the Social Affairs and Health Committee. (Eurofound, 2018a; HS, 2018a; YLE, 2018c; Eduskunta, 2018a)

Approximately 68,000 unemployed had their unemployment benefits cut according to the model after the first 65-day follow-up period. The first official statistics from The Social Insurance Institution Kela were released in May, showing that benefit cuts affected men and older unemployed the most. Kela published further reports in the third and fourth quarter of 2018. The reports highlight regional and age-based differences, but in general, between 40 and 50 per cent of unemployed individuals had their benefits cut during 2018 (Kela, 2018a; Kela, 2018b; YLE, 2018g). According to a survey conducted by SAK late 2018, many unemployed find the model bureaucratic, pointless, humiliating and penalising (SAK, 2019).

Based on results for the first period, the government proposed modifications to the model in early April 2018. The proposal included changes on which kind of activities are in the scope...
of the activation criteria. For example, some short-term education activities were added to the list of ways to demonstrate activity. The next set of revisions is scheduled for April 2019 and is primarily based on requests by the public employment service offices. From 1 April 2019 onwards, employment promoting services such as career counselling and job search training, arranged by for example local governments, trade unions and NGOs are also counted as ways to fulfil the activation criteria (TEM, 2018b; Valtioneuvosto, 2018a).

Finally, following the protests against the government’s reform of dismissal protection during autumn, the government announced in late October that it is prepared to continue tripartite discussions regarding revisions of the Activation Model. The negotiations focus on, among other things, how regional differences in access to PES can be observed in support-decisions. Suggestions based on these discussions are expected at the end of February 2019 (HS, 2018e; HS, 2018h).

Reform of dismissal protection major source of conflict

A government proposal to reform dismissal protection by making it easier for SMEs to dismiss employees on individual grounds sparked off strong opposition from trade unions, culminating in political strikes during autumn 2018. Several unions engaged in industrial action to put pressure on the government to drop the proposal. The issue was a source of conflict during much of summer and autumn 2018, but eventually, a compromise was found in early November.

The initial proposal, presented following talks on the general fiscal plan for 2019–2022 in April 2018, included an amendment to the Employment Contracts Act making it easier for companies with up to 20 workers to dismiss employees on individual grounds. By this measure, the government wanted to lower the SME threshold for hiring new employees and thus increase employment (Eurofound, 2018b; 2018c).

During September, several trade unions announced they would engage in industrial action to put pressure on the government to drop the proposal. The list of trade unions imposing overtime and shift swap bans included major blue- and white-collar unions such as Trade Union Pro, the Industrial Union, the Union of Health and Social Care Professionals in Finland (Tehy) and the Trade Union for the Public and Welfare Sectors (JHL). This was followed by the announcement of a 24-hour strike on 3 October by Service Union United (PAM), Trade Union Pro, the Finnish Food Workers’ Union (SEL), the Finnish Electrical Workers’ Union and the Industrial Union. During October the conflict escalated as more and more unions engaged in industrial action. Several 24-hour and two-day political strikes affected sectors such as public transportation, health care, schools, day-care, and retail (Valtakunnansovittelija, 2018; Eurofound, 2018b; 2018c).

Much of the criticism centres on three issues: the level of scientific evidence supporting the measures’ effects on employment rates, that company size in the future would determine employees’ dismissal protection, and – most notably – a general lack of trust in the government following a number of measures seen as unfair by the trade unions.

Employer organisations such as the Technology Industries of Finland have criticised the unions for the harmful effects the protests have had on production and exports in the middle of an economic boom (Teknologiateollisuus, 2018). Others, such as KT Local Government Employers, claim that it is unfair that a disagreement between the unions and
the government is taking its toll on employers (YLE, 2018d). Unions have also been accused of exaggerating the negative implications of the model, most notably in a controversial campaign by SAK (Eurofound, 2018b).

Eventually, a solution was found when the government presented a compromise proposal in late October. The initial proposal included an amendment to the Employment Contracts Act making it easier for companies with up to 20 workers to dismiss employees on individual grounds. In the final bill, this 20-employee firing threshold was no longer mentioned. Instead, in the future, the number of a company’s employees will be one of the aspects to be considered when assessing redundancies related to the employee’s person. In addition, the qualifying period for unemployment benefits in cases of dismissals for reasons related to the employee’s person is lowered from the current 90 days to 60 days (HS, 2018f).

The final compromise was accepted by the unions, and industrial action was suspended. According to SAK, the new proposal is better than the initial. However, SAK still doubts that the measure will have any effects on employment rates and assessed that the amendments in practice will not make any significant difference to the current situation (SAK, 2018b). Currently, the law already stipulates that ‘the employer’s and the employee’s overall circumstances’ must be taken into account when assessing termination grounds related to the employee’s person. The final bill was approved in Parliament in mid-December, and the amendments will enter into force on 1 July 2019 (HS, 2018g).

The conflict triggered major discussions on the future of the Finnish industrial relations landscape and the social dialogue structures, including the scope of political strikes. For instance, The Confederation of Finnish Industries criticised the unions for ‘not using their right to strike in a responsible way’ and demanded that the right to political strikes in Finland should be curtailed, adjusting it to a ‘Nordic level’ (EK, 2018a).

**Unilateral government actions – without social dialogue**

There have been no major cases of unilateral government action.

In general, the peak-level social partners on both sides agree that they are fully involved in the formal/institutional consultation in the design of employment and social policy issues. However, trade unions, particularly SAK, have raised concerns about the functioning of the social dialogue. According to SAK the current government has, in general, withdrawn from the traditional Finnish consensus-seeking model where the government consults the social partners extensively in issues regarding working life and social policy. Most notably, the preparation of the Activation Model is a key example of this change of practice, according to SAK.
Collective labour disputes in 2018

Changes in the regulation of collective labour disputes

No significant changes.

Selected major labour disputes of national significance

The National Conciliator’s Office acted as a mediator in 20 labour conflicts in 2018, most of which were resolved before the start of industrial action. Strikes and other industrial action occurred in sectors such as banking, electricity, maritime transport and private security as well as at the University of Helsinki in 2018 (Valtakunnansovittelija, 2019).

In terms of public attention, the most significant industrial action undertaken under 2018 was, however, the political strikes several unions engaged in in early February and during September-October in opposition to the government’s employment policy measures (please see above under ‘selected major social dialogue debates’).

Working time 2018

Changes in the regulation of working time 2018

Legislation on working time duration or organisation

In late September, following a lengthy preparation process and disagreement between the social partners drafting the legislation, the government presented its proposal for a new Working Hours Act. The legislative framework will in large remain as it is, but changes will be made to increase flexibility of working hours and -locations. The current Working Hours Act (605/1996) is from 1996 and is generally considered to be outdated. The proposition includes two main revisions and is planned to be enforced beginning 1 January 2020 (YLE, 2018e). The first major revision includes provisions for a working time model for flexi-work arrangements where employees can better choose the number of hours they work, when they work and where they work. Such arrangements would primarily be based on mutual trust between the employer and employee.

The second major revision is the introduction of a ‘working hours bank’ that allows more flexible use of working hours over time.

In addition, the proposal includes revisions regarding flexible working hours and night-time work.

According to the Confederation of Finnish Industries (EK), the proposition is a step in the wrong direction as more industries are set under tighter regulation. The Central Organisation of Finnish Trade Unions (SAK) finds the proposition mainly positive from the employee perspective. The Finnish Confederation of Professionals (STTK) states that the proposition is partly successful, but they do not support the included increase of period-based employment. The Confederation of Unions for Professional and Managerial Staff in Finland (Akava) sees the increased flexibility of working hours as a good thing but adds that flexible working hours should be more of an exception than a norm. Both Akava and SAK criticise the government for not involving the social partners in the final stage of the drafting of the proposal. (EK, 2018b; Akava, 2018; SAK, 2018a; STTK, 2018b).

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proposal was presented in November when the government submitted a proposal regarding changes to the Annual Holidays Act (162/2005). The proposal is based on terms set by the Court of Justice of the European Union (CJEU) regarding the minimum number of vacation days an employee is entitled to. The main revision concerns the right to a minimum of four weeks of annual paid vacation, regardless of absence due to sick leave, recovery from accident or occupational disease or due to medical rehabilitation. The proposal is currently under revision in the Employment and Equality Committee, with changes expected to be enforced in April 2019. (Valtioneuvosto, 2018b) (Eduskunta, 2018b).

Collective bargaining outcomes on working time duration or organisation

No significant changes.

Major debates concerning working time duration or organisation

Please see above.

Health and well-being at work 2018

Physical working environment

There were no major new regulations addressing the physical working environment issued in 2018.

Psychosocial working environment

There were no major new regulations addressing the psychosocial working environment issued in 2018.

Employment status 2018

No major changes in 2018 for: Self-employed; Fixed term contracts; Temporary agency workers; Posted workers and Seasonal workers.

‘Standard’ employment contracts

The bill on dismissal protection (please see major social dialogue nr 2 above) was approved in Parliament in mid-December, and the amendments will enter into force on 1 July 2019.

Zero-hour contracts

New legislation was introduced in June 2018. The amendments include, among other things, restrictions on in which situations a system with ‘alternating working hours’ (i.e. zero-hour contracts) can be applied. In addition, employees’ working under zero-hour contracts right to paid sick leave is regulated in the new legislation. (EC, 2017; HS, 2018b).
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HS (2018d), Miksi ay-liike voi Suomessa uhmata vaaleilla valittujia päättäjäitä? Selitys löytyy vuosikymmenten takaa, 21 October.


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SAK (2019), *Activation model neither activates people nor helps in finding a job, it simply cuts unemployment benefits*, 4 January


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Valtakunnansovittelija (2018), Poliittiset työtaistelut syksyllä 2018 – valtakunnansovittelijalle ilmoituksen tehneet ammattiliiot, 25 September


YLE (2018b), Analyysi: Perhevapaauudistus kituu jo ennen syntymistään – 5 syytä, miksi neuvotteluiissa vedettiin käsijarru pohjaan, 12 February.

YLE (2018c), Aktiivimallin kumoamista vaativa kansalaisaloite luovutetaan puhemiehelle – keräsi 140 000 nimeä, 9 March.

YLE (2018d), Kommunarbetsgivarna rasar: Helt orimligt att kommunerna får lida av den politiska protesten, 25 September.

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The European Foundation for the Improvement of Living and Working Conditions (Eurofound) is a tripartite European Union Agency established in 1975. Its role is to provide knowledge in the area of social, employment and work-related policies according to Regulation (EU) 2019/127