

Industrial relations and social dialogue Finland: Developments in working life 2022

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Author: Vera Lindström (Oxford Research)

Research manager: Christine Aumayr-Pintar

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European Foundation for the Improvement of Living and Working Conditions

Telephone: (+353 1) 204 31 00

Email: information@eurofound.europa.eu

Web: www.eurofound.europa.eu

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Introduction

The economy of Finland recovered speedily from the COVID-19 pandemic. Economic output in the first quarter of 2022 corresponded to pre-pandemic levels. Russia's war of aggression in Ukraine, the soaring energy prices and increasing inflation has however put Finland on a different economic trajectory and reduced the purchasing power of Finnish households (OECD, 2022). In November 2022, inflation in Finland was at a level of 9.1%, somewhat lower than the EU average of 10% inflation (Statistics Finland, 2022a).

Over 46,500 people fleeing the war in Ukraine arrived in Finland under temporary protection in 2022 (Finnish Immigration Service, 2023). The war in Ukraine has also made the government of Finland reconsider Finland's neutral position, resulting in the application for NATO membership which is pending at the time of writing. Russia reacted to the application by cutting off gas and electricity exports to Finland. Most of these energy supplies Finland has managed to replace (OECD, 2022).

Finland has no statutory minimum wage. The government has responded to the declining purchasing power of Finnish households by extra index increases to social benefits, as well as temporary tax cuts and subsidies for energy. Minimum wages in Finland are set in collective bargaining rounds, by praxis with the export-oriented industry in the lead. Traditionally, the export industries negotiate first, which forms a benchmark for the other sectors for wage-increases. This model is regularly debated and has been again in 2022.

In early 2022, wage negotiations took place while the inflation trajectory was still moderate. Thus, increases in minimum wages agreed in early 2022 did not correspond to inflation levels. In April-June, while incomes had increased by 2% the real wages of wage and salary earners had declined by 4.6% as compared to the second quarter of 2021 (Statistics Finland, 2022b). This development has marked the collective bargaining for wages later in 2022. Simultaneously, the chief economists of both peak-level social partners on both employer and trade union side warn against wage inflation (Helsingin Sanomat, 2022d).

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Political context

Government of Prime Minister Sanna Marin was appointed in December 2019 following the resignation of the Government of Prime Minister Antti Rinne. The government period of Prime Minister Marin's Government is 2019-2023. Marin's Government consists of a coalition formed by the Social Democratic Party, the Centre Party, the Green League, the Left Alliance, and the Swedish People's Party of Finland.

In 2022, the government finalised the cross-governmental social and health care reform. One of the outcomes of this complex reform is a new level of governance, as new wellbeing services counties (*hyvinvointialue*) were founded and the responsibility to organise public healthcare, social welfare and rescue services are transferred from municipalities to the wellbeing services counties (Government of Finland, n.d. a). There are 21 wellbeing services counties. The capital city of Helsinki continues to organise healthcare, social welfare and rescue services in the area despite the reform (Government of Finland, n.d. b).

The first elections for the new wellbeing services county council were held in January 2022. The city of Helsinki did not hold new elections, as there had been a municipal government elected in 2021 in the municipal elections.

As a national total, the largest opposition party, the market liberal and conservative National Coalition Party received the most votes (21.6%) in the election. The prime minister's Social Democratic Party received the second most votes (19.3%), followed closely by the Centre Party (19,2%). Voter turnout was 47.5% nationwide (Yle, n.d.).

The new wellbeing services counties became operational on 1 January 2023.

There has been no significant social uprising in relation to price hikes. Fuelled by the increasing prices of petrol, the Stop Disciplining Motorists! -movement organised a demonstration in front of the parliament in July, which only gathered a 'handful' of people according to the police in Helsinki (Yle, 2022b).

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Actors, institutions and processes

Social partners

The finalised social and health care reform and resulting transfer of public healthcare, social welfare, and rescue services from municipalities to the wellbeing services counties has impacts on the social partners representing public sector employees and employers. In the sectors of health care, social work, and rescue services the shift is significant as the employer changes even if the jobs itself remains the same. More than 25,500 employees were transferred to a new employer on 1 January 2023 (JHL, 2022).

The collective agreement that covers the new welfare regions is also separate from that of the municipalities. This has implications for future negotiations as well, as occupational groups are split across negotiations. For example, childcare workers are now the largest occupational group covered by the General Collective Agreement for the Municipal Sector (KVTES), which improves the groups' bargaining position (Tehy, 2022). Local government employers in Finland KT (*Kuntatyönantajat*) negotiates on the employers' side for the new welfare regions as well as the municipalities.

Social dialogue bodies or frameworks

The statutory cornerstones of collective bargaining in Finland are the Collective Agreements Act (*Työehtopsopimuslaki*) 436/1946, the Act on Mediation in Labour Disputes (*Laki työriitojen sovittelusta*) 420/1962 and the Act on the Labour Court (*Laki oikeudenkäynnistä työtuomioistuimessa*) 646/1974 designed for settling of disputes in relation to the collective agreements. This framework remains unchanged in 2021/2022. The government has however proposed an amendment to the Act on Mediation in Labour Disputes, which would make it possible for the parties to voluntarily (i.e., without the threat of collective action) involve the National Conciliator's Office in the collective bargaining rounds. The proposal has been handed over for parliamentary proceedings in October 2022 (Ministry of Economic Affairs and Employment, 2022a).

The new Act on Co-operation within Undertakings 1333/2021 (*Yhteistoimintalaki*) entered into force on 1 January 2022. The purpose of the act is to improve the practice of continuous dialogue at the workplace. The act also increases the opportunities for employee influence and improves employees' access to information. The act is formed around three pillars: framework of continuous dialogue between management and staff, negotiation in restructuring situations, and staff representation on company boards.

The Act is applicable to companies in the private sector with more than 20 employees, and 150 employees in Finland for staff representation on company's board (Ministry of Economic Affairs and Employment, 2021b).

Both proposals were prepared in a tripartite working group.

Other working life related institutions

The government of Finland adopted a new unemployment service model which entered into force on 2 May 2022 through an amendment to the Act on Public Services for Labour Force and Enterprises 916/2012 (*Laki julkisesta työvoima- ja yrityspalvelusta*). The model is dubbed the Nordic

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labour market service model, as the Finnish unemployment services increase in similarity with those in the other Nordic countries. The aim of the new model is to raise the employment level in Finland to match those in the other Nordic countries.

The new model entails higher expectations on the jobseeker to submit job applications and more frequent meetings with their case worker at unemployment services. The model aims to give more individualised services to the jobseeker, and a customised employment plan is drawn out with the case worker in the first meeting. Meetings with the unemployment services are increased to a minimum of five in the first three months of unemployment, whereas the meetings could be three months apart in the previous model. If the jobseeker does not comply with the job application requirement of four applications monthly, their unemployment benefit may be withheld after two consecutive warnings. The requirement may be lower for applicants that have lowered capacity to work due to, for instance, illness. The new model also gives the jobseeker more independence in selecting the jobs to apply for. In the old model, unemployment benefits were withheld if the jobseeker did not apply for a job proposed to them by the unemployment services (Aaria, 2022; Government proposal HE 167/2021).

The increased contact with case workers also requires increased funding to the unemployment services in the TE (offices and municipal unemployment services nationwide). An additional €70 million of the fiscal budget was channelled to these services, which has been used to employ 1,200 new case workers. This corresponds to a 40% increase in unemployment service resources as compared to the levels of 2019 (Ministry of Economic Affairs and Employment, 2022c).

As part of the reform, services of the long-term unemployed are transferred from the TE services to the municipalities in selected pilot municipalities. In October 2022, the government is advancing a further amendment where unemployment services are to be transferred from TE-offices to municipalities nationwide. Municipalities are in charge of education, integration, and business services, and thus the government argues that focusing services to the municipalities will streamline unemployment services. The reform would enter into force on 1 January 2025, if passed (Helsingin Sanomat, 2022f).

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Governmental responses to inflation

The government of Finland has launched support packages to both industries and citizens heavily affected by inflation. Especially energy and fuel price hikes have been a concern.

Many increases in social benefits were introduced in the government's second supplementary budget of 2022, as the recipients of various benefits were seen as groups most vulnerable to increases in living costs.

Most benefits that are paid out by the Social Insurance Institution Kela (*kansaneläkelaitos*) are tied to the National Pension Index (*kansaneläkeindeksi*), which in turn is fixed to the Cost-of-Living index compiled by Statistics Finland. The Kela is mandated to adjust the index annually. Social benefits paid out by Kela include, for example, national pension, guarantee pension, labour market subsidy and basic daily allowance, and the basic component of social assistance (Kela, 2022).

Due to the unexpected rise in living costs, the government mandated an extra index adjustment in 2022, thus increasing the benefits tied to National Pension Indexⁱ as well as the study allowanceⁱⁱ¹ and allowances for families with children.ⁱⁱⁱ

To alleviate citizens living costs due to high energy prices, the government introduced a tax reduction on electricity, ^{iv} a tax deduction for low-income taxpayers for their energy bills^v as well as an energy allowance for low-income households.^{vi}

The government has also handed out fiscal support to road transport companies^{vii} as well as the agricultural sector, ^{viii} both of which are seen as essential for Finland's security of supply.

The Minister of Finance had also proposed to link tax reductions to the result of minimum wage bargaining rounds. The minister had stated that if wage increases negotiated in the collective bargaining rounds, the government can afford tax reductions in income tax and pension tax. The reasoning is that a combination of both tax reductions and rapid wage increase would be feeding the inflation, rather than alleviating it (Helsingin Sanomat, 2022b).

When consulted by the minister and civil servants, both trade unions and employers' organisations in the minimum wage pace-setting technology industry were opposed to the proposal. The social partners view tying government policy to social bargaining outcomes as not fitting to Finnish praxis, where social bargaining processes are independent from government intervention, and vice versa government tax policy ought to be independent from collective bargaining and wage setting. Generally, the president of Industrial Union (*Teollisuusliitto*) was peeved about the state encouraging towards moderation in minimum wage increases (Helsingin Sanomat, 2022b).

ⁱ Eurofound (2022), <u>Increase in social benefits to mitigate effects of increased cost of living</u>, case FI-2022-32/2291 (measures in Finland), COVID-19 EU PolicyWatch, Dublin

ⁱⁱ Eurofound (2022), <u>Increase in study allowances to mitigate the effects of increased cost of living</u>, case FI-2022-32/2201 (measures in Finland), COVID-19 EU PolicyWatch, Dublin.

ⁱⁱⁱ Eurofound (2022), <u>Support package for families with children</u>, case FI-2023-1/2941 (measures in Finland), COVID-19 EU PolicyWatch, Dublin.

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^{iv} Eurofound (2022), <u>Temporary reduction on value added tax on electricity</u>, case FI-2022-49/2800 (measures in Finland), COVID-19 EU PolicyWatch, Dublin

^v Eurofound (2022), <u>Temporary tax deduction for high energy bills</u>, case FI-2023-1/2802 (measures in Finland), COVID-19 EU PolicyWatch, Dublin

^{vi} Eurofound (2022), <u>Temporary electricity allowance for low income households</u>, case FI-2023-1/2863 (measures in Finland), COVID-19 EU PolicyWatch, Dublin

^{vii} Eurofound (2022), <u>Temporary cost support for transportation companies</u>, case FI-2022-36/2872 (measures in Finland), COVID-19 EU PolicyWatch, Dublin

^{viii} Eurofound (2022), <u>Package to secure supplies in the agricultural sector</u>, case FI-2022-13/2396 (measures in Finland), COVID-19 EU PolicyWatch, Dublin

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Collective bargaining and inflation

How inflation features in wage negotiations

Minimum wages are negotiated in collective bargaining rounds. It is common practise that a collective agreement includes a clause that the collective agreement can be unvalidated if a new agreement on minimum wages has not been made before the predetermined date. Thus, in addition to collective bargaining rounds, the social partners engage in so-called wage-rounds, which are additional bargaining rounds. The norm for a length of a collective agreement is two-years, and this clause makes the second year an option contract. Usually, wage increases aim to uphold the purchasing power of employees and social partners rely on economic forecasts produced by research organisations and the Ministry of Finance, but further details are difficult to obtain given that social partners are not public with their goals and use of forecasts. The economic insecurity and difficulty in creating reliable forecasts caused by first the COVID-19 pandemic followed by Russia's war of aggression against Ukraine has resulted in many signatory parties renegotiating wages for the option year (AKI-liitot, 2022)

Each negotiating social partner sets their own agenda without central-level coordination, and wage goals are rarely made public. In 2022, the Central Organisation of Finnish Trade Unions SAK has deviated from this practise by increasing central coordination and publicly announced that it aims for wage increases similar to those gained by IG Metall in Germany (Helsingin Sanomat, 2022c).

The National Conciliator's Office (*Valtakunnansovittelija*) also considers economic forecasts in their conciliation proposals, as well as the general line of wage increases that other social partners have negotiated in that negotiation round, for instance in the conciliation proposal for the municipal sector in May, 2022. As well as aiming to balance the parties wishes, the National Conciliator's Office noted that other sectors had negotiated wage increases of about 2%, but also that inflation rates are high and economic forecasts had been revised to be less optimistic. The conciliator also noted that due to the pre-existing fiscal debt of the public sector, for wage increases to be higher for municipal employees than others, trade unions ought to show 'moderation' in future negotiation rounds rather than demand increases parallel with the municipal sector (Ilta-Sanomat, 2022). Such targets are however for trade unions to set independently.

The national statistics bureau Statistics Finland (*Tilastokeskus*) utilises a consumer price index as a measure of inflation. The consumer price index describes the price development of goods and services purchased by households as compared to the same month the year before. The national consumer price index is to a large extent based on the same data as the harmonised index of consumer prices, however the scope and selection of commodities is different (Statistics Finland, n.d.).

Examples of recent responses

The negotiation round of spring 2022 was marked by non-agreement between the Local Government and County Employers KT (*Kuntatyönantajat*) and the trade union for health care professionals Tehy, the Finnish Union of Practical Nurses SuPer, the Trade Union for the Public and Welfare Sectors JHL, Trade Union Jyty and Negotiation Organisation for Public Sector Professionals

JUKO (representing peak-level organisation Akava's members in the public sector), resulting in industrial action.

A central strive for the unions was to raise these female-dominated occupational groups from the so-called "salary pit", i.e., bridging the wage gap. The nurses' unions also see the wage gap as a significant contributor to the labour shortage in the sector. This is to say that the industrial action was simmering already before inflation levels peaked, but the falling real wages have added fuel to the fire.

While the Local Government and County Employers KT, and the unions JHL and Jyty (represented by the negotiation organisation JAU) and JUKO accepted the National Conciliator's (*Valtakunnansovittelija*) proposal in May 2022 and signed a three-year collective agreement for the municipal sector, and an additional 5-year wage programme of 5.1% increase in wages over the period. The wage increases of the programme are paid on top of the annual wage increases included in the collective agreement. The municipal employees covered by this agreement include teachers, doctors, librarians, and bus drivers, among others (Helsingin Sanomat, 2022e).

The nurses' unions Tehy and SuPer diverted from the general line and decided not to accept the agreement like the other unions that had been on strike in the municipal sector. Only in October, nine months after the negotiations started, was a negotiation result found through the settlement (proposal by the National Conciliator). The settlement proposal for nurses included a salary increase of 17.3% in the healthcare and social welfare sector over 5 years, out of which 15.3% in the first three years. This entails that the average salary of a practical nurse is to increase to €2,600 from the current €2,255, and the average salary of a registered nurse to over €3,000 from the current €2,625 (SuPer, 2022).

Member unions of the blue-collar peak-level organisation The Central Organisation of Finnish Trade Unions SAK have intensified their coordination in the current round of negotiations in order to ensure the purchasing power of the employees. The aim is to reach results similar to those reached in Germany between IG Metall and the German electronics and metal industry, which awards a 5.2% pay rise from June 2023 and another 3.3% from May 2024 (SAK, 2022b). On top of that there will be two €1,500 lump sum payments. The president of SAK has criticised the employer's side in the negotiations that he argues has handed over all negotiating power to the employers in the exportoriented technology industry (SAK; 2022a). The employer's organisation Technology Industries of Finland (*Teknologiateollisuus*) expressed surprise with SAK's public announcement of their member's shared bargaining goal, as this is not common practise in Finland (Helsingin Sanomat, 2022c).

The levels of inflation have made bargaining for wages an inflamed topic in the current bargaining round. Already agreed collective agreements may be renegotiated if the social partners cannot agree on wage increases, as collective agreements often contain a clause making the second year an option year dependent on an agreement on minimum wages.

Currently, all negotiations are stalling as the collective agreements with the employer's organisation Technology Industries of Finland (*Teknologiateollisuus*) ended in the end of November 2022. The Industrial Union (*Teollisuusliitto*) and Technology Industry Employers of Finland (*Teknologiateollisuuden työnantajat*) ended a year before the original end-date due to the nonagreement in minimum wage setting (SAK, 2023). The collective agreement ended 1 December 2022 and negotiations continue at the time of writing. As there is no agreement in place currently, industrial action is possible.

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Developments in working time

Changes to legislation

The statutory cornerstones of employment relationships and working time in Finland are the Employment Contracts Act (*Työsopimuslaki*), the Annual Holidays Act 162/2005 (*Vuosilomalaki*) and the Working Hours Act 872/2019 (*Työaikalaki*). A new Working Hours Act entered in force in 2020.

An amendment to the Working Hours Act that passed in December 2021 entered into force on 1 January 2022. The amendment allows for more flexibility in collective agreements to agree on working times beyond regular working hours in cases where the work is carried out only on some occasions during the shift when the employee is required to be available for work. Such work is typically carried out in emergency care and the rescue sector.

The collective agreement can now set a possibility of a 24-hour shift and a weekly working time exceeding 40 hours per week on average. No statutory upper limit was set. Government proposal 161/2021 referred to information gathered by the Ministry of Economic Affairs and Employment from actors in the sector, actors considered a 42 hours per week to be an average most suitable to the sector's needs.

Simultaneously the penal liability for breaches of the emergency work provision is clarified. An employer who breaches the limits for the emergency work is liable to a fine for a working time offence. Under the earlier provision, it was already punishable for breaching the maximum working time and minimum rest period provisions, which could also be applied to emergency work.

The government introduced a Family leave reform which entered into force in August 2022. Both parents that have custody of a child have an equal quota of parental leave, which is addressed by an amendment to the Employment Contracts Act. The reform also introduced the right to take unpaid carers' leave for up to five days per year (Ministry of Social Affairs and Welfare, 2022b). For the Annual Holidays Act, the reform entails a minor amendment as days on parental leave are considered as equal to days in employment, which in turn affect the number of days of statutory annual leave.

In accordance with the Government Programme of Sanna Marin's government, the position of employees working variable hours was strengthened through an amendment to the Employment Contract Act 55/2001 (*Työsopimuslaki*). Variable hours contracts are zero-hours contracts and other contracts where working hours are set to vary between a range of pre-determined hours (e.g., 0-30 hours per week) instead of having a fixed number of working hours. In the future, employers will have a stronger obligation to review their use of contract conditions concerning variable working hours in light of their need for labour. Zero-hours contracts may not be used unless there is a real need for them. The review should take place at least every 12 months. The employee is the entitled to an increase in contractual minimum working time if the number of hours worked during the review period and the employer's need for labour indicate that the minimum working time of the employee could be set at a higher level than 0.The employer must inform the employee of the date of the review and, at the request of the employee or an employee representative, provide a written explanation of the outcome of the review and the reasons for it. If the employer stops offering work altogether, the employer shall, at the request of the employee, explain in writing the reasons for the reduction in the work offered.

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Bargaining outcomes

In early 2022, working time and leave arrangements were still a prominent topic on the collective bargaining round, before real wages became the primary concern. In a collective agreement between the Paperworker's Union (*Paperiliitto*) and the paper and forest industry company UPM, collective bargaining in April 2022 resulted in a 30-minute extension of the weekly working time for employees in shift work in graphic paper production, as per a proposal of the National Conciliator's Office. Working time in day work remains unchanged. Depending on the contractual working time form, working hours will increase by between 24 and 32 hours per year. The former, universally applicable agreement for the paper industry of 2020-2021 had five different standard working time agreements for five categories of contractual working time types. In factory departments where uninterrupted operation is necessary for technical production reasons, the regular working time is 8 hours per day and for a maximum period of one year an average of 34,5 hours per week.

The Paperworker's Union had organised 2,000 members in industrial action for nearly four months, targeting twelve UPM units.

For UPM, it was a priority to negotiate five different collective agreements for its' five different industries, and the working time extension for graphic paper production. For the Paperworkers' union, the unified front in all industries has been key. The union also refused to accept the working time extension before proper reimbursement was included in the agreement. UPM managed to negotiate five separate agreements, but the union only signed them once all had been agreed, thus aiming to keep working conditions harmonized (Helsingin Sanomat, 2022a).

The paper industry is a closely followed sector in the collective bargaining rounds in Finland, as the employer's side announced in 2020 that it will no longer negotiate for nationwide collective agreements.

Aligned with the family leave reform, Juko (the negotiation body for peak-level trade union Akava in the public sector), Trade Union Pro, and The Trade Union for the Public and Welfare Sectors JHL (*Julkisten- ja hyvinvointialojen liitto*) negotiated for equal number of paid parental leave days for both parents in the collective agreement for university employees. The employee has the right to 40 days of paid pregnancy leave, and now both parents are entitled to 32 days of paid parental leave. The employer's side was represented by Finnish Education Employers Sivista (*Sivistystyönantajat*) (Helsingin Sanomat, 2022i).

Debates on duration and organisation

Working time has not been a topic of debate to the same degree it was right before the pandemic started, when a debate about worktime reduction was prominent. In 2022, flexible working hours and associated problems of continuous overtime has gained some attention.

The Finnish Institute of Occupational Health TTL (*Työterveyslaitos*) survey directed to organisations indicate that in a third of all organisations overtime exceeding the statutory maximum of 48 hours/week is regular. TTL representatives commented that worktime flexibility has been proven to increase wellbeing at work. However, increased workloads may pose a threat to employees that have very flexible working hours. Survey results showed that workweeks exceeding 50 hours were slightly more common in large companies than SMEs. Large companies were more likely to have agreements around the right to disconnect. One third of all organisations responding to the survey

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did not have a policy around the issue. The survey had 1,300 responses in total (Helsingin Sanomat, 2022f).

In October 2022, a member of parliament representing Left Alliance (Vasemmistoliitto) has handed over to parliament a proposition to amend the Working Time Act 872/2019 (proposition 45/2022). The proposal has 19 signatories representing Left Alliance, Social Democratic Party of Finland SDP and Finns Party (Perussuomalaiset). The problem recognised in the proposal is that many workplaces routinely utilise the statutory right of worktime flexibility without compensating for the overtime. The Working Time Act allows a maximum of 60 hours of overtime can be accumulated and that the overtime must be compensated before the end of a period. The statutory maximum period is four months, but many collective agreements have shorter ones. The signatories argue that this cut-off period in practise often means that the employee does not get compensated for overtime in either time-off or monetary terms, as indicated by survey results from IL The Union of Professional Engineers in Finland (Insinööriliitto). Out of IL's survey respondents, 81% reported that their employer has never warranted them to take time off to compensate for overtime. After the adjustment period ends, 32.7% of respondents just keep accumulating overtime whereas 36.5% do not know how the overtime is compensated for, if at all. The amendment would increase employer responsibility to ensure that the workload of an employee is proportionate to the statutory and collective agreed working time, or risk sanctions.

The proposal has not yet gone through parliamentary proceedings, and as such the debate will probably spill into 2023. The Union of Professional Engineers in Finland IL (*Insinööriliitto*) has however already welcomed the proposal (Insinööriliitto, 2022) and deemed it as necessary. At the time of writing, no statements from the employer side of this particular proposal were found. Backlash can however be expected from, for example, Technology Industries of Finland (*Teknologiateollisuus*) that generally wish to see less centralised bargaining and government regulation, and more company-agreements. Regarding work time flexibility, the employer's organisation has stated that many enterprises rely on customer demand and thus flexibility from their employees. They argue that worktime flexibility also reduces the need for restructuring of staff through for instance temporary lay-offs, and is thus beneficial for employees too (Teknologiateollisuus, 2022).

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Labour market shortages and social partners

The final report of the Labour Market Roadmap project ran by the Ministry of Economic Affairs and Employment was published on 16 January 2023. The project mapped labour supply, shortages and matching of labour by both occupation and region. The aim of the project was to seek solutions to labour shortages.

The projects results show that within the occupations offering an income of at least €16/hour (compared to Finnish median income €18.41/hour) there is a particular shortage on health and social services occupations as well as ICT experts, early childhood education teachers and within several industrial occupations. Practical nurses top the chart. Even if all practical nurses currently unemployed in Finland (discounting those that have multiple barriers to employment, such as illnesses or are long-term unemployed) filled open positions, there would be another 2,296 open positions for practical nurses nationwide.

In low-income occupations too, care work tops the charts. Care assistants working in, for instance, home-based care of elderly and persons with disabilities, are the most needed occupational group. Nationwide, there would be 1,211 unfulfilled positions even after all the available jobseekers in this occupation were employed. Restaurant workers are also an occupational group in high demand. Interestingly, while restaurants report problems in recruiting sufficient staff, 16% of waiters are unemployed. The authors of the report analyse that the working conditions, unstable employment contracts coupled with low wages is an underlying explanation. It is uncommon to stay in restaurant work throughout ones whole working life.

There are thus occupations that require labour immigration. The cross-governmental programme for foreign labour attraction Talent Boost was first launched in 2022. In 2022, it has been further expanded through the development of a local service model Talent Hub.^{ix}

In 2022, the parliament approved a law reform package with the shared aim of increasing the employment levels of over 55-year-olds (government proposal 62/2022). In case of being laid-off, over 55-year-olds used to receive income-adjusted unemployment benefit days up until their retirement age. This entitlement has been completely removed for persons born after the year 1965, and the age-threshold has been increased for all those born after 1963 (YTK, 2022). Simultaneously, over 55-year-olds now have the right to require part-time work if they have been employed by the same employer for more than three years. Further, the 'change security' model[×] (*muutosturva*) is developed for over 55-year olds, consisting of both restructuring security pay corresponding to one month's salary, restructuring security training organised by TE-services and an extension of days of employment leave the person is entitled to. Employment leave refer to paid days a laid-off employee has to engage in job searching and training activities before their unemployment enters into force and is dependent on the time of notice. All reforms entered into force on 1 January 2023 (Kuntaliitto, 2022).

The tripartite development programme WORK2030 has also funded multiple projects aiming to tackle labour shortages. An example is the Postal Work 2030 -project (*Postityö 2030*) launched in March 2022, that aims to increase collaboration between the social partners in the sector in order to respond to contemporary and future changes. One challenge the project has identified is the

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reduction of work opportunities in letter distribution, while simultaneously postal services have a significant need for labour in parcel sorting and logistics (WORK2030, n.d.).

^{ix} Eurofound (2022), <u>Talent Boost</u>, case FI-2017-17/2692 (measures in Finland), COVID-19 EU PolicyWatch, Dublin.

[×] Eurofound (2022), <u>'Change Security' model</u>, case FI-2017-17/2692 (measures in Finland), COVID-19 EU PolicyWatch, Dublin.

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Other important policy developments

Labour market shortages

2022 was characterised by a long collective bargaining round and industrial action by the nurses' unions the Finnish Union of Practical Nurses SuPer and trade union for health care professionals Tehy. In April 2022, the government started to prepare the Act on Securing Essential Health Care and Home-based Care during Industrial Action 826/2022 (*Laki välttämättömän terveydenhuollon ja kotihoidon turvaamisesta työtaistelun aikana*). The temporary measure passed in September 2022 and is in force until 31 January 2023.

Essentially, the act entails that nurses can be mandated to work during industrial action if the industrial action is causing life-threatening labour shortage in health care. The coverage is limited to critical health care such as intensive care units, home-based care, emergency care, and obstetrics. The Regional State Administrative Agency (*Aluehallintavirasto*) can mandate nurses to work for a maximum of two weeks even if they have resigned as part of the industrial action. During the periods of mandated work, the nurse's salary would be 30% higher than their standard salary.

Also dubbed 'the forced labour act' by the nurses' unions and in the media coverage, the act was unusual and heavily debated. The government justified the act by stating that the lack of agreement on so-called protective work (*suojelutyö*) during industrial action was a concern. The measure mandates the unions to agree on protective work before taking industrial action (Yle, 2022b).

Employment status and contracts

In accordance with the Government Programme of Sanna Marin's government, the position of employees working variable hours was strengthened through an amendment to the Employment Contract Act 55/2001 (*Työsopimuslaki*). Variable hours contracts are zero-hours contracts and other contracts where working hours are set to vary between a range of pre-determined hours (e.g., 0-30 hours per week) instead of having a fixed number of working hours.

In the future, employers will have a stronger obligation to review their use of contract conditions concerning variable working hours in light of their need for labour. Zero-hours contracts may not be used unless there is a real need for them. Regularly reviewing minimum working hours will secure and improve the position of employees. If an employee continuously has more work than their minimum hours, their employment contract must reflect that.

Employers must review their practices at least every 12 months. The first review of existing employment contracts must be carried out within 12 months of the act entering into force, by 1 August 2023.

The Employment Contract Act was also amended in order to implement the EU Directive 2019/1152. Employers must provide a written and reasoned reply to a fixed-term or part-time employee's request concerning the possibility of extending the regular working hours agreed in their employment contract or of extending the duration of their employment contract. The primary changes are that employers will have to provide a written account of the key conditions of employment more quickly than today and provide a written account also in short-term employment relationships. This applies to situations in which this information is not provided in a written

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employment contract. The written account should include information on, for example, training provided by the employer and the name of the insurance institutions that provide pension coverage or occupational accident or occupational illness insurance for the employer's employees.

Employers who are obligated by law or by a collective agreement to offer training to their employees must offer that training free of charge. In addition, the time spent on training will be counted as working time and, where possible, training must be provided during regular work shifts.

A further amendment made to improve the employment conditions of persons on 0-hour-contracts is that to the Working Time Act 872/2019. Employers must now pay a reasonable compensation to employees working variable hours if a work shift is cancelled within 48 hours before the start of the shift. This applies to situations where such remuneration or pay would not otherwise be paid on the basis of law, a collective agreement or the binding nature of the agreed shift.

The Act will define the situations in which assigning a work shift requires the consent of an employee working variable hours. The employee's consent will be required if an employer wants to assign work shifts to the employee outside of agreed days of the week or hours of the day.

Self-employed

In 2022, the parliament of Finland passed the government proposal to amend the Self-employed Persons' Pensions Act YEL 1272/2006 (*Yrittäjän eläkelaki*). The amendment entered into force on 1 January 2023.

The self-employed are charge of their statutory YEL-pension insurance. According to the Statistics Finland (2020), Self-Employed Persons in Finland 2017 survey, only half of the respondents considered that they were insuring themselves sufficiently for the pensions. The most common reason given was that they did not consider themselves able to pay higher pension fees.

The reform develops the pension insurance scheme and other social security programmes for selfemployed people. As self-employed people already have access to the social security system through the YEL scheme, the reform is relatively minor to the existing legislation.

Since YEL income for self-employed determines the amount of social security and pension insurance, the reform focuses on the information that the pension institution considers when determining YEL income. Earned income is now determined on the basis of the number of hours worked per week, the number of hours worked in a business as a side-line to full-time paid employment, and the annual remuneration received or estimated, or the annual remuneration invoiced through a billing service company. A self-employed person may also provide the information and explanations described above in relation to their own self-employed activity.

The government proposal has been prepared by a working group of Finnish trade unions and employers' organisations: Confederation of Unions for Professional and Managerial Staff Akava, the Confederation of Finnish Industries EK, the Confederation of Professionals STTK, Confederation of Finnish Trade Unions (SAK) and the Finnish Entrepreneurs (*Suomen Yrittäjät*) (Ministry of Social Affairs and Welfare, 2022a).

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Wage setting

Minimum wages in Finland are set in collective bargaining rounds, by praxis with the export-oriented industry in the lead. Traditionally, the export industries negotiate first, which forms a benchmark for the other sectors for wage-increases. This model is regularly debated and has been again in 2022.

The Confederation of Finnish Industries (Elinkeinoelämän keskusliitto) defends the model as they argue that the growth of all Finnish economy and thus economic wellbeing depends on the competitiveness of Finnish exports (Confederation of Finnish Industries, 2022). The trade unions have become increasingly frustrated with the model, which they argue increase salary gaps between sectors as the increases are proportional for both high-income and low-income earners. The Service Sector Union PAM (Palvelualojen ammattiliitto) argues that the export-oriented collective bargaining model does not correspond well to the situation of low-income sectors suffering from significant labour shortages (PAM, 2022). The year 2022 brought a deviation to this standard praxis with the five-year income increase programmes negotiated in 2022 for the municipal as well as the social and health care sectors.

Work-life balance

In accordance with Prime Minister Sanna Marin's government programme, the Family leave reform (*perhevapaauudistus*) entered into force on 1 August 2022. For the first time, both parents have an equal quota of 160 days of parental leave, out of which they are allowed to transfer 63 parental allowance days to the other parent. All parents who have custody of their child will have an equal right to daily allowance regardless of whether they are biological or adoptive, custodial or non-custodial and regardless of the gender of the parent.

The purpose of the reform is to encourage both parents to take family leave, thus increasing equality in working life and to better account for different types of families. The reform is also part of harmonising national legislation with the EU Work-life balance Directive 2019/1158. Thus, five days of annual unpaid carers leave is also introduced as part of the reform, in accordance with the Directive (Ministry of Social Affairs and Health, 2022).

Lifelong learning and skills development

The Employment Contract Act 55/2001 was amended in order to implement the EU Directive 2019/1152. Employers who are obligated by law or by a collective agreement to offer training to their employees must offer that training free of charge. In addition, the time spent on training will be counted as working time and, where possible, training must be provided during regular work shifts.

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Working life of Ukrainian refugees

Employment and working conditions

According to the Finnish Immigration Service (Maahanmuuttovirasto, 2023), there has been 46,579 Ukrainians seeking international protection from Finland in 2022. Of the total, 1,805 were asylum applications, of which around 700 were under the age of 18, and 1,047 were adults. The majority of applications for international protection were for temporary protection, with 44,775 applications. The Finnish Immigration Service do not further specify the applicant groups.

There were 3,305 Ukrainians registered as unemployed jobseekers in the end of November 2022, which is approximately 10% of all foreign unemployed jobseekers in Finland (Ministry of Economic Affairs and Employment, 2022e).

Currently, no statistics over how many Ukrainians have already found a job in Finland are available. The first Ukrainians with the temporary protection status registered as unemployed jobseekers in the summer of 2022. The Ministry of Economic Affairs and Employment estimates that around 5,000 Ukrainians will enter the labour market in 2023-2024. Every month during the autumn of 2022, around 1,000 Ukrainians registered as active jobseekers with the TE-office offering unemployment services. Over 3,000 have registered as unemployed jobseekers, but this number is expected to increase once many will be able to register to a home municipality in the spring of 2023 and thus receive labour market subsidy for jobseekers (*työmarkkinatuki*). The forecast is that the number of Ukrainians refugees in the unemployment register will rise to more than 10,000. The ministry estimates that a total of 50,000 persons fleeing Ukraine will arrive in Finland under temporary protection status, of whom around 30,000 will be of working age (Ministry of Economic Affairs and Employment, 2022d).

Employment of refugees and asylum-seekers and barriers to such was studied after the Arab Spring. According to Statistics Finland (2015), foreign-born persons in general were more active jobseekers than persons born in Finland. The biggest barrier to employment reported by foreign-born jobseekers themselves was limited language skills, which impact the variety of jobs available.

The overrepresentation of refugees in the unemployment statistics was explained by refugees having on average less years of education in 2015. Those with university education were less likely to be unemployed. Refugees are also more likely to suffer from traumatic experiences and have problems with mental and physical health. Refugees also face discrimination in recruitment processes due to their foreign name, religion, or social background.

Social partner initiatives to support Ukrainian refugees

The Confederation of Finnish Industries EK (*Elinkeinoelämän keskusliitto*) launched in collaboration with the temporary agency company Staffpoint launched the Security through work -project in March 2022. The aim is to gather Finnish companies willing to employ refugees that hold a working permit, and thus assisting refugees to enter the labour market in Finland.^{xi}

Central Organisation of Finnish Trade Unions (SAK) runs the Fair Play at Work -website that provides extensive information of about Finnish work life in Ukrainian, Russian, English, Swedish and Finnish. A concise information package exists in another 18 languages. The Ukrainian language version was

launched in June 2022 at an information event where SAK's member unions were represented. With the help of a translator, the event offered both general and sectoral information about working life as well as presenting union services that are available to the general public (i.e., non-members as well as members) (SAK, 2022c).

The Fair Play at Work -website direct to collective agreements in determining the minimum wage for each type of work, and that the minimum wages are applicable to all workers in Finland regardless of them being union members or not (SAK, 2021).

^{xi} Eurofound (2022), <u>Identifying Finnish companies to employ refugees</u>, case FI-2022-12/2397 (measures in Finland), COVID-19 EU PolicyWatch, Dublin.

Commentary and outlook

The purchasing power of Finnish households has decreased in 2022. Collective bargaining rounds in the spring of 2022 still relied on a moderate inflation trajectory, and thus the collectively agreed wage increases did not keep up with inflation. While peak-level social and the central government all express concerns about wage inflation, real wages have been an inflamed topic in the later collective bargaining rounds and are continuing to be so in 2023. In late 2022, collective agreements were unvalidated due to non-agreement between social partners regarding increases to minimum wages. Thus, the collective agreements need to be renegotiated. The period when no collective agreement is valid is also a window for industrial action. The collective bargaining rounds that are mandated by a clause in the collective agreements are expected to be difficult and industrial action in 2023 is likely. As of March 2023 the newly negotiated salary increases have followed the path of 'moderation' called for by the state, i.e. remained below levels of inflation.

The industrial action in the municipal sector, including the prolonged non-agreement between the nurses' unions and the employer's side, resulted in 5-year wage programmes that deviate from the wage-setting praxis in Finland, in which the export industries lead. The technology industry is by tradition the pacesetter in collective bargaining for wages. The fact that the Local government employers in Finland KT (*Kuntatyönantajat*) have accepted a proposal from the National Conciliator's Office that entails wage increases higher than those in the export industries is putting a spin on current negotiations.

The state has responded to the price hikes by introducing extra index increases to social benefits as well as energy subsidies and tax breaks. The government has also in the final year before the parliamentary election of 2023 made progress on many targets in the government programme.

The long period of industrial action from nurses' unions also raised government's concern on industrial action threatening patient security in health care. The result was a much-debated temporary act on protective work, during which the Regional State Administrative Agency (*Aluehallintavirasto*) could mandate nurses that have resigned as a part of industrial action to return to work for a period of two weeks.

The government has finalised the cross-governmental social and health care reform, creating a new layer of government in the process. The new wellbeing services counties are tasked with public healthcare, social welfare, and rescue services. This also meant that 25,500 employees in these services gained a new employer overnight. Simultaneously, the government is preparing to focus unemployment services to the municipalities from the governmental TE-offices. The transfer has already been piloted in 2022 in selected municipalities in combination with the Nordic unemployment service model implemented by the government.

The government has also strengthened the position of employees working variable hours. Zero-hour contracts are no longer allowed if the actualised need for staffing has been constant. To combat pension poverty of the self-employed, the government finalised an amendment to the Self-employed Persons' Pensions Act YEL 1272/2006 (*Yrittäjän eläkelaki*). An attempt to increase gender equality in working life was made through the Family leave reform, which gives both parents the same quota days for parental leave. The measure also harmonised national legislation with the EU

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Work-life balance Directive 2019/1158. Social dialogue at the workplace was strengthened through the new Act on Co-operation within Undertakings 1333/2021.

The year 2023 may bring a new policy direction, as parliamentary elections are held in April and a new government coalition is being formed thereafter. Researchers have found it unlikely that the current coalition would prevail for the next four years.

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