



# **E-Handbook on Cross-border Enforcement**

## **OSH for Mobile Workers**

### ***FINLAND***

*Republic of Finland*

*Committee of Senior Labour Inspectors (SLIC)*

*Last version adopted at the 83<sup>rd</sup> SLIC Plenary in Stockholm, 10 May 2023*

---

## TABLE OF CONTENTS

<b>FOREWORD</b> .....	<b>4</b>
<b>DIRECTORY</b> .....	<b>5</b>
<b>NATIONAL REPORT: FINLAND</b> .....	<b>9</b>
<b>1. THE LABOUR INSPECTORATE</b> .....	<b>9</b>
1.1. ORGANISATION OF THE LABOUR INSPECTORATE.....	9
1.2. NATIONAL LEGISLATION AND ILO CONVENTIONS RATIFIED ON LABOUR INSPECTION .....	9
1.3. COMPETENCES OF LABOUR INSPECTORS .....	10
1.3.1. Occupational Safety and Health (OSH) .....	10
1.3.2. OSH or Labour Law Matters .....	11
1.3.3. Labour Law .....	11
1.3.4. Social Security .....	12
1.4. INSPECTORS' POWERS .....	12
1.5. MECHANISMS OF COOPERATION AND EXCHANGE OF INFORMATION WITH OTHER NATIONAL PUBLIC BODIES .....	13
<b>2. POSTING OF WORKERS</b> .....	<b>14</b>
2.1. NATIONAL LEGISLATION .....	14
2.2. ADMINISTRATIVE REQUIREMENTS AND CONTROL MEASURES .....	14
2.2.1. Deadline to submit the declaration.....	14
2.2.2. Content of the declaration of posting.....	14
2.3. SOCIAL SECURITY PROCEDURES.....	15
2.4. WORK RELATED ACCIDENTS / OCCUPATIONAL DISEASES OF POSTED WORKERS .....	16
2.5. NATIONAL AUTHORITIES INVOLVED IN POSTING OF WORKERS.....	16
<b>3. COOPERATION AND MUTUAL ASSISTANCE</b> .....	<b>17</b>
3.1. LEGISLATION ON MUTUAL ASSISTANCE.....	17
3.2. BILATERAL AND MULTILATERAL AGREEMENTS ON LABOUR INSPECTION ..	17
3.3. REQUEST AND RECEPTION OF INFORMATION FROM OTHER INSPECTORATES .....	18
3.4. TOOLS FOR EXCHANGING INFORMATION .....	18
3.4.1. IMI (Internal Market Information System) for Posting of workers...18	
3.4.2. KSS (Knowledge Sharing System) .....	18
3.5. FINES AND EXECUTION OF FINES PROPOSED OR IMPOSED BY THE LABOUR INSPECTORATE .....	18
<b>ANNEX E-HANDBOOK (UPDATING 2023)</b> .....	<b>22</b>
1. About the Directive (EU) 2020/1057 of the European Parliament and of the Council of 15 July 2020 laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in the road	

---

transport sector and amending Directive 2006/22/EC as regards enforcement requirements and Regulation (EU) No 1024/2012 .....	22
1.1. Transposition to National Legislation .....	22
1.2. Competences of the SLIC Member on road transport .....	22
2. About Article 20.2.c) of Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers regarding health and safety conditions of workers' accommodation .....	23
2.1. Transposition to National Legislation .....	23
2.2. Competences of the SLIC Member on health and safety conditions on workers' accommodation .....	23
3. About Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals ....	23
3.1. Transposition in National Legislation .....	23
3.2. Competences of the SLIC Member on sanctions and measures provided in this Directive .....	23
4. JOINT AND CONCERTED INSPECTIONS ON OSH MATTERS .....	24
4.1. Is it allowed to organise concerted and joint inspections on OSH matters with other inspectorates? .....	24
5. NATIONAL INFORMATION AND INITIATIVES FOR MOBILE WORKERS	24
5.1. Please describe the initiatives you have implemented (e.g.: website, flyers, documents...) .....	24
6. COOPERATION WITH ELA .....	24
6.1. Do you regularly collaborate with the national liaison officer? .....	24
6.2. Could you provide any useful information regarding your participation in working groups, campaigns, training, etc. ? .....	24

---

## FOREWORD

The first version of the E-Handbook on Cross-border Enforcement was published in 2016 and updated in 2019. The last version was published in 2021 in the [Library of the SLIC public site](#) on the EU collaborative platform CIRCABC.

This last version had a format that enhances a better public disclosure of the organisation of the bodies and entities dealing with the inspection of occupational safety and health in EU Member States, as well as in Norway and Switzerland. The purpose of that E-Handbook was to provide labour inspectorates with informative tools to facilitate cooperation and mutual assistance with competent bodies from other countries.

The new working group on Mobile Workers on OSH matters, which replaced the previous working group dedicated to cross-border enforcement, was mandated to update the content of the E-Handbook for several reasons.

First, it was necessary to add new regulations such as the new Directive (EU) 2020/1057 laying down specific rules for posting of drivers in the road transport, a sector which moreover includes aspects related to the enforcement of working time under Directive 2006/22/EC, a matter that is considered a part of OSH legislation in many Member States.

Secondly, it was necessary to enlarge the content of that handbook following the new scope of the working group dedicated to mobile workers. A mobile worker is someone who works in more than one Member State or travels to other Member States as part of his job (posted workers, cross-border workers, seasonal workers, temporary workers, migrant workers...).

Therefore, the handbook should include information on the competence of SLIC Members on legislation about Third Country National workers. This includes Directive 2014/36 on seasonal workers in aspects related to the health and safety conditions such as workers' accommodation and Directive 2009/52 on sanctions. These directives have been explicitly mentioned in the current EU strategic framework on health and safety at work 2021-2027 in a changing world of work.

Moreover, it was necessary to complement some aspects related to the practice of concerted and joint inspections on OSH matters regarding the legal possibility to carry them out in each Member State.

Lastly, the SLIC working group considered that the easiest way to update the existing E-Handbook was to maintain its structure, with the updated information provided by Member States, and to complete it with new items gathered in a specific annex.

Finally, the handbook needed a new title reflecting its purpose and also support to gain more visibility among labour inspectors on the field.

We hope that this document will be a useful tool for national labour inspectorates and beyond, for all organisations involved in OSH matters for mobile workers.

This new updated version was announced to SLIC members at the 82<sup>nd</sup> Plenary session of 12 October 2022, held under the Czech Presidency.

## DIRECTORY

<b>Austria</b>	<p><b>ARBEITSINSPEKTION</b></p> <p>Favoritenstraße 7 A-1040 Wien</p> <p><a href="https://www.arbeitsinspektion.gv.at/inspektorat">https://www.arbeitsinspektion.gv.at/inspektorat</a></p>
<b>Belgium</b>	<p><b>SURVEILLANCE ON WELL-BEING AT WORK and SURVEILLANCE ON SOCIAL LAW</b></p> <p>Blerotstraat/rue Blerot 1 B-1070 Brussels</p> <p><a href="http://www.employment.belgium.be">http://www.employment.belgium.be</a>                  In Dutch: <a href="http://www.werk.belgie.be">www.werk.belgie.be</a>                  In French: <a href="http://www.emploi.belgique.be">www.emploi.belgique.be</a></p>
<b>Bulgaria</b>	<p><b>GLI EA (General Labour Inspectorate Executive Agency)</b></p> <p><a href="http://www.gli.government.bg/en">http://www.gli.government.bg/en</a></p>
<b>Croatia</b>	<p><b>STATE INSPECTORATE</b></p> <p>Šubićeva 29, 10 000 Zagreb</p> <p><a href="https://dirh.gov.hr/">https://dirh.gov.hr/</a></p>
<b>Cyprus</b>	<p><b>DEPARTMENT OF LABOUR INSPECTION (DLI)</b>  <a href="http://www.mlsi.gov.cy/mlsi/dli/dliup.nsf/index_en/index_en?OpenDocument">http://www.mlsi.gov.cy/mlsi/dli/dliup.nsf/index_en/index_en?OpenDocument</a></p> <p><b>DEPARTMENT OF LABOUR (DL)</b>  <a href="https://www.mlsi.gov.cy/mlsi/dl/dl.nsf/index_en/index_en?OpenDocument">https://www.mlsi.gov.cy/mlsi/dl/dl.nsf/index_en/index_en?OpenDocument</a></p> <p><b>DEPARTMENT OF LABOUR RELATIONS (DLR)</b>  <a href="https://www.mlsi.gov.cy/mlsi/dlr/dlr.nsf/home_en/home_en?openform">https://www.mlsi.gov.cy/mlsi/dlr/dlr.nsf/home_en/home_en?openform</a></p>
<b>Czech Republic</b>	<p><b>STATE LABOUR INSPECTION OFFICE OF THE CZECH REPUBLIC</b></p> <p>Kolářská 13 746 01 Opava</p> <p>Email: <a href="mailto:opava@suip.cz">opava@suip.cz</a>  <a href="https://www.suip.cz/web/en">https://www.suip.cz/web/en</a></p>
<b>Denmark</b>	<p><b>ARBEJDSTILSYNET</b></p> <p>Landskronagade 33 2100 København Ø</p> <p>Email: <a href="mailto:at@at.dk">at@at.dk</a>  <a href="http://engelsk.arbejdstilsynet.dk/en/">http://engelsk.arbejdstilsynet.dk/en/</a></p>
<b>Estonia</b>	<p><b>TÖÖINSPEKTSIOON</b></p> <p>Mäealuse 2/3, 12618 Tallinn Estonia</p> <p>Email: <a href="mailto:ti@ti.ee">ti@ti.ee</a>  <a href="http://www.ti.ee/en/home">www.ti.ee/en/home</a></p>

<b>Finland</b>	<p><b>TYÖSUOJELUHALLINTO</b></p> <p>Email: <a href="mailto:tyosuojelu.viestinta@avi.fi">tyosuojelu.viestinta@avi.fi</a>  <a href="https://www.tyosuojelu.fi/web/en">https://www.tyosuojelu.fi/web/en</a></p>
<b>France</b>	<p><b>DIRECTION GÉNÉRALE DU TRAVAIL</b></p> <p>39-43 quai André Citroën  75902 Paris Cedex 15</p> <p>Email: <a href="mailto:dgt.dir@travail.gouv.fr">dgt.dir@travail.gouv.fr</a>  <a href="https://travail-emploi.gouv.fr/ministere/organisation/article/dgt-direction-generale-du-travail">https://travail-emploi.gouv.fr/ministere/organisation/article/dgt-direction-generale-du-travail</a></p>
<b>Germany</b>	<p><b>LASI Länderausschuss für Arbeitsschutz und Sicherheitstechnik (Gremium der Länder)</b></p> <p><b>LASI Vorsitz (bis 2024):</b> Ministerium für Wirtschaft, Arbeit und Tourismus Baden-Württemberg;</p> <p>Theodor-Heuss-Straße 4,  70174 Stuttgart</p> <p><a href="https://lasi-info.com">https://lasi-info.com</a></p>
<b>Greece</b>	<p><b>LABOUR INSPECTORATE</b></p> <p>8, Dragatsaniou str,  10110 Athens,</p> <p>Email: <a href="mailto:dpseaye@hli.gov.gr">dpseaye@hli.gov.gr</a>  <a href="https://www.hli.gov.gr/">https://www.hli.gov.gr/</a></p>
<b>Hungary</b>	<p><b>MINISTRY OF ECONOMIC DEVELOPMENT, STATE SECRETARY OF EMPLOYMENT POLICY</b></p> <p>Kálmán Imre utca 2.  Budapest, 1054-Hungary</p> <p>Email: <a href="mailto:munkavedelmi-foo@gfm.gov.hu">munkavedelmi-foo@gfm.gov.hu</a>  <a href="http://www.mvff.munka.hu">http://www.mvff.munka.hu</a></p>
<b>Ireland</b>	<p><b>HEALTH AND SAFETY AUTHORITY</b></p> <p>The Metropolitan Building  James Joyce Street  Dublin 1</p> <p>Email: <a href="mailto:contactus@hsa.ie">contactus@hsa.ie</a>  <a href="https://www.hsa.ie/eng">https://www.hsa.ie/eng</a></p>
<b>Italy</b>	<p><b>ISPETTORATO NAZIONALE DEL LAVORO</b></p> <p>Piazza della Repubblica, 59  00185 Roma</p> <p><a href="https://www.ispettorato.gov.it">https://www.ispettorato.gov.it</a></p>

<p><b>Latvia</b></p>	<p><b>VALSTS DARBA INSPEKCIJA (VDI)</b>          38 k-1, Kr.Valdemara Street          Riga LV –1010            Email: <a href="mailto:vdi@vdi.gov.lv">vdi@vdi.gov.lv</a>  <a href="http://www.vdi.gov.lv">http://www.vdi.gov.lv</a></p>
<p><b>Lithuania</b></p>	<p><b>STATE LABOUR INSPECTORATE OF THE REPUBLIC OF LITHUANIA (SLI)</b>          19 Algirdo str.          LT-03607 Vilnius          Lithuania            Email: <a href="mailto:info@vdi.lt">info@vdi.lt</a>  <a href="https://www.vdi.lt">https://www.vdi.lt</a></p>
<p><b>Luxembourg</b></p>	<p><b>INSPECTION DU TRAVAIL ET DES MINES</b>          3 Rue des Primeurs,          2361 Strassen, Luxembourg    <a href="http://www.itm.public.lu">www.itm.public.lu</a></p>
<p><b>Malta</b></p>	<p><b>OCCUPATIONAL HEALTH AND SAFETY AUTHORITY</b>          17, Triq Edgar Ferro,          Pietà PTA          1533 Malta            Email: <a href="mailto:ohsa@osha.mt">ohsa@osha.mt</a>  <a href="http://www.ohsa.mt/">http://www.ohsa.mt/</a></p>
<p><b>Norway</b></p>	<p><b>ARBEIDSTILSYNET</b>          Arbeidstilsynet          Postboks 4720 Torgarden          7468 Trondheim            Email: <a href="mailto:post@arbeidstilsynet.no">post@arbeidstilsynet.no</a>  <a href="https://www.arbeidstilsynet.no/en/">https://www.arbeidstilsynet.no/en/</a></p>
<p><b>Poland</b></p>	<p><b>PAŃSTWOWA INSPEKCJA PRACY (PIP)</b>          28/30, Barska St.,          02-315 Warsaw            Email: <a href="mailto:kancelaria@gjp.pip.gov.pl">kancelaria@gjp.pip.gov.pl</a>  <a href="https://www.pip.gov.pl/en">https://www.pip.gov.pl/en</a></p>
<p><b>Portugal</b></p>	<p><b>AUTORIDADES PARA AS CONDIÇÕES DE TRABALHO</b>          Praça de Alvalade, 1          1749-073 Lisboa            Email: <a href="mailto:dir.mail@act.gov.pt">dir.mail@act.gov.pt</a>  <a href="http://www.act.gov.pt">http://www.act.gov.pt</a></p>

<p><b>Romania</b></p>	<p><b>INSPECTIA MUNCII</b>          Str. Matei Voievod, Nr. 14          Sector 2, București            Email: <a href="mailto:comunicare@inspectiamuncii.ro">comunicare@inspectiamuncii.ro</a>  <a href="http://www.inspectiamuncii.ro">www.inspectiamuncii.ro</a></p>
<p><b>Slovakia</b></p>	<p><b>NÁRODNÝ INŠPEKTORÁT PRÁCE</b>          Masarykova 10          040 01, Košice            Email: <a href="mailto:nip@ip.gov.sk">nip@ip.gov.sk</a>  <a href="https://www.ip.gov.sk/home/">https://www.ip.gov.sk/home/</a></p>
<p><b>Slovenia</b></p>	<p><b>LABOUR INSPECTORATE OF THE REPUBLIC OF SLOVENIA (LIRS)</b>          Štukljeva cesta 44          SI-1000 Ljubljana    <a href="http://www.id.gov.si/en/">http://www.id.gov.si/en/</a></p>
<p><b>Spain</b></p>	<p><b>ORGANISMO ESTATAL INSPECCION DE TRABAJO Y SEGURIDAD SOCIAL (OEITSS)</b>          Paseo de la Castellana 63          28046 Madrid    <a href="https://www.mites.gob.es/itss/web/index.html">https://www.mites.gob.es/itss/web/index.html</a></p>
<p><b>Sweden</b></p>	<p><b>THE SWEDISH WORK ENVIRONMENT AUTHORITY</b>          Svetsarvägen 12          SE 171 41 Solna            Email: <a href="mailto:arbetsmiljoverket@av.se">arbetsmiljoverket@av.se</a>  <a href="https://www.av.se/en/">https://www.av.se/en/</a></p>
<p><b>Switzerland</b></p>	<p><b>STATE SECRETARIAT FOR ECONOMIC AFFAIRS (SECO)          WORKING CONDITIONS – FEDERAL LABOUR INSPECTION</b>          Holzikofenweg 36          CH-3003 Bern            Email: <a href="mailto:abea@seco.admin.ch">abea@seco.admin.ch</a>  <a href="http://www.seco.admin.ch/seco/de/home/Arbeit/Arbeitsbedingungen/Arbeitnehmerschutz.html">www.seco.admin.ch/seco/de/home/Arbeit/Arbeitsbedingungen/Arbeitnehmerschutz.html</a></p>
<p><b>The Netherlands</b></p>	<p><b>NETHERLANDS LABOUR AUTHORITY</b>          PO Box 90801          2509 LV Den Haag    <a href="https://www.nl labour authority.nl/">https://www.nl labour authority.nl/</a></p>



## NATIONAL REPORT: FINLAND

<b>LABOUR INSPECTORATE</b>	<ul style="list-style-type: none"> <li>• Regional State Administrative Agency of Northern Finland – Occupational safety and health division</li> <li>• Regional State Administrative Agency of Western and Inland Finland – Occupational safety and health division</li> <li>• Regional State Administrative Agency of Eastern Finland – Occupational safety and health division</li> <li>• Regional State Administrative Agency of South-western Finland – Occupational safety and health division</li> <li>• Regional State Administrative Agency of Southern Finland – Occupational safety and health division</li> </ul>
<b>OTHER COMPETENT AUTHORITIES</b>	<ul style="list-style-type: none"> <li>• Finnish Safety and Chemicals Agency (Tukes): other non-food products, consumer products</li> <li>• Radiation and Nuclear Safety Authority (STUK)</li> <li>• Finnish Transport Safety Agency (TraFi)</li> </ul>

### 1. THE LABOUR INSPECTORATE

#### 1.1. ORGANISATION OF THE LABOUR INSPECTORATE

The Ministry of Social Affairs and Health/Department for Work and Gender Equality and the 5 occupational safety and health divisions at the Regional State Administrative Agencies compose the OSH authorities in Finland.

#### 1.2. NATIONAL LEGISLATION AND ILO CONVENTIONS RATIFIED ON LABOUR INSPECTION

**Figure N° 1: International Conventions on Labour Inspection ratified**

CONVENTION	RATIFIED	NOT RATIFIED
<b>ILO Convention 81 on Labour Inspection in Industry and Commerce</b>	X	
<b>ILO Convention 129 on Labour Inspection in Agriculture</b>	X	
<b>Maritime Labour Convention 2006</b>	X	

<b>ILO Convention 187 on Promotional Framework for Occupational Safety and Health</b>	X	
---	---	--

### 1.3. COMPETENCES OF LABOUR INSPECTORS

#### 1.3.1. Occupational Safety and Health (OSH)

The Finnish Labour Inspectorate is the competent body on occupational safety and health with the exceptions listed below:

**Figure N° 2: Map of competence on Occupational Safety and Health**

MATTERS	COMPETENCE OF THE LABOUR INSPECTORATE	OTHER PUBLIC BODIES WITH COMPETENCE
<b>OSH, in general terms</b>	Yes	
<b>Occupational Safety, in general terms</b>	Yes	
<b>Occupational Health, in general terms</b>	Yes	
<b>Work-related accidents</b>	Yes	
<b>Trade of Machines and Equipment</b>	Yes, on machinery, work equipment, PPE for professional use	Finnish Safety and Chemicals Agency (Tukes): other non-food products, consumer products
<b>Radiations</b>	Yes	Radiation and Nuclear Safety Authority (STUK)
<b>Explosives</b>	Yes	Finnish Safety and Chemicals Agency (Tukes)
<b>Mines</b>	Yes	Finnish Safety and Chemicals Agency (Tukes)
<b>Vessels</b>	Yes	Finnish Transport Safety Agency (TraFi)
<b>Retail sector</b>	Yes	
<b>Horeca</b>	Yes	
<b>Agriculture</b>	Yes	
<b>Construction industry</b>	Yes	
<b>Aviation</b>	Yes	
<b>Railway</b>	Yes	
<b>Road Transport</b>	Yes	
<b>REACH</b>	Yes	

<b>Self Employed</b>	No, Self-employed are not covered by the OSH law	
<b>Police (*)</b>		
<b>Civil Servants (*)</b>	Yes	
<b>Military personnel and premises (*)</b>	Yes	
<b>Penitentiaries (*)</b>	Yes	
<b>Customs (*)</b>	Yes	

(\*) Each ministry has a specific service and a body of OSH Inspectors

### 1.3.2. OSH or Labour Law Matters

**Figure N° 3: Map of competences in matters which could be considered within OSH or Labour Law**

MATTERS	Yes	No
<b>Working hours</b>	X	
<b>Bullying and harassment</b>	X	
<b>Third Party Violence</b>	X	

### 1.3.3. Labour Law

**Figure N° 4: Map of competences on Labour Law matters**

MATTERS	Yes	No	COMMENTS
<b>Salaries</b>	X		
<b>Equal Treatment</b>		X	Other authorities: Non-Discrimination Ombudsman
<b>Labour rights</b>		X	Enforcement of labour law (such as working hours and holidays) is a task of the OSH authorities. The labour market organisations also supervise that labour rights are observed.
<b>Foreign workers</b>	X		OSH authorities check that the employer has ensured the foreign workers have right to work in Finland. OSH authorities enforce also universally binding collective agreements
<b>Others, specify</b>			

### 1.3.4. Social Security

**Figure N° 5 Map of competences on Social Security Matters**

MATTERS	Yes	No	COMMENTS
<b>Affiliation of workers (REGISTER)</b>		X	The OSH authorities have a duty to notify matters concerning violation of the right to organise to the police for investigation and prosecution
<b>Contributions to Social Security System</b>		X	
<b>Social Security benefits</b>		X	
<b>Private pension funds</b>		X	
<b>Others, specify</b>	OSH authorities enforce employers' duty to have accident insurance for workers		

### 1.4. INSPECTORS' POWERS

**Figure N° 6: Map of Inspectors' powers**

POWERS	Yes	No	COMMENTS
<b>Visit workplaces</b>	X		
<b>Request for documents</b>	X		
<b>Summon employers to the Inspection Office</b>	X		In case the employer does not have a separate office and it is not possible to carry out an inspection in his home due to it falling within the sphere of domiciliary peace, the inspection is carried out either at the offices of the OSH authorities or the employer is asked to send the required materials to the OSH authorities.
<b>Recommendations / Assistance</b>	X		
<b>Injunction / Improvement notice</b>	X		
<b>Initiate an administrative punishment procedure</b>	X		
<b>Initiate a judicial punishment procedures</b>	X		

<b>Imposing fines</b>		X	
<b>Stoppage / Prohibition Notice</b>	X		
<b>Notify offences to the Public Prosecutor or the Judge</b>	X		The OSH authorities have a duty to notify matters concerning violation of the right to organise to the police for investigation and prosecution
<b>Others</b>			

## 1.5. MECHANISMS OF COOPERATION AND EXCHANGE OF INFORMATION WITH OTHER NATIONAL PUBLIC BODIES

**Figure N° 7: Cooperation mechanisms with other national public bodies**

BODIES	Yes	No	COMMENTS
<b>Tax Authorities</b>	X		
<b>Social Security bodies</b>	X		Some information exchange with the Finnish Centre for Pensions
<b>Police</b>	X		
<b>Public Prosecutor</b>	X		
<b>Others</b>	Joint meetings and exchange of information with other ministries and authorities such as Tukes and STUK. Finnish Safety and Chemicals Agency (Tukes) promotes the safety and reliability of products, services and industrial activities in Finland. Radiation and Nuclear Safety Authority (STUK) is a regulatory control authority based on legislation, safety regulations and guidelines related to radiation and nuclear safety.		

## 2. POSTING OF WORKERS

### 2.1. NATIONAL LEGISLATION

The legal disposition that transposes Directive 96/71/EC, of the European Parliament and of the Council, of 16 December 1996, concerning the posting of workers in the framework of the provision of services, is the Act on Posting Workers (447/2016).

**Figure N° 8: EU Directives on posting of workers implemented**

DIRECTIVE	Yes	No	DATE
<b>Directive 96/71</b>	X		1999
<b>Directive 2014/67</b>	X		2016
<b>Directive 2018/957</b>	x		2020

### 2.2. ADMINISTRATIVE REQUIREMENTS AND CONTROL MEASURES

Posting companies are required to declare the posting to the national authorities.

There is no public database. The OSH authority manages the received information only electronically in the case management system and the control information system.

#### 2.2.1. Deadline to submit the declaration

Before the posted worker starts working.

#### 2.2.2. Content of the declaration of posting

**Figure N° 9: Content of the posting declaration**

COMPANY DATA		
	YES	NO
<b>Identity of Service Provider</b>	X	
<b>Representative of the company in your country</b>	X	A foreign company posting workers to Finland must have a reachable representative in Finland for posted workers and authorities during the posting period. In practice, the

		communication is realized through this representative.
<b>A person designated for acting as a representative into collective bargaining within the host Member State</b>		x
<b>Activity</b>	X	
<b>Authorization in the sending MS</b>		X
<b>If it is a Temporary Work Agency or not</b>		X
<b>Identity Tax Number</b>	X	Tax number of the company and also of the workers.

WORKERS DATA		
	YES	NO
<b>Number of workers</b>		x
<b>Name of workers</b>	x	
<b>Nationality</b>		X
<b>Age</b>		X
<b>Role</b>		X

POSTING DATA		
	YES	NO
<b>Envisaged beginning</b>	X	
<b>End date of the posting</b>	X	
<b>Anticipated Duration</b>		
<b>Address(es) of the workplace</b>	X	
<b>Nature of the services justifying the posting</b>		X
<b>Contractor</b>	X	

LABOUR CONDITIONS		
	YES	NO
<b>Working hours</b>		X
<b>Salaries</b>		X
<b>Collective accommodation</b>		X
<b>Use of dangerous agents</b>		X
<b>Prevention services</b>		X

## 2.3. SOCIAL SECURITY PROCEDURES

A1 forms and information on the relevant social security legislation are delivered by the Finnish Centre for Pensions.

**Figure N° 10: Position of the Labour Inspectorate with regard to A1 forms**

	Yes	No
<b>Access to A1 forms delivered by national authorities</b>		X
<b>The Labour Inspectorate is consulted about the approval of A1 forms by competent institutions</b>		X
<b>Access to A1 forms delivered by other Member States</b>		X

## 2.4. WORK RELATED ACCIDENTS / OCCUPATIONAL DISEASES OF POSTED WORKERS

The Labour Inspectorate receives, in most cases, immediately and effectively notifications of work related accidents suffered by posted workers.

According to the Finnish Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces (44/2006), Sections 46 and 46 a:

“The employer is obliged to immediately notify the occupational safety and health authority of any accident causing death or severe injury which, according to the Employment Accidents Insurance Act (608/1948), shall be investigated by the police at the scene of the accident.”

“If a doctor suspects, with justification, an occupational disease or other work-related illness referred to in the Act on Occupational Diseases (1343/1988), he or she shall immediately, secrecy provisions notwithstanding, notify the office of the Occupational Safety and Health Inspectorate of the matter.”

In the Finnish Act on Posting Workers there is no reference to Sections 46 and 46 a of Act 44/2006, but because Act 44/2006 concerns the competence of the Finnish OSH authorities and the obligations of all employers towards the Finnish OSH authorities, also the posting companies must apply Sections 46 and 46 a of Act 44/2006.

## 2.5. NATIONAL AUTHORITIES INVOLVED IN POSTING OF WORKERS

**Figure N° 11: Authorities involved in posting of workers**

	Yes	No
<b>Labour authorities</b>	X	
<b>OSH authorities</b>	X	
<b>Customs authorities</b>	X	
<b>Tax authorities</b>	X	
<b>Social Security Institutions</b>	X	
<b>Others</b>		



Finnish OSH authorities (the Regional State Administrative Agencies' OSH divisions, former Labour Inspectorates) are responsible for the enforcement of the Act on Posting Workers (working conditions, PW Directive), but all Finnish authorities may have posted workers and posting companies as their clients on their own field of activities. For example, Finnish tax authorities (Finnish Tax Administration), social security authorities (The Finnish Centre for Pensions), Finnish Police, etc.

### 3. COOPERATION AND MUTUAL ASSISTANCE

#### 3.1. LEGISLATION ON MUTUAL ASSISTANCE

**Figure N° 12: Legislation and International Conventions signed and ratified**

	RATIFIED / IMPLEMENTED	APPLICABLE TO L.I.	COMMENTS
<b>Legislation on Mutual Assistance implementing Dir. 96/71 and Dir. 2014/67</b>	Yes	Yes	Article 4 of the Directive 96/71EU has been transposed with Act on Posting Workers (447/2016).
<b>European Convention in Criminal Matters</b>	Yes	Yes	
<b>Convention 094 Council of Europe</b>	Yes	Yes	Ratified on 21 December 1979
<b>Others</b>			

#### 3.2. BILATERAL AND MULTILATERAL AGREEMENTS ON LABOUR INSPECTION

**Figure N° 13: Bilateral Agreements signed**

COUNTRIES	DATE
<b>Estonia</b>	May 2014

Multilateral Agreement between Denmark, Finland, Iceland, Norway and Sweden concerning mutual legal assistance (service of documents and presentation of evidence). The introductory act in Finland for the agreement is decree number 469/1975, while decree number 470/1975 complements the agreement. We have also the Finnish Administrative Procedure Act (434/2003), section 63 (service abroad) Bilateral agreement between Finnish and Estonian OSH authorities.

### 3.3. REQUEST AND RECEPTION OF INFORMATION FROM OTHER INSPECTORATES

**Figure N° 14: Exchange of information from other Labour Inspectorates**

MATTERS	YES	YES But subjected to previous Protection Data Authorities supervision or approval	NO	COMMENTS
Does current regulation in your country allow providing information directly to other Labour Inspectorates?	X			
Does current regulation in your country allow receiving information directly from other Labour Inspectorates?	X			

### 3.4. TOOLS FOR EXCHANGING INFORMATION

#### 3.4.1. IMI (Internal Market Information System) for Posting of workers

**Figure N° 15: Liaison office of the Labour Inspectorate in IMI**

	Yes	No
Use of IMI by the Labour Inspectorate	X	
In affirmative case, specify the liaison offices	Regional State Administrative Agencies <a href="mailto:postedworkersfin@avi.fi">postedworkersfin@avi.fi</a>	

#### 3.4.2. KSS (Knowledge Sharing System)

The Finnish Labour Inspectorate usually participates in KSS System.  
Contact: [kss.coordinator.stm@gov.fi](mailto:kss.coordinator.stm@gov.fi)

### 3.5. FINES AND EXECUTION OF FINES PROPOSED OR IMPOSED BY THE LABOUR INSPECTORATE

**Figure N° 16: Nature of fines**

	Yes	No

<b>Penal or criminal fines</b>		X
<b>Administrative fines</b>	X	
<b>Others</b>		

In Finland, the labour inspectorate can impose only administrative sanctions. The labour inspectorate has the competence to impose a negligence fee if Finland's contractor's liability rules or some of the rules of posting of workers legislation are not obeyed. The labour inspectorate can also make a binding administrative decision to impose a fine in some other cases.

Then, if the binding administrative decision is not obeyed, the labour inspectorate can impose a conditional fine to make the administrative decision more effective. An appeal on administrative sanctions can be made to an administrative court.

In Finland, the labour inspectorate can also report to the police, if they detect a labour crime. The police investigate the crime, a prosecutor prosecutes, and a court imposes criminal sanctions. An appeal on criminal sanctions can be made to a higher court.

**Figure N° 17: Execution time of fines**

	Yes	No	Comments
<b>After the first judgement of the courts</b>	X	X	Execution is possible already after the first judgement if the subject of the judgement does not appeal to court and the time for appeal has ended.
<b>After the final judgement of the courts</b>	X		Execution of fines can be done only if it is not possible to appeal anymore. Execution is possible already after the judgement if the subject of the judgement does not appeal to court and the time for appeal has ended.
<b>After the first administrative decision</b>		X	
<b>After the binding administrative decision</b>	X		Execution of fines can be done only if it is not possible to appeal anymore. Execution is possible already after the administrative decision if the subject of the decision does not appeal to court and the time for appeal has ended.
<b>Others</b>			

**Figure N° 18: Nature of Courts where fines can be appealed**

	Yes	No
<b>Penal/Criminal courts</b>		X
<b>Labour/Civil courts</b>	X	
<b>Courts for administrative affairs</b>	X	
<b>Others</b>		

**Figure N° 19: Authorities with competence to collect fines**

	Yes	No
<b>Labour Inspection Authorities</b>		X
<b>Labour/ Government Authorities</b>		X
<b>Tax/Customs Authorities</b>		X
<b>Courts</b>		X
<b>Others</b>	In Finland, the labour inspectorate or an administrative court informs the Legal Register Centre on final fines and Legal Register Centre (Oikeusrekisterikeskus <a href="http://www.oikeusrekisterikeskus.fi/en/index.html">http://www.oikeusrekisterikeskus.fi/en/index.html</a> ) is a claimant in recovery proceedings. The authorities who perform the recovery in practice are the Enforcement authorities (Ulosottoviranomainen <a href="http://www.oikeus.fi/ulosotto/en/index.html">http://www.oikeus.fi/ulosotto/en/index.html</a> )	

**Figure N° 20: Legal framework to collect fines imposed by authorities from other Member States**

	YES	IF YES, is it applicable to Labour Inspectorate proceedings?	NO Authorities supervision or approval	COMMENTS
<b>Framework Decision 2005/214</b>	X		X	
<b>Directive 2014/67 on administrative fines</b>	X	Yes		Act on Posting Workers (447/2016).

<b>International or Bilateral Conventions</b>	X	No		Act on Nordic Co-operation on Criminal Matters (execution of judgements, financial sanctions) (326/1963) only concerns criminal fines, not administrative fines.
<b>Other National Rules</b>	Foreign authorities can contact The Legal Register Centre (Oikeusrekisterikeskus <a href="http://www.oikeusrekisterikeskus.fi/en/index.html">http://www.oikeusrekisterikeskus.fi/en/index.html</a> )			

## ANNEX E-HANDBOOK (UPDATING 2023)

**SLIC MEMBER:** Mr Raimo ANTILA / alternate: Mr Arto TERONEN  
**MEMBER STATE:** FINLAND

### 1. About the Directive (EU) 2020/1057 of the European Parliament and of the Council of 15 July 2020 laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in the road transport sector and amending Directive 2006/22/EC as regards enforcement requirements and Regulation (EU) No 1024/2012

#### 1.1. Transposition to National Legislation

Transposition	National Law or Regulations	Date
Yes	<a href="https://finlex.fi/fi/laki/kokoelma/2022/20220062.pdf">https://finlex.fi/fi/laki/kokoelma/2022/20220062.pdf</a>	20.1.2022

#### 1.2. Competences of the SLIC Member on road transport

LEGISLATION	COMPETENCE	COMMENTS
<b>Regulations 1071/09, 1072/09 and 1073/09 on road transport activity</b>	No	<a href="https://www.finlex.fi/fi/laki/ajantasa/2017/20170320#O2L2">https://www.finlex.fi/fi/laki/ajantasa/2017/20170320#O2L2</a> <a href="https://www.traficom.fi/en/transport/road">https://www.traficom.fi/en/transport/road</a>
<b>Regulation 561/06 on driving time</b>	Yes	<a href="https://www.finlex.fi/fi/laki/ajantasa/2017/20170320#O2L2">https://www.finlex.fi/fi/laki/ajantasa/2017/20170320#O2L2</a>
<b>Directive 2006/22 on social legislation in road transport</b>	Yes	<a href="https://www.finlex.fi/fi/laki/ajantasa/2017/20170320#O5">https://www.finlex.fi/fi/laki/ajantasa/2017/20170320#O5</a>
<b>Article 1 of Directive 2020/1057 on posting of workers on road transport</b>	Yes	<a href="https://finlex.fi/en/laki/kaannokset/2016/en20160447.pdf">https://finlex.fi/en/laki/kaannokset/2016/en20160447.pdf</a>

## 2. About Article 20.2.c) of Directive 2014/36/EU of the European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers regarding health and safety conditions of workers' accommodation

### 2.1. Transposition to National Legislation

Transposition	National Law, Regulations or Collective Agreements	Date
Yes	<a href="https://www.finlex.fi/fi/laki/ajantas a/2017/20170907">https://www.finlex.fi/fi/laki/ajantas a/2017/20170907</a> Chapter 11a (451/2012) Employers' joint and several liabilities in employing illegally resident employees	1.1.2018

### 2.2. Competences of the SLIC Member on health and safety conditions on workers' accommodation

COMPETENCE	COMMENTS
No	

## 3. About Directive 2009/52/EC of the European Parliament and of the Council of 18 June 2009 providing for minimum standards on sanctions and measures against employers of illegally staying third-country nationals

### 3.1. Transposition in National Legislation

Transposition	National Law or Regulations	Date
Yes	<a href="https://www.finlex.fi/en/laki/kaannokset/2001/en20010055.pdf">https://www.finlex.fi/en/laki/kaannokset/2001/en20010055.pdf</a>	1.8.2012

### 3.2. Competences of the SLIC Member on sanctions and measures provided in this Directive

COMPETENCE	COMMENTS
No	Competent authority is Finnish Immigration service: The Finnish Immigration Service shall order the employer and the contractor to pay a financial sanction and the costs of return.

---

## 4. JOINT AND CONCERTED INSPECTIONS ON OSH MATTERS

### 4.1. Is it allowed to organise concerted and joint inspections on OSH matters with other inspectorates?

Yes, by bilateral agreements	Between Southern Finland and Estonian labour authority
------------------------------	--

## 5. NATIONAL INFORMATION AND INITIATIVES FOR MOBILE WORKERS

### 5.1. Please describe the initiatives you have implemented (e.g.: website, flyers, documents...)

## 6. COOPERATION WITH ELA

### 6.1. Do you regularly collaborate with the national liaison officer?

Yes

### 6.2. Could you provide any useful information regarding your participation in working groups, campaigns, training, etc. ?