



INTERNATIONAL LABOUR OFFICE

REPORTS ON UNRATIFIED CONVENTIONS AND RECOMMENDATIONS

(article 19 of the Constitution of the International Labour Organisation)

REPORT FORM FOR THE FOLLOWING INSTRUMENTS:

Labour Administration Convention, 1978 (No. 150)

Labour Administration Recommendation, 1978 (No. 158)

Article 19 of the Constitution of the International Labour Organization relates to the adoption of Conventions and Recommendations by the Conference, as well as to the obligations resulting therefrom for the Members of the Organization. The relevant provisions of paragraphs 5, 6 and 7 of this article read as follows:

5. In the case of a Convention:

...

- (e) if the Member does not obtain the consent of the authority or authorities within whose competence the matter lies, no further obligation shall rest upon the Member except that it shall report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of its law and practice in regard to the matters dealt with in the Convention, showing the extent to which effect has been given, or is proposed to be given, to any of the provisions of the Convention by legislation, administrative action, collective agreement or otherwise and stating the difficulties which prevent or delay the ratification of such Convention.

6. In the case of a Recommendation:

...

- (d) apart from bringing the Recommendation before the said competent authority or authorities, no further obligation shall rest upon the Members, except that they shall report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of the law and practice in their country in regard to the matters dealt with in the Recommendation, showing the extent to which effect has been given, or is proposed to be given, to the provisions of the Recommendation and such modifications of these provisions as it has been found or may be found necessary to make in adopting or applying them.

7. In the case of a federal State, the following provisions shall apply:

- (a) in respect of Conventions and Recommendations which the federal Government regards as appropriate under its constitutional system for federal action, the obligations of the federal State shall be the same as those of Members which are not federal States;
- (b) in respect of Conventions and Recommendations which the federal Government regards as appropriate under its constitutional system, in whole or in part, for action by the constituent states, provinces or cantons rather than for federal action, the federal Government shall:

...

- (iv) in respect of each such Convention which it has not ratified, report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of the law and practice of the federation and its constituent states, provinces or cantons in regard to the Convention, showing the extent to which effect has been given, or is proposed to be given, to any of the provisions of the Convention by legislation, administrative action, collective agreement, or otherwise;
- (v) in respect of each such Recommendation, report to the Director-General of the International Labour Office, at appropriate intervals as requested by the Governing Body, the position of the law and practice of the federation and its constituent states, provinces or cantons in regard to the Recommendation, showing the extent to which effect has been given, or is proposed to be given, to the provisions of the Recommendation and such modifications of these provisions as have been found or may be found necessary in adopting or applying them.

In accordance with the above provisions, the Governing Body of the International Labour Office examined and approved the present report form. This has been drawn up in such a manner as to facilitate the supply of the required information on uniform lines.

Report

to be made no later than 28 February 2023, in accordance with article 19 of the Constitution of the International Labour Organization by **the Government of Finland**, on the position of national law and practice in regard to matters dealt with in the instruments referred to in the following questionnaire.

Workers' and employers' organizations may send comments no later than 30 June 2023.

Context and scope of the questions

At its 343rd Session in November 2021, the Governing Body requested the Office to prepare for its consideration at its 344th Session (March 2022) the article 19 report form on two instruments: Labour Administration Convention, 1978 (No. 150) and the Labour Administration Recommendation, 1978 (No. 158), for a General Survey to be prepared by the Committee of Experts on the Application of Conventions and Recommendations (CEACR) in 2023, to be discussed by the Conference Committee on the Application of Standards in 2024.¹

The General Survey will provide a comprehensive overview of the organization and structure of labour administration systems in ILO Member States. Moreover, it will shed light on the consultation with and participation by social partners at the national level in relation to the organization and functioning of the labour administration system. The General Survey will also outline the main functions performed by the systems of labour administration in ILO Member States. Further, the General Survey will be an opportunity to contribute to a better understanding of the provisions both in law and in practice of the instruments; the challenges and opportunities in their application, and will encourage the sharing of experiences and good practices among ILO Member States.

During the discussion, the Governing Body indicated that the General Survey would provide a comprehensive overview of the impact that the COVID-19 crisis has had on national systems of labour administration across the world and illustrate the central role they have played in managing the immediate response to the crisis and in planning and implementing the longer term recovery, in consultation with the social partners.²

The General Survey would constitute a concrete follow-up to the [ILO Global call to action for a human-centred recovery from the COVID-19 crisis that is inclusive, sustainable and resilient](#) and take stock of the

¹ GB.343/LILS/2/Decision.

² GB.343/LILS/2, para. 17.

extent to which ILO Member States have strengthened “the capacity of public administrations and employers’ and workers’ organizations to participate in such [social] dialogue as the means to develop and implement regional, national, sectoral and local recovery strategies, policies and programmes”,³ as well as ILO efforts to “strengthen the capacity of labour administrations, labour inspectorates and other relevant authorities to ensure implementation of rules and regulations [in the context of COVID-19], especially regarding social protection and occupational safety and health”.⁴

The General Survey would also draw upon the [ILO Centenary Declaration for the Future of Work](#), which underlines that safe and healthy working conditions are fundamental to decent work and calls on the ILO to direct its efforts towards “strengthening labour administration and inspection”.⁵

The present questionnaire has also been prepared in the light of the [ILO Declaration on Social Justice for a Fair Globalization and its follow-up](#). Account has been taken of the fact that “[t]his follow-up seeks to make the fullest possible use of all the means of action provided under the Constitution of the ILO to fulfil its mandate. Some of the measures to assist the Members may entail some adaptation of existing modalities of application of article 19, paragraphs 5(e) and 6(d), of the ILO Constitution, without increasing the reporting obligations of member States”.⁶ For instance, by grouping and focusing on instruments related to a specific strategic objective, General Surveys may provide an overview on the law and practice in ILO Member States concerning certain instruments and feed into the recurrent discussions with relevant information on the trends and practices in relation to a given strategic objective.

Lastly, the General Survey will enable the ILO Member States to assess the contribution of these standards to the achievement of the 2030 Agenda for Sustainable Development, through the realization of Sustainable Development Goals (SDGs), notably SDG 8 (Decent work and economic growth) and SDG 16 (Peace, justice and strong institutions). The General Survey can also support ILO Member States in identifying potential areas for the application of the 2018 [UN Principles of effective governance for sustainable development](#) to labour administration systems with a view to enhancing effective governance for sustainable development on labour-related matters.

* * *

The following questions relate to issues covered by Convention No. 150 and Recommendation No. 158.

Where possible, please give a specific reference (including a web hyperlink) for information relating to the provisions of legislation, regulations, collective agreements, work rules, arbitration awards, court decisions and policies (or attach an electronic copy).

³ Global call to action, para. 11, D(c).

⁴ Global call to action, para. 13(d).

⁵ ILO, ILO Centenary Declaration for the Future of Work, 2019, Part II, A (xi).

⁶ ILO, ILO Declaration on Social Justice for a Fair Globalization, 2008, Annex, Part I (B).

Article 19 report form concerning labour administration

A. Definitions

1. The term **labour administration** means public administration activities in the field of national labour policy (Article 1(a) of Convention No. 150 and Paragraph 1(a) of Recommendation No. 158).

2. The term **system of labour administration** covers all public administration bodies responsible for and/or engaged in labour administration – whether they are ministerial departments or public agencies, including parastatal and regional or local agencies or any other form of decentralised administration –and any institutional framework for the co-ordination of the activities of such bodies and for consultation with and participation by employers and workers and their organizations (Article 1(b) of Convention No. 150 and Paragraph 1(b) of Recommendation No. 158).

B. Notes

1. Governments of countries which have ratified Convention No. 150 will use the present form only with regard to Recommendation No. 158. It will not be necessary to repeat information already provided in reports under article 22 in connection with ratified Conventions. The questions contained under the titles “*Standard-related action*” and “*Possible need for technical assistance*” are addressed to all Member States.

2. Where the national legislation or other provisions do not cover issues raised in this questionnaire, please provide information on current and emerging practices.

3. For federal states, please provide answers to the questions below with regard to both the federal level and the level of the federated units.

Organization and structure of the labour administration system	
<p>Structure of the labour administration system</p> <p>1. Please indicate any public administration bodies that are responsible for and/or engaged in labour administration, whether they are ministerial departments or public agencies, including parastatal and regional or local agencies or any other form of decentralised administration or field services.</p> <p>The Ministry of Economic Affairs and Employment (MEAE) is part of the Government. Within the ministry's remit fall inter alia employment and unemployment matters, as well as public employment services and working life development, labour legislation, arbitration of industrial disputes and integration of immigrants and labour migration. MEAE implements the Government Programme, drafts legislation, monitors and develops issues falling within its remit and steers the agencies in its administrative branch.</p> <p>The Development and Administrative Centre (KEHA) was established in 2015. It is a national agency under the steering of the MEAE providing development and administration services for the ELY centres and the TE (Employment and Economic Development) offices.</p> <p>Regional centres for Economic Development, Transport and the Environment (ELY centres) are responsible for steering and supervising the activities of the TE offices to ensure that the necessary and statutory employment services are in place and available for all those who need them. The centres are also responsible for developing and coordinating employment services, as well as helping to promote employment opportunities and prevent discrimination and social exclusion by supporting TE offices in their regional role. Locally, there are 'one-stop-shops' offering both public and other services at one service point.</p> <p>See also the answer to question number 2.</p>	<p>C150: Arts 1(a) and (b) and 4 R158: Paras 1(a) and (b) and 26(1) and (2)</p>
<p>2. Please indicate if the system of labour administration comprises specialised units dealing with the following: the formulation of standards relating to working conditions and terms of employment; labour inspection; labour relations; employment, workforce planning and human resources development; international labour affairs; social security; minimum wage legislation; and questions relating to specific categories of workers.</p> <p>MEAE is responsible for drafting and evolving labour legislation, including the drafting of agreements connected with EU labour law and the ILO. Labour legislation is drafted on a tripartite basis, in collaboration with the organisations representing the interests of employers and employees. The working conditions of employees are determined on the basis of legislation and the collective agreements that exist in the various sectors. There is no statutory minimum wage in Finland but collective agreements define the minimum wages at the sectoral level. In agreeing on pay, the employer is bound by the provisions of the applicable binding</p>	<p>R158: Paras 6 and 25(1) and (2)</p>

collective agreement. If there is a valid generally binding collective agreement for the sector, even unaffiliated employers must comply with its provisions.

Enforcing compliance with the labour legislation is mostly the responsibility of the Occupational Safety and Health (OSH) authorities under the steering of Ministry of Social Affairs and Health.

Furthermore, MEAE is responsible for employment, entrepreneurship and labour policy and for immigrant integration policy. The ministry directs, steers and monitors the process in which public employment services are provided in Finland. The ministry is responsible for the legislation on public employment and business services and decides which development projects need to be accompanied by more extensive strategic projects.

MEAE is also responsible for the policy, legislation and administration of issues related to immigration of workers, entrepreneurs, students, researchers and trainees. The MEAE develops and manages general integration policies, legislation and services.

The National Conciliator's Office is an independent central government agency under the MEAE. Office assist the negotiating partners in the conciliation of labour disputes. *The Cooperation Ombudsman* operates autonomously within the MEAE and has responsibility for monitoring matters relating to personnel involvement systems. *The Labour Council* is an independent special authority coming under the MEAE. It issues opinions on the application and interpretation of legislation on working hours, annual holidays and occupational safety and health and a number of other acts on the protection of employees

The Service Centre for Continuous Learning and Employment (SECLE) promotes the competence development of working-age people and the availability of skilled labour. The centre analyses the competence and labour market needs of working life, finances education and training intended for working-age people, develops information, advisory and guidance services and supports regional and other cooperation. The Service Centre also participates in the work to develop a digital service package for continuous learning. The Service Centre for Continuous Learning and Employment serves as a separate organisational unit for the Agency reporting directly to the Ministry of Education and Culture and the Ministry of Economic Affairs and Employment.

Ministry of Social Affairs and Health prepares and develops legislation and policies on occupational safety and health and deals with international cooperation in this field. The ministry also guides the occupational safety and health work of *the Regional State Administrative Agencies*. These Agencies are decreed by [the Act on Regional State Administrative Agencies \(896/2009\)](#).

The Regional State Administrative Agencies oversee compliance with workplace occupational safety and health within their occupational safety and health Divisions. The supervision of OSH is based on the [Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces, 2006](#). OSH divisions enforce regional compliance with occupational safety and health laws. The most important method of enforcement is occupational safety and health inspections. They also issue advice and guidelines concerning occupational safety and health and concerning the terms and conditions of employment relationships. OSH Divisions cover 300 000 workplaces and perform 20 000 OSH inspections each year.

OSH divisions also process applications for permits and notifications of work for which legislation imposes restrictions or notification obligations. Their duties include investigating the reasons for serious occupational accidents, occupational diseases and work-related illnesses and to take measures to prevent them. They also supervise that the machines, tools, personal protective equipment and other technical equipment used in work meet the requirements set for them.

The ministry of Social Affairs and Health coordinates mostly the affairs related to social security in Finland. Social security benefits, healthcare and social welfare services where eligibility for such benefits and services is, under Finnish legislation, based on permanent residence in Finland.

Residence-based social security includes benefits handled by *the Social Insurance Institution (Kela)* and municipalities, for example income security and child benefits. There are specialized units in the system of labour administration in Finland that are worth mentioning in relations to social security. Kela (Social Insurance Institution of Finland) hosts the majority of social benefits in Finland. One may apply for benefits such as housing benefits, unemployment benefits, social assistance and benefits that support one's income during studies.

Another specialized unit is *the Finnish centre for Pensions (Eläketurvakeskus/ETK)*. As a statutory co-operation body, ETK operates in support of a durable, reliable, fair and efficiently organized pension provision. ETK offers pension- and social security related expertise for example to pension providers in the private and public sectors, the Social Insurance Institution, the authorities, decision-makers, researchers, educational institutions, the media, as well as the insured and policyholders.

ETK also determines whether a worker is covered by Finnish social security while working abroad. ETK forwards pension applications filed in Finland to pension providers abroad and responds to various pension queries. If a worker is going to work abroad, they must apply for an A1 certificate which proves that they are included in the Finnish social security system. ETK also forwards pension applications filed in Finland to pension providers abroad.

<p><i>Finnish Workers' Compensation Center</i> (Tapaturmavakuutuskeskus) coordinates and develops the implementation of occupational accident and occupational disease insurance. Finnish Workers' Compensation Center produces versatile information about work accidents and occupational diseases as well as about the insurance environment.</p>	
<p>3. Please provide information on any periodic reports on the activities of the main labour administration services submitted to the Ministry of Labour or other comparable body, as well as to employers' and workers' organizations. Please provide a weblink/copies of these reports, if available.</p> <p>The MEAE compiles statistics on the clients of the Employment and economic development offices (TE offices): job-seekers registered at the TE offices, vacancies reported by employers and also labour market policy services which aim to advance the employment of the job-seekers. Services included in the statistics are for example labour market training, pay subsidies, training, work/training trials and job alternation leave. Furthermore, MEAE compiles comprehensive unemployment statistics and publishes every month the number of unemployed job-seekers, the number of vacancies and the number of people participating in labour market policy service using a broad range of different classifications and variables.</p> <p>The Employment Bulletin is a report on the recent trends in unemployment, vacancies and labour market policy services produced each month by the Ministry of Economic Affairs and Employment on the basis of the Employment Service Statistics. Employment Bulletin November 2022 (temtyollisyyskatsaus.fi)</p> <p>In addition to Employment Bulletins, the Ministry of Economic Affairs and Employment also prepares annual statistical publications on the basis of the Employment Service Statistics.</p> <p>The Development and Administrative Centre (KEHA) publishes annual reports and financial statements (including ELY-centres and TE-offices) in Finnish: KEHA-keskus :: Ohjausmalli</p> <p>The Annual Report provides an overview of the activities of the Occupational Safety and Health Administration during the previous year. The annual reports are published in Finnish, Swedish and English in the OSH Administration's online service: Annual reports.</p>	<p>R158: Para. 20(1)</p>

4. With regard to the organization and effective operation of the system of labour administration in your territory, please provide information on:

- (i) the internal structure of any body within the system of labour administration and provide copies of the respective organigrams and work plans or strategies, if available;

C150:
Art. 4
R158:
Para. 4

The MEAE has four departments, which are responsible for the ministry's main tasks, and three separate units. Departments of Employment and Well-function Markets and Regions and Growth Services and the unit of Labour Migration and Integration are responsible for matters related to labour administration. The Offices of the National Conciliator, the Co-Operation Ombudsman and Labour Council also come under the ministry. The administrative branch of the MEAE covers seven agencies, five companies, three funds, as well as 15 ELY Centres and 15 TE Offices.

[MEAE organisational chart](#)

MEAE creates the conditions for economically, socially and ecologically sustainable growth. The Ministry's operation is steered by the Government Programme and the strategy document that details the intended measures. These two documents comprise the most central themes regarding the implementation. The administrative branch's operating and financial planning is based on four-year spending limits, an annual budget and multiannual performance agreements.

The strategy of sustainable growth is included in the Government Programme of Prime Minister Sanna Marin. It aims for a more diverse industrial structure, better productivity, export growth, business renewal and a stronger business environment. Please also see the answer to question number 18 on the Government's employment objectives.

MEAE's strategies (only in Finnish): <https://tem.fi/tem-strategiat>

Government's employment measures: <https://tem.fi/en/government-s-employment-measures>

The Development and Administrative Centre (KEHA) is a national agency under the steering of the MEAE providing development and administration services for the ELY centres and the Employment and Economic Development offices (TE offices).

Regional centres for Economic Development, Transport and the Environment (ELY centres). Finland has a total of 15 ELY Centres, which are tasked with promoting regional competitiveness and well-being. ELY Centres are responsible for steering and supervising the activities of the TE offices (15) to ensure that the necessary and statutory employment services are in place and available for all those who need them. The centres are also responsible for developing and coordinating employment services, as well as helping to promote employment opportunities and prevent discrimination and social exclusion by supporting TE offices in their regional role.

The Ministry of Employment and the Economy is responsible for the administrative steering of the ELY Centres and the TE Offices and the development of the services and operations of the centres and TE Offices coming under them. The steering of the ELY Centres is carried out in cooperation with other administrative branches. The ELY Centres and the Regional State Administrative Agencies have a joint strategy document. In addition to this document, the ELY Centres, Regional State Administrative Agencies and the Development and Administration Centre for ELY Centres and TE Offices (KEHA centre) each have their own performance agreements. The strategy document and the performance agreements are prepared for the term of the Government and their content is reviewed each year, as necessary. The review enables assessing for example whether new jobs and businesses have been created.

Strategy for the Regional State Administrative Agencies and the Centres for Economic Development, Transport and the Environment for 2020-2023: https://tem.fi/documents/1410877/0/AVI-ELY-Strategy_2020-2023_EN_uusi.pdf/cba25499-656f-2935-8b85-141ad14e36be/AVI-ELY-Strategy_2020-2023_EN_uusi.pdf?t=1613993546578

Performance agreements of ELY and KEHA Centres: <https://tem.fi/ely-keskusten-tulossopimukset> (only in Finnish).

Ministry of Social Affairs and Health prepares and develops legislation and policies on occupational safety and health and deals with international cooperation in this field. The ministry also guides the occupational safety and health work of the Regional State Administrative Agencies. The five occupational safety and health divisions form part of the Regional State Administrative Agencies but are under the direct control of the Ministry of Social Affairs and Health.

The Regional State Administrative Agencies oversee compliance with workplace occupational safety and health within their occupational safety and health Divisions. The four-year framework programme describes the vision of occupational safety and health enforcement and defines the strategic objectives for the activities. The strategic goals determine objectives for the four-year period as well as annual operative performance targets. Performance targets are documented in a national performance agreement signed by all Occupational Safety and Health Divisions and the Ministry of Social Affairs and Health. The performance agreement contains information on where occupational safety and health inspections will generally be

targeted. For example, inspections can focus on a specific sector or a law that has just entered into force, taking into account the scope of supervision.

The objectives of the framework programme are based, above all, on [the Ministry of Social Affairs and Health's strategy](#) and [the 2030 work environment and occupational safety and health policy](#), the government programme of the cabinet of Sanna Marin and labour market analyses (in Finnish).

- [Performance targets from 2020 to 2023 and revised performance targets for the year 2021](#) (pdf, in Finnish)
- [Healthy work: Framework plan for Occupational Safety and Health Divisions 2020–2023](#)

The vision of the Ministry of Social Affairs and Health is to create a cohesive society and sustainable wellbeing. The mission of the strategy of the Ministry is to safeguard people's ability to work and function, their livelihoods, as well as the services required to support this.

The OSH-strategy (The Policy for the work environment and wellbeing at work until 2030 "Safe and healthy working conditions and workability for everyone" specifies the strategy of the Ministry. The goal is for Finland to remain a welfare state even as the population ages and the number of working-age people decreases. Working life is the base for the welfare state. The objective of the policy is to ensure safe and healthy working conditions and workability for everyone.

The policy defines three focus areas to ensure healthy and safe work at all workplaces, regardless of the form of employment:

- Future challenges concerning occupational safety and health, and wellbeing at work,
- Safe and healthy working conditions,
- Promoting functional capacity, work ability, and employability

Ministry of Social Affairs and Health has prepared this policy together with social partners and other key stakeholders, and it includes the national policy on occupational health and safety required by the ILO Conventions.

To implement the policy a separate implementation plan and communication plan have been made together with social partners and other key stakeholders. The implementation plan 2022–2023 gives concrete expression to the actions by which the Ministry of Social Affairs and Health and its partners will jointly contribute to achieving the goals of the focus areas.

The Policy for the work environment and wellbeing at work until 2030 "Safe and healthy working conditions and workability for everyone": <http://urn.fi/URN:ISBN:978-952-00-4045-1>

The implementation plan of the Policy: <http://urn.fi/URN:ISBN:978-952-00-8484-4>

Working life programmes of Prime Minister Marin's Government Programme

Prime Minister Marin's Government Programme contains a package of working life programmes aimed at increasing employment, wellbeing and productivity. The goal is for Finland to remain a welfare state even as the population ages and the number of working age people decreases. To secure this, a sustainable financial base, high employment and longer working careers are needed. This requires the simultaneous development of wellbeing at work and productivity, the prevention of disability, a diverse and participatory working life and the view of mental health as a resource in working life. The working life programmes consist of the WORK2030 programme and the related research programme, the Work Ability Programme and the Mental Health at Work Programme.

Finland has long tradition in the programmatic development of working life, most recently the ongoing [WORK 2030](#) programme. The programme will accelerate the renewal of workplace practices and the utilisation of new technologies in the digital-based transformation of work. The WORK2030 programme began in 2020 and it is intended to continue beyond government terms, similar to previous national work life development programmes. The Finnish Ministry of Social Affairs and Health implements the WORK2030 programme in cooperation with the Ministry of Employment and the Economy, labour market organizations and other work life actors. The Finnish Institute of Occupational Health is responsible for the operational implementation of the programme.

- (ii) any national laws and regulations which provide for the creation, structure, functions and responsibilities of these bodies. Please provide a weblink or electronic copies of the legislation and regulations.

Decree of the Ministry of Economic Affairs and Employment on the rules of procedure of the Ministry of Economic Affairs and Employment (826/2020): <https://www.finlex.fi/fi/laki/alkup/2020/20200826>

<p>Act on public employment and business service (916/2012): https://www.finlex.fi/fi/laki/ajantasa/2012/20120916</p> <p>Act on public employment and business service (916/2012) (English translation, amendments not included)</p> <p>Act on Centres for Economic Development, Transport and the Environment (897/2009): https://www.finlex.fi/fi/laki/ajantasa/2009/20090897 (only in Finnish)</p> <p>Act on a Service Centre for Continuous Learning and Employment (682/2021) Laki Jatkuvan oppimisen ja työllisyyden... 682/2021 - Ajantasainen lainsäädäntö - FINLEX® (only in Finnish)</p> <p>Act on Mediation in Labour Disputes (420/1962): https://finlex.fi/fi/laki/ajantasa/1962/19620420 https://finlex.fi/fi/laki/kaannokset/1962/en19620420_20110477.pdf (English translation, amendments up to 477/2011 included)</p> <p>Act on the Labour Council and Derogation Permits Concerning Labour Protection (400/2004) https://www.finlex.fi/fi/laki/kaannokset/2004/en20040400_20100223.pdf (English translation, amendments up to 223/2010 included)</p> <p>(Please note also the answer to question 2.)</p> <p>The occupational safety and health authorities in Finland operate in five divisions, one at each Regional State Administrative Agency. Under the divisions of occupational safety and health they enforce regional compliance with occupational safety and health laws, perform inspections and process applications for permits and notifications of work based on various acts and decrees.</p> <p>Act on Occupational Safety and Health Management (16/1993) https://www.finlex.fi/fi/laki/ajantasa/1993/19930016 (in Finnish)</p> <p>Website of the OSH authorities: https://www.tyosuojelu.fi/web/en/about-us/functions</p> <p>The most important act of which compliance the OSH authorities supervise is the Occupational Safety and Health Act. On the basis of this act a number of decrees concerning various areas of the OSH have been issued. The OSH authorities supervise also these decrees.</p> <p>Occupational Safety and Health Act (738/2002): https://www.finlex.fi/en/laki/kaannokset/2002/20020738</p> <p>Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces provides for a procedure to be followed by the OSH authorities in monitoring compliance with provisions on occupational safety and health and for cooperation on occupational safety and health between employers and employees at workplaces.</p>	
<p>5. Please indicate any review undertaken or any organizational change that has occurred in the system of labour administration in recent years (for example as a consequence of the COVID-19 pandemic). Please indicate the consultations held in this respect with the most representative organizations of employers and workers, if any.</p> <p>During the pandemic, informal discussions, a special 'high-level group' was established to monitor the COVID-19 situation and to foster the discussion between the MEAE and the social partners. In addition, the social partners have also been involved in discussions on ongoing PES reform. Social partners' expertise and voice was acknowledged during the pandemic, and in other key moments such as wider reforms, by creating a forum for regular discussions. Furthermore, labour legislation is drafted on a tripartite basis, in collaboration with the employers' and employees' organisations.</p> <p>As stated in Prime Minister Marin's Government Programme, the role of local governments as organiser of employment services has been strengthened. The first measure was to launch local government pilots on employment, in which municipalities are partly responsible for the provision of employment and economic services (TE services) in their area. The pilot projects aim to increase the effectiveness of promoting employment by coordinating the resources, skills and services of the State and municipalities. The local government pilots on employment began on 1 March 2021 and will end on 31 December 2024.</p> <p>The Government is currently preparing the TE services 2024 reform, which involves a permanent transfer of public employment and economic services to municipalities. Government proposal was submitted in October 2022. The customers of local government pilots will continue as customers of the municipalities until the permanent transfer of services during 2024. Reforms have been prepared in tripartite working groups. Although the responsibility for organising services is transferred to municipalities, the central government is ultimately responsible for the employment services system and its functioning at the national level. The personnel of TE Offices will also be transferred from central government to local government in accordance with the Civil Servants Act's provisions on the transfer-of-business. In connection with the transfer-of-business, the personnel will retain their current rights and obligations under the terms of their employment or public service relationships.</p>	<p>R158: Para. 21</p>

<p>The Nordic labour market service model entered into force on 2 May 2022. Jobseekers apply for work on their own initiative and receive support for the process from the TE Office or from municipalities participating in the local government pilots to promote employment. Each jobseeker's need for services and prospects to apply for work are assessed individually. The first meeting between a jobseeker and a specialist takes place earlier than before. As a rule, as a rule, jobseekers must apply for four job opportunities per month in order to receive unemployment benefits. Usually jobseekers select the job opportunities they apply for. Sanctions related to unemployment benefit have been staggered.</p> <p>The Act on a Service Centre for Continuous Learning and Employment entered into force on 1 September 2021. The Service Centre for Continuous Learning and Employment (in Finnish: Jatkuvan oppimisen ja työllisyyden palvelukeskus) JOTPA promotes the competence development of working-age population and the availability of skilled labour force. The centre analyses the competence needs of working life, finances education and training intended for working-age population and develops information, advisory and guidance services.</p> <p>The Service Center for Continuous learning and Employment reports directly to the Ministry of Education and Culture and to the Ministry of Economic Affairs and Employment. The Government appoints a Council for Continuous learning and Employment, which will steer and support the activities of the Service Centre. The members of the Council represent working life and key ministries.</p> <p>The Act on Työkänava Ltd entered into force on 1 July 2022. The company employs the most disadvantaged people with impaired capacity to work and sells their work input to its customers. The objective is to support labour market skills of company's employees so that they could be employed independently in the open labour market.</p>	
<p>Coordination within the system of labour administration</p> <p>6. Please indicate any institutional framework for the co-ordination of the functions and responsibilities of the different bodies within the system of labour administration, including field services. Please indicate if such co-ordination occurs through a central body⁷ (for example the Ministry of Labour or another comparable body). Please indicate the manner in which it is ensured that field services have sufficient and clear instructions to preclude the possibility of laws and regulations being differently interpreted in different areas. Please indicate if any policy, strategy or plan for coordination has been adopted and, if so, please provide a copy.</p> <p>The MEAE is responsible for employment, entrepreneurship and labour policy and for immigrant integration policy. The ministry directs, steers and monitors the process in which TE Services are provided in all parts of Finland in a customer-focused and performance-oriented manner. The ministry is responsible for the legislation on public employment and business services and decides which development projects need to be accompanied by more extensive strategic projects.</p> <p>KEHA Centres are under the steering of the MEAE and provide development and administration services for the ELY centres and the TE (Employment and Economic Development) offices. ELY Centres are responsible for steering and supervising the activities of the TE offices to ensure that the necessary and statutory employment services are in place and available for all those who need them. The centres are also responsible for developing and coordinating employment services.</p> <p>The Ministry of Employment and the Economy has drawn up guidelines on the application of the Public Employment and Business Service Act. The guidelines ensure that the Act is not interpreted differently in different areas. Guidelines can be found on the following website (only in Finnish): https://toimistot.te-palvelut.fi/documents/44427628/0/tem_ohje_jtypl-ohje_2376_00_020180101.pdf/dabb3d0d-efb0-ac3f-2125-dcdf751e981?t=1640089044682</p> <p>The local government pilots on employment began on 1 March 2021 and will end on 31 December 2024. Municipalities are partly responsible for the provision of employment and economic services in their area. The pilots aim to provide information on the effectiveness of combining State and local government funding, expertise and customer service. Continuous statistical monitoring and impact assessments is used to monitor the pilots. The MEAE, municipalities and other stakeholders have prepared national monitoring indicators, which deliver data to the pilot areas on the progress of the projects on a monthly basis. A joint evaluation plan has been drawn up for the pilots.</p> <p>Please also see the answer to question number 4.</p> <p>The Department for Work and Gender Equality at the Ministry of Social Affairs and Health is responsible for the performance guidance of the Occupational Safety and Health (OSH) Division at the Regional State Administrative Agency. The Ministry of Economic Affairs and Employment also participates in performance guidance, as some of the legislation enforced by the OSH Divisions is prepared by the MEAE. This applies particularly to employment relationships.</p>	<p>C150: Arts 1(b) and 4 R158: Paras 1(b), 4 and 26(2)(c))</p>

⁷ For federal states, central body could mean either one at the federal level or one at the level of the federated unit, according to the respective distribution of competences in the field of labour policy.

<p>The Regional State Administrative Agencies oversee compliance with workplace OSH within their OSH Divisions. The four-year framework programme describes the vision of occupational safety and health enforcement and defines the strategic objectives for the activities. The strategic goals determine objectives for the four-year period as well as annual operative performance targets. Performance targets are documented in a national performance agreement signed by all Occupational Safety and Health Divisions and the Ministry of Social Affairs and Health. The performance agreement contains information on where occupational safety and health inspections will generally be targeted. For example, inspections can focus on a specific sector or a law that has just entered into force, taking into account the scope of supervision.</p> <p>Performance targets from 2020 to 2023 and revised performance targets for the year 2021 (pdf, in Finnish)</p> <p>Healthy work: Framework plan for Occupational Safety and Health Divisions 2020–2023</p> <p>The Department for Work and Gender Equality of the Ministry of Social Affairs and Health issues instructions on occupational safety and health supervision in order to ensure consistency in enforcement improve the quality of occupational safety and health inspections and increase transparency in operations. The instructions are drawn up by Regional State Administrative Agencies' Divisions of Occupational Safety and Health and the Ministry's Department for Work and Gender Equality, in consultation with key stakeholders.</p> <p>For example the Guideline on occupational safety and health enforcement and the use of authority deals with OSH enforcement in general. The guideline deals with the inspector's activities and inspections, inspection reports, obligations imposed on the employer and other parties, and the monitoring of compliance with them.</p> <p>The guidelines also deal with the use of OSH authorities' competence and their activities in employment offences. The guideline is published also in English: https://www.tyosuojelu.fi/documents/95118/2556216/Guidance_on_OSH_enforcement_and_the_use_of_authority.</p> <p>More detailed guidelines have also been issued on various issues, such as the supervision of foreign labour, the supervision of chemical agents, the supervision of employment issues, etc.</p>	
<p>7. Please provide information on the manner, if any, in which the Ministry of Labour or another comparable body ascertains that any parastatal, regional or local agencies engaged in labour administration activities are operating in accordance with national laws and regulations and are adhering to the objectives assigned to them.</p> <p>Finland reports only on R158.</p>	<p>C150: Art. 9</p>
<p>8. Please provide information on any measure taken to ensure appropriate representation of the system of labour administration in the administrative and consultative bodies dealing with social and economic policies.</p> <p>Under section 12 of the Act on Public Employment and Business Service (916/2012), TE Offices and ELY Centres shall cooperate with other authorities, labour market organisations and other stakeholders. The cooperation supports the implementation, planning and development of public employment and business services.</p> <p>For this purpose, the TE Offices have advisory boards that monitor changes in the labour market and support the implementation of the labour policy requirements of public employment and business services and unemployment security, and, if necessary, make development proposals.</p> <p>TE Offices appoint members of the advisory boards for a three-year-period based on the proposals of labour market organisations. Members represent employers, entrepreneurs and employees. Representatives of municipalities and other authorities are also appointed to the advisory boards.</p> <p>In addition, ELY Centres have similar advisory boards, which serve as a forum for cooperation and negotiations.</p>	<p>R158: Para. 19</p>
<p>Resources and staff</p> <p>9. Please provide details on the status, independence, qualifications and recruitment criteria for the staff of the labour administration system and any relevant provisions of national laws or regulations in this respect. Please also provide information on initial and subsequent training provided to the staff of the labour administration system.</p> <p>Under the Government Decree on the Ministry of Economic Affairs and Employment (1024/2007) section 6, it is required that ministry's officials have degree or education required for their position. Depending on official duties, for example Master of Laws (LL. M.) or other Master's degree may be required. Furthermore, Government Decree on ELY Centres and TE Offices (1373/2018) contains provisions on required qualifications for the officials and for the certain posts, a university degree is required.</p> <p>KEHA Centre steers and develops equal treatment of personnel, work community and wellbeing at work in the ELY Centres and TE Offices. Centre's multi-sectoral team provides skill development services for the staff</p>	<p>C150: Art. 10(1) R158: Para. 23(1) and (2)</p>

of ELY Centres and TE Offices. The team operates under the performance guidance of MEAE, Ministry of Education and Culture, Ministry of Social Affairs and Health and Association of Finnish Municipalities.

According to the Act on Regional State Administrative Agencies OSH Divisions are independent of the agencies while inspecting workplaces. The operation must be arranged so, that independence and impartiality are guaranteed. OSH Divisions can't be assigned with such other tasks, that could jeopardise the supervision and its' independence.

Provisions on the independence of all civil servants are included in the Administrative Procedure Act. According to the Act, an official shall not participate in the consideration of a matter, or be present during such consideration, if he/she is disqualified. The provisions on the disqualification of officials apply also to members of multimember bodies and to other persons participating in the decision on a matter as well as to inspectors in their inspection duties. OSH Divisions' inspection personnel include inspectors, who have several years of experience on the type of work they inspect. Inspectors are usually appointed to make inspections on a specific branch or on a specific topic. An official decision is taken on who to appoint to the post of inspector, after the merits of all the applicants have been compared; the most qualified applicant is then selected for the position.

All OSH inspectors take part in a basic administrative training course lasting 6 weeks, regardless of their professional background or future inspection area. This ensures that all inspectors have the same basic knowledge of OSH and the same approach to inspection. The grounds for taking part in additional and/or refresher courses are a person's skills or changes in legislation or the operating environment or work tasks.

10.

- (i) Please provide details on the human, logistic and material resources allocated to the functions of labour administrations, including any changes occurred in response to the COVID-19 crisis. Please also provide information on the human and material resources of the field services.

C150:
Art.
10(2)
R158:
Paras
22(1)
and
26(2)(b
)

Number of personnel in all 15 ELY Centres 2019-2021

Year	2019	2020	2021
Number of personnel in all 15 ELY Centres	2434	2557	2685

Number of personnel in the KEHA Centre 2019-2021

Year	2019	2020	2021
Number of personnel in the KEHA Centre	513	523	543

Number of personnel in all 15 TE Offices 2019-2021

Year	2019	2020	2021
Number of personnel in all 15 TE Offices	3215	3820	4128

Further information on the activities and resources on ELY Centres, KEHA Centre and TE Offices can be found on the offices' [financial statements \(2021\)](#).

The average annual personnel FTE (full time equivalent) of Labour Inspectorate each year for the period of 2017-2021:

Year	2017	2018	2019	2020	2021
Average monthly	418	400	394	404	415

number of personnel FTE					
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The COVID-19 pandemic did not affect OSH authorities' resources. An exceptionally large number of new inspectors were recruited during the year 2021, mostly for the supervision of foreign labour, for which new posts could be established with additional appropriations. More information on the activities and resources of the OSH administration is available in the annual reports. The annual reports are published in Finnish, Swedish and English in the OSH administration's online service: [Annual reports](#)

- (ii) With regard to the financial resources available to staff of the system of labour administration for the performance of their duties, please indicate the budget allocated to the labour administration system, including any changes due to the COVID-19 crisis, and provide a copy of it. If available, please indicate the share of the State budget allocated to labour administration in the last five financial years.

The Government will a decision on the different administrative branches' spending limits yearly. The ministry's draft budget will then be prepared based on the spending limit confirmed by the Government.

The Nordic labour market service model entered into force on 2 May 2022. The reform increased the resources of public employment services by EUR 70 million a year. About 1,200 experts will be hired for customer service. This represents an increase of 40% compared with the resources of TE Offices in 2019. The resources of public employment services were temporarily increased because of the COVID-19 crisis. The increased resources of the Nordic labour market service model will be permanent, so they will be calculated in relation to the human resources of TE Offices during normal conditions. New permanent funding for the Nordic labour market service model will be allocated to organising the service process for individual customers. This means a significant increase in customer service for jobseekers in particular.

In 2020, TE Offices were allocated considerable additional funding as the number of customers increased due to the COVID-19. Additional funding of EUR 40,5 million was granted to TE Offices' customer services to strengthen and secure the service capacity. Furthermore, EUR 3,5 million was allocated to strengthening immigrants' service capacity.

Annual expenditure on public employment services (PES)

Between 2015 and 2020, total PES expenditure fell from EUR 781.8 million to EUR 635.5 million, a 19% drop. This trend is mostly due to a decrease in the expenditure on ALMPs (Active Labour Market Policies), which decreased by around 38%. On the contrary, over the same period staff costs increased by 18% from EUR 139.4 million to EUR 164.8 million. In 2021, total expenditure increased by 6%, ending the period at EUR 671.9 million. Staff costs and staff training costs increased the most during this period, by 16% and 39% respectively. The growth in expenses was influenced by the increased number of staff. At the same time, other expenditures decreased by 13%, with a lower number of pilot projects in 2021 and some expenses are not reported as part of TE-offices' expenditure anymore. The principal source of funding for PES activities is the Government Budget.

Annual expenditure summary (EUR million)

Expenditure Category	2015	2016	2017	2018	2019	2020	2021
Total PES	781.8	711.3	666.5	682.3	665.8	635.5	671.9
All types of benefits	N/A	N/A	N/A	N/A	N/A	N/A	N/A
ALMPs	526.2	458.9	425.2	424.0	390.8	328.3	357.8
Staff costs	139.4	130.7	134.1	135.4	145.6	164.8	190.7
Staff training costs	0.6	0.2	0.9	1.0	1.3	0.6	0.8
Other expenditure	115.6	121.5	106.2	121.9	128.2	141.8	122.7

* From 2018 onwards the category of 'ALMPs' is not comparable with the data from previous years since it excluded training expenditure funded by a third party.

Source: Annual PES Benchmarking Data Collection.

Further information on budget of the MEAE'S administrative branch: [Budget - Ministry of Economic Affairs and Employment \(tem.fi\)](#)

Consultation with and participation by employers, workers and their organizations in the system of labour administration

<p>11. Please indicate if any activity related to labour administration are delegated or entrusted to non-governmental organizations, particularly employers' and workers' organizations, or to employers' and workers' representatives. If so, please indicate which one.</p> <p>-</p>	<p>C150: Art. 2 R158: Para. 2</p>
<p>12. Please indicate if particular activities in the field of national labour policy are matters which, in accordance with national laws or regulations, or national practice, are regulated by having recourse to direct negotiations between employers' and workers' organizations. Please provide relevant examples, if any.</p> <p>Labour legislation lays down the framework for the regulation of terms and conditions of employment relationship. Collective agreements negotiated by employers' and employees' organisations specify terms and conditions of employment, lay down minimum terms of employment and oblige the parties to observe industrial peace. If an employment contract is in any respects in contradiction of the generally or otherwise binding collective agreement for the relevant sector, the contract is null and void for the sections concerned and the equivalent provisions in the collective agreement must be observed instead.</p>	<p>C150: Art. 3 R158: Para. 3</p>
<p>13. Please indicate any arrangement that is in place within the system of labour administration in order to secure consultation, co-operation and negotiation between the public authorities and the most representative organizations of employers and workers, or employers' and workers' representatives.</p> <p>Finland reports only on R158.</p> <p>Please also indicate:</p> <p>(i) whether these arrangements are made at the national, regional and local levels;</p> <p>-</p> <p>(ii) whether these arrangements are made at the sectoral level.</p> <p>-</p> <p>Please provide copies of reports or extracts of reports produced as a result of consultation, co-operation and negotiations, if any.</p> <p>-</p>	<p>C150: Art. 5</p>

Main functions of the system of labour administration

Functions in respect of national labour policy

14. Please indicate the manner in which the bodies within the system of labour administration are responsible or contribute to the preparation, administration, co-ordination, checking and review of national labour policy. Please indicate the relevant provisions of national legislation, if any. Also, please indicate if any review has been undertaken in the context of the COVID-19 pandemic.

Finland reports only on R158. Please see the answer to question number 15.

C150: Art. 6(1)

Functions in relation to labour standards

15. Please indicate the manner in which the bodies within the system of labour administration take an active part in the preparation, development, adoption, implementation and review of labour laws and regulations, including the submission of proposals to overcome identified defects and abuses concerning working conditions and terms of employment. Please indicate the consultations with employers and workers' organizations held in this respect.

Labour legislation is drafted on a tripartite basis, in collaboration with the organisations representing the interests of employers and employees.

During the government term of 2019-2023, *the Ministerial Working Group on Promoting Employment*, led by the Minister of Employment, has guided the implementation of the Government Programme regarding employment promotion, labour market issues and the development of labour legislation. In addition, four tripartite sub-groups have been operating under the ministerial working group, with representatives from the central labour market organisations, the Federation of Finnish Enterprises and other organisations. The sub-groups have focused on the following issues: 1) the service structure of labour market policy, 2) services, benefits and inclusion, 3) regulation of working life, and 4) local collective bargaining.

As outlined in the Government Programme, the working groups have prepared proposals for measures that support the achievement of the employment rate of 75% and the strengthening of the sustainability of public finances. Key reforms prepared by the sub-groups include the transfer of employment services to municipalities (TE 2024), the Nordic labour market service model, the pay subsidy reform, the work ability programme, measures related to work-based immigration and integration, and amendments to labour legislation from the perspective of the transformation of work. Labour legislation reforms have also been prepared in separate tripartite working groups for the duration of the government term.

At the beginning of the coronavirus pandemic, the Minister of Employment convened a working group consisting of senior management from labour market organisations and the Federation of Finnish Enterprises. The working group put forward proposals for securing the functioning of the labour market, preserving jobs, avoiding bankruptcies and securing the position of employees during the coronavirus crisis.

The main strategies and challenges of labour and education policy are discussed in the tripartite Council for Employment, Education and Economic Affairs. The Council is a joint expert body of the Ministry of Economic Affairs and Employment and the Ministry of Education and Culture, led by the Minister of Employment and the Minister of Education.

The Ministry of Social Affairs and Health has an advisory board for the preparation of OSH provisions. In this board the provisions are prepared in tripartite procedure. Represented in the board are the central organizations (unions) of both employees and employers, as well as the occupational safety and health authorities. The board and its subdivisions prepare acts and decrees related to OSH issues. The representatives can also raise issues of concern to discussion and in some cases these concerns may also lead to changes in legislation.

C150: Art. 6(1) and (2)(b)
R158: Para. 5(1)

Functions concerning labour relations

16. Please indicate:

- (a) any services offered by the bodies within the system of labour administration to employers and workers and their organizations to promote at national, regional, sectoral and local levels, effective consultation and cooperation between public authorities and employers' and workers' organizations, as well as between such organizations;

For the purpose of promoting the functioning of the labour market and providing mediation in labour disputes between employers and workers or civil servants, there is a permanent position for a national conciliator. In co-operation with the employment market organisations, the national conciliator endeavours to further the relationships between employers and workers and their organisations. At the request of the parties, the conciliator presides over negotiations for the conclusion of collective agreements. Litigations over the content or breaches of collective agreements can be referred to the Labour Court.

The Labour Council is an independent special authority coming under the Ministry of Economic Affairs and Employment. It has a minimum of nine part-time members three of whom are independent. The other members represent employer and employee organisations. The Government appoints the members for a term of three years. The council issues opinions on the application and interpretation of labour legislation. The request for opinion may be submitted inter alia by a court of law, a central organisation for employers or employees or a ministry dealing with the state's labour market policy.

Finland has the system of generally applicable collective agreements. The general applicability of a national collective agreement is determined by the committee, which operates in connection with the Ministry of Social Affairs and Health.

The Cooperation Ombudsman operates autonomously within the Ministry of Economic Affairs and Employment, giving advice, instructions and opinions on the Act on Co-operation within Undertakings and other personnel representation systems and supervising compliance with the aforementioned acts.

- (b) the manner in which such services promote the regulation of terms and conditions of employment by means of collective bargaining and the free exercise of employers' and workers' right of association;
- (c) to what extent the system of labour administration promotes the full development and utilisation of the machinery for voluntary negotiation

A system of mediation system in labour disputes has been set up for the labour market organisations so that disputes can be resolved through negotiation. At the request of the parties, the national conciliator presides over negotiations for the conclusion of collective agreements.

Collective agreements can be generally or normally binding. All employers, including unaffiliated employers, must comply with the sector's generally binding collective agreement as minimum terms of employment. Generally binding collective agreements are published on the *Finlex* which is an Internet service on legal information, free of charge. The service is owned by the Finnish Ministry of Justice. Under the Employment Contracts Act, OSH authorities supervise that unorganised employers comply with the generally binding collective agreements.

A normally binding collective agreement must be complied with if the employer has signed it or if the employer is a member in an employer's association that has signed it. The Labour Court's jurisdiction relates to normally binding collective agreements' legitimacy, validity, content, scope and the correct interpretation of any of its clauses. The Labour Court can also decide on how much in compensatory damages is to be paid out following unlawful industrial action.

C150: Art. 6(2)(c)
R158: Paras 5(2), 7, 8
and 9

17. Please provide information on any activities carried out by bodies within the system of labour administration in order to make technical advice available to employers and workers and their respective organizations on their request. Please also indicate if the bodies within the system of labour administration provide, in agreement with employers' and workers' organizations concerned, conciliation and mediation facilities in case of collective disputes.

Tyosuojelu.fi is the common online service of the Occupational Safety and Health Administration. The online service provides support for all employers and employees. The website contains the e-services of the OSH authority, as well as information on healthy, safe, and fair working life. The Regional State Administrative Agency's Occupational Safety and Health Divisions also regularly organize free webinars and participate in other

C150: Art. 6(2)(d)
R158: Para. 10

events where they provide useful OSH information to both employers and employees. They also offer different self-assessment tools for the use of workplaces. [Occupational safety and health indicators](#) can be utilised for assessment and as instruments of safety management.

OSH Divisions supports workplaces by providing advice and guidance on occupational safety and health and in questions concerning the terms and conditions of employment.

Advice is provided by telephone or e-mail, for example. Also at workplaces the purpose of an inspection is not only to supervise, but also to develop occupational safety and health activities, working conditions and safety management. The aim is permanent improvements at the workplace. When the occupational safety and health authorities take enforcement measures, they aim to promote cooperation between the employer and employees in occupational safety and health matters, for example by providing guidance on the application of the legislation that we enforce and by highlighting good practices.

The National Conciliator's Office offers mediation in labour disputes and promotes the relationship between employers and wage earners. The agency is headed by the National Conciliator. In addition to the National Conciliator, there are also part-time conciliators who can act as mediators in labour disputes as necessary.

Functions in relation to employment

18. Please indicate any bodies within the system of labour administration that participate in the preparation, administration, co-ordination, checking and review of a national employment policy. Please describe the consultation and cooperation with employers' and workers' organizations in this respect.

C150: Art. 6(2)(a)
R158: Paras 11(1) and
13

The basis for target setting is the Government Programme, which is in force for 4 years if the same Government stays for whole term. Current Government Programme has been in force from summer 2019. Next parliament elections will take place in spring 2023. In addition, EU objectives, legislation and strategic guidelines define some targets for employment policy.

Main target in employment policy in current Government Programme is to reach 75 % employment rate. Originally, target was set for 2023, but due to COVID-19 pandemic, the target was postponed till 2025. In the beginning of Government term the trend of the employment rate was 72,4 % and in September 2022 the trend was 73,8 %. Government has set also target of 80 000 additional "decision- based" employed persons till 2030. Decision-based means that government estimates, that employment effects of introduced reforms and sum of the employment effects which will affect before 2030 should be at least 80 000 employed persons. Some of the reforms are directly linked with PES but there are also other reforms such as changes in unemployment benefits and extension of compulsory education. The most remarkable reforms regarding PES are so-called Nordic labour market service model (which was launched on 2 May 2022), wage subsidy reform (targeted to take place on 1 January 2023) and permanent transfer of state-run public employment services to the municipalities (targeted to take effect in 2025). In March 2021 local government pilots on employment were launched as a response to strengthen the role of the municipalities in the employment services, as stated in the Government Programme. Government also established in 2022 a new state-owned special assignment company aiming at employing people with impaired capacity to work who are in the most difficult position. The Act on Työkänäva Ltd entered into force on 1 July 2022. The company's business operations have started after that in stages.

Legislation and reforms set guidelines for PES. In addition, there is a regional strategy which is assigned for Government term. Main strategic targets and time frames for ELY Centres are described in regional strategy but only some of the targets apply to TE Offices which are steered by ELY Centres. Strategic targets are checked annually in performance management target documents and changed, if needed. There are both quantitative and qualitative targets. There are many responsible steering units in the ministerial level: different substantial groups, units and partially other ministries. The responsibility of coordination of performance management of ELY Centres are in same department of the Ministry of Economic Affairs and Employment (MEAE) as the responsibility of PES activities: Department of Regions and Growth Services.

Targets are based on comprehensive statistics and information, which describe the situation of labour market and industries. In addition, the background research is used for the planning of policy objectives. However, target setting does not take into account estimated development of background factors systematically, but it is based on the recent development of the target itself, combined with a general knowledge about the development of background factors. Statistical models in target setting are not used, but developing those methods would be useful.

TE Services Strategy for the years 2021-2023 was launched in December 2020 by MEAE. The Strategy describes the vision for the TE services over the next few years, where strategic partnership, digitalisation and the individuality of customer service are key drivers of activities. MEAE requested ELY Centres to send their regional implementation plans to the ministry in spring 2021. The strategy and the regional implementation plans have been used as performance management instrument.

The Government decided also to establish a coordination team to support the development of multisectoral work in 2021. The aim is to support the integration of PES, youth work, education sector and social and health sectors.

One aspect of employment policy is a continuous improving of working life. The pulling and holding power of the workplace are affected by various ways. The Policy for the work environment and wellbeing at work until 2030 "Safe and healthy working conditions and workability for everyone" objective is to ensure safe and healthy working conditions and workability for everyone. Working life programmes develops wellbeing at work and productivity, strengthens co-creation based on trust in workplaces and working life networks, promotes the utilisation of new technology and digitalisation, and supports the renewal and continuous learning in working life.

<p>Programmes facilitate the employment of unemployed persons with partial work ability and supports their work ability, develop the services related to work ability and employment to ensure that the clients receive the services they need, regardless of their labour market status, and emphasise the importance of preventive measures and the view of mental health as a resource in working life.</p>	
<p>19. Please indicate any legal and institutional framework for coordination of the activities carried out by the various authorities and bodies which are concerned with particular aspects of employment policy, including whether this coordination occurs through a central body.</p> <p>Please see the answer to question number 18.</p>	R158: Para. 11(2)
<p>20. Please indicate if the labour administration system includes a free public employment service. Please provide information on the structure and organization of the bodies within the labour administration system providing for these services, including any institutional arrangement for promoting and assisting the employment of particular categories of workers.</p> <p>Labour administration system is based on a free public employment service. Public Employment Services covers broad variety of services free of charge, guidance and counselling, labour market training, coaching, work trial etc. Some of the services are specially designed for certain categories or customer groups.</p> <p>Youth services are available in every TE Office and in addition in One-Stop-Shop Guidance Centers for youths (Ohjaamo Service Points). There are 70 of these guidance centers, which are located all over the country and regions. The one-stop-shops offer free public services for everyone under the age of 30. Service points offer services also from other sectors besides the labour administration. The service concept has been created together by the Ministry of Economic Affairs and Employment, the Ministry of Education and Culture and the Ministry of Social Affairs and Health.</p> <p>Special services are available also for immigrants, people who are partially able to work and over 55 year-old customers. For example in 2022 started Työkanava Ltd., which task is to employ the most disadvantaged people with impaired capacity to work whose employment prospects cannot be markedly enhanced by measures and services to promote employment.</p> <p>Job Market Finland, which is a service developed by the KEHA Centre and the Ministry of Economic Affairs and Employment, is being built up in stages. It is a service for the job market, offering a shared platform for public, private, and third sector suppliers of services for training and for business and industry, as well as the jobs offered by various employment exchange platforms. Job Market Finland utilizes the latest technologies and artificial intelligence to tailor services for its users.</p> <p>For job seekers, Job Market Finland offers improved possibilities for finding work that corresponds to their own skills and knowledge, as well as ways to improve their own capabilities. Employers get even more convenient tools for finding new, suitable employees.</p> <p>The reform of digital TE services (TE-Digi) aims to revamp the state's employment and economic services. The purpose is to reform customer information system (URA) and to improve encounters between employees and workplaces, to digitize employment services, and to create a service based on the partnership, close interaction, and the utilization of information of different actors. The new information system is scheduled to be fully in place by the end of 2023. The Ministry of Economic Affairs and Employment is responsible for the strategic direction of the reform and the KEHA-Centre (the Development and Administrative Services Centre for the ELY Centres and the TE Offices) is responsible for the project's implementation.</p>	R158: Paras 15 and 16
<p>21. Please provide information on the structure and functions of any competent bodies within the system of labour administration with regard to manpower⁸ planning and human resources development.</p> <p>Please see the answers to the previous questions.</p>	C150: Art. 6(2)(a) R158: Paras 12, 14 and 17

⁸ In the context of this questionnaire, the term "manpower" is considered as having the same meaning as "workforce". In accordance with the ILC [Resolution concerning gender equality and the use of language in legal texts of the ILO adopted in 2011](#), in legal texts of the Organization, in accordance with applicable rules of interpretation, the use of a term referring to one gender includes in its meaning a reference to the other gender.

Please also provide information on the bodies, if any, within the system of labour administration that are responsible for the coordination of:

- programmes of employment creation and promotion;

Please see the answers to questions number 4, 6 and 20.

- vocational guidance and vocational training programmes; and

The Ministry of Education and Culture drafts legislation on vocational education and training (VET) and steers and supervises the sector.

[Finnish VET in a Nutshell \(okm.fi\)](#)

[Work-based learning is integrated into vocational education and training in Finland \(okm.fi\)](#)

Labour market training is training acquired by TE Services that is planned and implemented in cooperation with educational institutions.

Labour market training offers education and training that promotes employment and vocational qualification. It can include, for example, vocational education, entrepreneur training or integration training for immigrants. The labour market training is targeted at the sectors with the greatest need for employees. Primarily, persons who are unemployed or about to become unemployed are admitted to the training.

The Ministry of Economic Affairs and Employment is responsible for implementing the [working capacity programme](#) in cooperation with the Ministry of Social Affairs and Health.

Local government pilots on employment (Kuntakokeilut), <https://tem.fi/en/local-government-pilots-on-employment>.

The pilots will increase the customer-orientation of services by integrating employment, education and social and health services more closely together

Start-up trial for youth: government supports youth entrepreneurship with eight regional youth start-up experiments. The trials start in late 2022. The trials guide young people to explore entrepreneurship as a career option, enable them to practice entrepreneurship, and support the start of entrepreneurship through mentoring and with the help of a strong and parallel support. The aim is to reach young people especially through social media channels.

- unemployment benefit schemes.

The Ministry of Social Affairs and Health is responsible for developing and preparing the legislation concerning unemployment security. One may apply for unemployment benefits in Finland through the Finnish governmental social insurance institution Kela, or through an unemployment fund.

There are different unemployment funds in Finland, but their working principle is the same. Un-employment funds can pay earnings-related unemployment allowance in case of unemployment. Receiving earnings-related unemployment allowance requires that the unemployed person seeking unemployment benefits is a member of an unemployment fund.

If a person is not a member of an unemployment fund, they may apply for basic unemployment allowance through Kela. The basic unemployment allowance is paid to persons who meet the work requirement for employees or self-employed persons when they become unemployed. If the work requirement is not met, unemployed persons may apply for labour market subsidy money also through Kela.

Please also indicate the role, if any, of the bodies within the labour administration system in the coordination of these programmes and schemes with general employment policy measures.

Public employment services / TE services play a key role in coordination and implementation of these programmes and measures.

The resources allocated to labour market training are confirmed annually in the government budget and further in the performance decision given to the education providers. In the 2021 budget, a total of 8,100 student years were allocated to labour market training.

The Ministry of Education and Culture consults the Ministry of Economic Affairs and Employment in the preparation of both the license to provide labour market training and performance decisions. The purpose of the consultation is to ensure that employment and economic policy and strategic perspectives are taken into account in the granting of permits to organise labour market training and in the granting of performances. Education providers must cooperate with the Employment and Economic Development Office and the Centre for Economic Development, Transport and the Environment (ELY) when planning the provision of labour market training. Discussions on the planning of labour market training are organised at the invitation of the ELY Centre. Foresight data from both parties can be used in the discussions, and the aim of the discussions is to ensure that labour market training is targeted at the needs of the region's labour market and TE administration customers. Regular dialogue also makes it possible to flexibly redirect resources in the acute needs of the region during the year.

<p>Functions in relation to studies and research</p> <p>22. Please provide information on any studies and research conducted by the bodies within the system of labour administration in order to keep under review the situation of employed, unemployed and underemployed persons. Please provide information on the bodies within the system of labour administration, if any, involved in this task and provide copies of these studies and research, if available.</p> <p>Ministry of Social Affairs and Health, the Department for Work and Gender Equality is responsible for the performance guidance of the Finnish Institute of Occupational Health which is an independent, public-law institution and about half of its activities are funded with the state's budget funding. The Finnish Institute of Occupational Health has a societal influence and aims at developing good work life. The Institute provides research-based information to support decision-making processes and promotes good practices based on this that support health and safety. The Finnish Institute of Occupational Health also promotes good work life by carrying out the tasks assigned by ministries, maintaining statutory registers and preparing requested statements. This work is funded with the funding provided by the Ministry of Social Affairs and Health (state transfer).</p> <p>The Ministry of Economic Affairs and Employment is developing working life in cooperation with labour market organisations, other ministries, expert organisations and research institutes. In the work, research information is applied at workplaces on the basis of their own needs.</p> <p>MEAE publishes Employment Bulletin, which contains statistics on unemployment, open job vacancies, and employment service developments. Statistics updates on a monthly basis. The data is collected from the customer service registry used by the TE offices.</p> <p>In addition to Employment Bulletins, the Ministry of Economic Affairs and Employment also prepares annual statistical publications on the basis of the Employment Service Statistics.</p> <p>Finnish Labour Review is published four times a year by the MEAE. The publication's purpose is to promote research and debate on labour policy. Finnish Labour Review consist of articles and statistics and contains English summaries.</p> <p>The occupational barometer is an estimate of the employment offices (TE offices) for short-term outlook for key occupations and workforce availability. It is carried out twice a year by the MEAE. The Barometer aims to increase the balance between job seekers and vacancies and promote occupational and regional mobility.</p> <p>MEAE's Labour Market Roadmap project sought to identify measures to improve the match between open vacancies and workers. These measures are important in order to raise the employment rate, improve growth opportunities of businesses and strengthen the funding base of the welfare state. The project utilised data and earlier studies extensively. The data compiled during the project is available to everyone. The roadmaps were created in collaboration with The Service Centre for Continuous Learning and Employment (SECLE) and labour market organisations. Project report (including abstract in English).</p>	<p>C150: Art. 6(2)(b) R158: Para. 18</p>
<p>Functions in relation to international labour affairs</p> <p>23. Please provide information on bodies within the system of labour administration, if any, that are responsible for international labour affairs. Please indicate their role with regard to the preparation of the national policy concerning international labour affairs and the State's representation in such affairs, taking into account international labour standards.</p> <p>Finland reports only on R158.</p>	<p>C150: Arts 6(2) and 8</p>
<p>Gradual extension of labour administration functions</p> <p>24. Please indicate whether any measures have been adopted in order to promote the extension, by gradual stages if necessary, of the functions of the system of labour administration to include activities relating to the conditions of work and working life of certain categories of workers who are not, in law, employed persons.</p> <p>Finland reports only on R158.</p>	<p>C150: Art. 7</p>

The way forward

Optional question

25. Please provide information on your country's strategy (e.g. national plan) for the attainment of the Sustainable Development Goals (SDGs), in particular SDG 16, target 16.6 - develop effective, accountable and transparent institutions at all levels - with regard to labour administration and indicate the manner in which the 2018 [UN Principles of effective governance for sustainable development](#) have been taken into account in the formulation, implementation and review of such strategy.

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Prospects for and obstacles to ratification

26. Please provide information on any prospects of ratification of Convention No. 150 and identify the challenges or obstacles regarding its possible ratification, and indicate any measures taken or envisaged to overcome these obstacles.

Finland has ratified Convention No. 150.

Standard-related action

27. Is there any standard-related action that should be taken with respect to labour administration.

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Possible need for technical assistance

28. Please indicate whether your country has formulated any requests for technical assistance by the ILO to give effect to the provisions of the instruments covered by this questionnaire. If so, please provide information on existing plans for the provision of such assistance or the effect of such support if already provided. Please also indicate the manner in which the ILO could best provide appropriate assistance within its mandate to support countries' labour administration systems.

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Article 23(2) of the ILO Constitution

29. Please indicate the representative employers' and workers' organizations to which copies of the present questionnaire have been communicated in accordance with article 23(2) of the ILO Constitution and indicate whether you have received observations from such organizations concerning the effect given, or to be given, to any of the instruments to which this questionnaire relates. If so, please communicate a copy of the observations received together with any comments that you may consider useful.

A copy of this report has been sent to the following labour market organisations:

1. The Confederation of Finnish Industries (EK)
2. The Central Organization of Finnish Trade Unions (SAK)
3. The Finnish Confederation of Salaried Employees (STTK)
4. The Confederation of Unions for Academic Professionals in Finland (Akava)
5. The Commission for Local Authority Employers (KT)
6. The State Employer's Office (VTML)
7. The Federation of Finnish enterprises

Statements of the labour market organisations

The Central Organization of Finnish Trade Unions (SAK)

ILO Recommendation No. 158 is still relevant. During the current government term, the Finnish employment management system has undergone significant changes. In connection with these changes, attention should also be paid to the content under the ILO Recommendation.

The Recommendation requires coordination and integration of employment management and promotion. This is increasingly important, as most employment services will be transferred to municipalities, due to the reform of employment and economic development services (TE24). In addition to municipalities and municipal cooperation areas, key operators include wellbeing services counties and the Development and Administration Centre for Centres for Economic Development, Transport and the Environment and Employment and Economic Development Offices (KEHA Centre). Without high-quality coordination of activities in accordance with the Recommendation, the risk of inequality in employment services as regards their quality as well as between jobseekers will grow.

The Recommendation requires that there are sufficient resources available for the employment services and management system, including adequate and skilled personnel. With the Nordic labour market service model, the tasks of Employment and Economic Development Offices have increased, especially in the early stages of unemployment. Therefore, the adequacy of resources has become an exceptionally important issue for the entire functioning of the Nordic model.

There have been efforts to undermine the institutional role of labour market organisations in promoting Finnish employment. The "consultation of workers' organisations on the different aspects of employment policy", as recommended by ILO, is currently not realised in the best possible way. This often leads to a situation where the voice of an individual user of employment services is unheard. Reforms are primarily carried out on the terms of the administration.

The resource problems of employment services are also associated with the outdated information systems. Some of the systems currently used by the Finnish labour administration currently are very old. The customer information system (URA system) was introduced in 1997–1998 and is therefore clearly outdated. This negatively affects the level of service offered to customers.

While a system reform is underway, it has progressed slowly and it is behind the original schedule. The Ministry of Economic Affairs and Employment has recently stated that key parts of the reform will be completed by the end of 2023. Finland must ensure that modern information systems can be introduced as soon as possible and that there are no further delays.

Labour Administration Convention, 1978 (No. 150)

Preamble

The General Conference of the International Labour Organisation,

Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Sixty-fourth Session on 7 June 1978, and

Recalling the terms of existing international labour Conventions and Recommendations, including in particular the Labour Inspection Convention, 1947, the Labour Inspection (Agriculture) Convention, 1969, and the Employment Service Convention, 1948, which call for the exercise of particular labour administration activities, and

Considering it desirable to adopt instruments establishing guidelines regarding the over-all system of labour administration, and

Recalling the terms of the Employment Policy Convention, 1964, and of the Human Resources Development Convention, 1975; recalling also the goal of the creation of full and adequately remunerated employment and affirming the need for programmes of labour administration to work towards this goal and to give effect to the objectives of the said Conventions, and

Recognising the necessity of fully respecting the autonomy of employers' and workers' organisations, recalling in this connection the terms of existing international labour Conventions and Recommendations guaranteeing rights of association, organisation and collective bargaining – and particularly the Freedom of Association and Protection of the Right to Organise Convention, 1948, and the Right to Organise and Collective Bargaining Convention, 1949 – which forbid any interference by public authorities which would restrict these rights or impede the lawful exercise thereof, and considering that employers' and workers' organisations have essential roles in attaining the objectives of economic, social and cultural progress, and

Having decided upon the adoption of certain proposals with regard to labour administration: role, functions and organisation, which is the fourth item on the agenda of the session, and

Having determined that these proposals shall take the form of an international Convention,

adopts this twenty-sixth day of June of the year one thousand nine hundred and seventy-eight the following Convention, which may be cited as the Labour Administration Convention, 1978:

Article 1

For the purpose of this Convention—

- (a) the term **labour administration** means public administration activities in the field of national labour policy;
- (b) the term **system of labour administration** covers all public administration bodies responsible for and/or engaged in labour administration – whether they are ministerial departments or public agencies, including parastatal and regional or local agencies or any other form of decentralised administration – and any institutional framework for the co-ordination of the activities of such bodies and for consultation with and participation by employers and workers and their organisations.

Article 2

A Member which ratifies this Convention may, in accordance with national laws or regulations, or national practice, delegate or entrust certain activities of labour administration to non-governmental organisations, particularly employers' and workers' organisations, or – where appropriate – to employers' and workers' representatives.

Article 3

A Member which ratifies this Convention may regard particular activities in the field of its national labour policy as being matters which, in accordance with national laws or regulations, or national practice, are regulated by having recourse to direct negotiations between employers' and workers' organisations.

Article 4

Each Member which ratifies this Convention shall, in a manner appropriate to national conditions, ensure the organisation and effective operation in its territory of a system of labour administration, the functions and responsibilities of which are properly co-ordinated.

Article 5

1. Each Member which ratifies this Convention shall make arrangements appropriate to national conditions to secure, within the system of labour administration, consultation, co-operation and negotiation between the public authorities and the most representative organisations of employers and workers, or – where appropriate – employers' and workers' representatives.

2. To the extent compatible with national laws and regulations, and national practice, such arrangements shall be made at the national, regional and local levels as well as at the level of the different sectors of economic activity.

Article 6

1. The competent bodies within the system of labour administration shall, as appropriate, be responsible for or contribute to the preparation, administration, co-ordination, checking and review of national labour policy, and be the instrument within the ambit of public administration for the preparation and implementation of laws and regulations giving effect thereto.

2. In particular, these bodies, taking into account international labour standards, shall—

- (a) participate in the preparation, administration, co-ordination, checking and review of national employment policy, in accordance with national laws and regulations, and national practice;
- (b) study and keep under review the situation of employed, unemployed and underemployed persons, taking into account national laws and regulations and national practice concerning conditions of work and working life and terms of employment, draw attention to defects and abuses in such conditions and terms and submit proposals on means to overcome them;
- (c) make their services available to employers and workers, and their respective organisations, as may be appropriate under national laws or regulations, or national practice, with a view to the promotion – at national, regional and local levels as well as at the level of the different sectors of economic activity – of effective consultation and co-operation between public authorities and bodies and employers' and workers' organisations, as well as between such organisations;
- (d) make technical advice available to employers and workers and their respective organisations on their request.

Article 7

When national conditions so require, with a view to meeting the needs of the largest possible number of workers, and in so far as such activities are not already covered, each Member which ratifies this Convention shall promote the extension, by gradual stages if necessary, of the functions of the system of labour administration to include activities, to be carried out in co-operation with other competent bodies, relating to the conditions of work and working life of appropriate categories of workers who are not, in law, employed persons, such as—

- (a) tenants who do not engage outside help, sharecroppers and similar categories of agricultural workers;
- (b) self-employed workers who do not engage outside help, occupied in the informal sector as understood in national practice;
- (c) members of co-operatives and worker-managed undertakings;
- (d) persons working under systems established by communal customs or traditions.

Article 8

To the extent compatible with national laws and regulations and national practice, the competent bodies within the system of labour administration shall contribute to the preparation of national policy concerning international labour affairs, participate in the representation of the State with respect to such affairs and contribute to the preparation of measures to be taken at the national level with respect thereto.

Article 9

With a view to the proper co-ordination of the functions and responsibilities of the system of labour administration, in a manner determined by national laws or regulations, or national practice, a ministry of labour or another comparable body shall have the means to ascertain whether any parastatal agencies which may be responsible for particular labour administration activities, and any regional or local agencies to which particular labour administration activities may have been delegated, are operating in accordance with national laws and regulations and are adhering to the objectives assigned to them.

Article 10

1. The staff of the labour administration system shall be composed of persons who are suitably qualified for the activities to which they are assigned, who have access to training necessary for such activities and who are independent of improper external influences.

2. Such staff shall have the status, the material means and the financial resources necessary for the effective performance of their duties.

Article 11

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 12

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.

2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.

3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

Article 13

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.

2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 14

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.

2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.

Article 15

The Director-General of the International Labour Office shall communicate to the Secretary-General of the United Nations for registration in accordance with Article 102 of the Charter of the United Nations full particulars of all ratifications and acts of denunciation registered by him in accordance with the provisions of the preceding Articles.

Article 16

At such times as it may consider necessary the Governing Body of the International Labour Office shall present to the General Conference a report on the working of this Convention and shall examine the desirability of placing on the agenda of the Conference the question of its revision in whole or in part.

Article 17

1. Should the Conference adopt a new Convention revising this Convention in whole or in part, then, unless the new Convention otherwise provides:

- (a) the ratification by a Member of the new revising Convention shall ipso jure involve the immediate denunciation of this Convention, notwithstanding the provisions of Article 13 above, if and when the new revising Convention shall have come into force;
- (b) as from the date when the new revising Convention comes into force this Convention shall cease to be open to ratification by the Members.

2. This Convention shall in any case remain in force in its actual form and content for those Members which have ratified it but have not ratified the revising Convention.

Article 18

The English and French versions of the text of this Convention are equally authoritative.

Labour Administration Recommendation, 1978 (No. 158)

Preamble

The General Conference of the International Labour Organisation,
 Having been convened at Geneva by the Governing Body of the International Labour Office, and having met in its Sixty-fourth Session on 7 June 1978, and
 Recalling the terms of existing international labour Conventions and Recommendations, including in particular the Labour Inspection Convention, 1947, the Labour Inspection (Agriculture) Convention, 1969, and the Employment Service Convention, 1948, which call for the exercise of particular labour administration activities, and
 Considering it desirable to adopt instruments establishing guidelines regarding the over-all system of labour administration, and
 Recalling the terms of the Employment Policy Convention, 1964, and of the Human Resources Development Convention, 1975; recalling also the goal of the creation of full and adequately remunerated employment and affirming the need for programmes of labour administration to work towards this goal and to give effect to the objectives of the said Conventions, and
 Recognising the necessity of fully respecting the autonomy of employers' and workers' organisations, recalling in this connection the terms of existing international labour Conventions and Recommendations guaranteeing rights of association, organisation and collective bargaining – and particularly the Freedom of Association and Protection of the Right to Organise Convention, 1948, and the Right to Organise and Collective Bargaining Convention, 1949 – which forbid any interference by public authorities which would restrict these rights or impede the lawful exercise thereof, and considering that employers' and workers' organisations have essential roles in attaining the objectives of economic, social and cultural progress, and
 Having decided upon the adoption of certain proposals with regard to labour administration: role, functions and organisation, which is the fourth item on the agenda of the session, and
 Having determined that these proposals shall take the form of a Recommendation supplementing the Labour Administration Convention, 1978,
 adopts this twenty-sixth day of June of the year one thousand nine hundred and seventy-eight, the following Recommendation, which may be cited as the Labour Administration Recommendation, 1978:

I. General provisions

1. For the purpose of this Recommendation—

- (a) the term **labour administration** means public administration activities in the field of national labour policy;
- (b) the term **system of labour administration** covers all public administration bodies responsible for and/or engaged in labour administration – whether they are ministerial departments or public agencies, including parastatal and regional or local agencies or any other form of decentralised administration – and any institutional framework for the co-ordination of the activities of such bodies and for consultation with and participation by employers and workers and their organisations.

2. A Member may, in accordance with national laws or regulations, or national practice, delegate or entrust certain activities of labour administration to non-governmental organisations, particularly employers' and workers' organisations, or – where appropriate – to employers' and workers' representatives.

3. A Member may regard particular activities in the field of its national labour policy as being matters which in accordance with national laws or regulations, or national practice, are regulated by having recourse to direct negotiations between employers' and workers' organisations.

4. Each Member should, in a manner appropriate to national conditions, ensure the organisation and effective operation in its territory of a system of labour administration, the functions and responsibilities of which are properly co-ordinated.

II. Functions of the national system of labour administration

LABOUR STANDARDS

5.

(1) The competent bodies within the system of labour administration should – in consultation with organisations of employers and workers and in a manner and under conditions determined by national laws or regulations, or national practice – take an active part in the preparation, development, adoption, application and review of labour standards, including relevant laws and regulations.

(2) They should make their services available to employers' and workers' organisations, as may be appropriate under national laws or regulations, or national practice, with a view to promoting the regulation of terms and conditions of employment by means of collective bargaining.

6. The system of labour administration should include a system of labour inspection.

LABOUR RELATIONS

7. The competent bodies within the system of labour administration should participate in the determination and application of such measures as may be necessary to ensure the free exercise of employers' and workers' right of association.

8.

(1) There should be labour administration programmes aimed at the promotion, establishment and pursuit of labour relations which encourage progressively better conditions of work and working life and which respect the right to organise and bargain collectively.

(2) The competent bodies within the system of labour administration should assist in the improvement of labour relations by providing or strengthening advisory services to undertakings, employers' organisations and workers' organisations requesting such services, in accordance with programmes established on the basis of consultation with such organisations.

9. The competent bodies within the system of labour administration should promote the full development and utilisation of machinery for voluntary negotiation.

10. The competent bodies within the system of labour administration should be in a position to provide, in agreement with the employers' and workers' organisations concerned, conciliation and mediation facilities, appropriate to national conditions, in case of collective disputes.

EMPLOYMENT

11.

(1) The competent bodies within the system of labour administration should be responsible for or participate in the preparation, administration, co-ordination, checking and review of national employment policy.

(2) A central body of the system of labour administration, to be determined in accordance with national laws or regulations, or national practice, should be closely associated with, or responsible for taking, appropriate institutional measures to co-ordinate the activities of the various authorities and bodies which are concerned with particular aspects of employment policy.

12. The competent bodies within the system of labour administration should co-ordinate, or participate in the co-ordination of, employment services, employment promotion and creation programmes, vocational guidance and vocational training programmes and unemployment benefit schemes, and they should co-ordinate, or participate in the co-ordination of, these various services, programmes and schemes with the implementation of general employment policy measures.

13. The competent bodies within the system of labour administration should be responsible for establishing, or promoting the establishment of, methods and procedures for ensuring consultation of employers' and workers' organisations, or – where appropriate – employers' and workers' representatives, on employment policies, and promotion of their co-operation in the implementation of such policies.

14.

(1) The competent bodies within the system of labour administration should be responsible for manpower planning or where this is not possible should participate in the functioning of manpower planning bodies through both institutional representation and the provision of technical information and advice.

(2) They should participate in the co-ordination and integration of manpower plans with economic plans.

(3) They should promote joint action of employers and workers, with the assistance as appropriate of public authorities and bodies, regarding both short- and long-term employment policies.

15. The system of labour administration should include a free public employment service and operate such a service effectively.

16. The competent bodies within the system of labour administration should, wherever national laws and regulations, or national practice, so permit, have or share responsibility for the management of public funds made available for such purposes as countering underemployment and unemployment, regulating the regional distribution of employment, or promoting and assisting the employment of particular categories of workers, including sheltered employment schemes.

17. The competent bodies within the system of labour administration should, in a manner and under conditions determined by national laws or regulations, or national practice, participate in the development of comprehensive and concerted policies and programmes of human resources development including vocational guidance and vocational training.

RESEARCH IN LABOUR MATTERS

18. For the fulfilment of its social objectives, the system of labour administration should carry out research as one of its important functions and encourage research by others.

III. Organisation of the national system of labour administration

CO-ORDINATION

19. The ministry of labour or another comparable body determined by national laws or regulations, or national practice, should take or initiate measures ensuring appropriate representation of the system of labour administration in the administrative and consultative bodies in which information is collected, opinions are considered, decisions are prepared and taken and measures of implementation are devised with respect to social and economic policies.

20.

(1) Each of the principal labour administration services competent with respect to the matters referred to in Paragraphs 5 to 18 above should provide periodic information or reports on its activities to the ministry of labour or the other comparable body referred to in Paragraph 19, as well as to employers' and workers' organisations.

(2) Such information or reports should be of a technical nature, include appropriate statistics, and indicate the problems encountered and if possible the results achieved in such a manner as to permit an evaluation of present trends and foreseeable future developments in areas of major concern to the system of labour administration.

(3) The system of labour administration should evaluate, publish and disseminate such information of general interest on labour matters as it is able to derive from its operation.

(4) Members, in consultation with the International Labour Office, should seek to promote the establishment of suitable models for the publication of such information, with a view to improving its international comparability.

21. The structures of the national system of labour administration should be kept constantly under review, in consultation with the most representative organisations of employers and workers.

RESOURCES AND STAFF

22.

(1) Appropriate arrangements should be made to provide the system of labour administration with the necessary financial resources and an adequate number of suitably qualified staff to promote its effectiveness.

(2) In this connection, due account should be taken of—

- (a) the importance of the duties to be performed;
- (b) the material means placed at the disposal of the staff;
- (c) the practical conditions under which the various functions must be carried out in order to be effective.

23.

(1) The staff of the labour administration system should receive initial and further training at levels suitable for their work; there should be permanent arrangements to ensure that such training is available to them throughout their careers.

(2) Staff in particular services should have the special qualifications required for such services, ascertained in a manner determined by the appropriate body.

24. Consideration should be given to supplementing national programmes and facilities for the training envisaged in Paragraph 23 above by international co-operation in the form of exchanges of experience and information and of common initial and further training programmes and facilities, particularly at the regional level.

INTERNAL ORGANISATION

25.

(1) The system of labour administration should normally comprise specialised units to deal with each of the major programmes of labour administration the management of which is entrusted to it by national laws or regulations.

(2) For example, there might be units for such matters as the formulation of standards relating to working conditions and terms of employment; labour inspection; labour relations; employment, manpower planning and human resources development; international labour affairs; and, as appropriate, social security, minimum wage legislation and questions relating to specific categories of workers.

FIELD SERVICES

26.

(1) There should be appropriate arrangements for the effective organisation and operation of the field services of the system of labour administration.

(2) In particular, these arrangements should—

- (a) ensure that the placing of field services corresponds to the needs of the various areas, the representative organisations of employers and workers concerned being consulted thereon;
- (b) provide field services with adequate staff, equipment and transport facilities for the effective performance of their duties;
- (c) ensure that field services have sufficient and clear instructions to preclude the possibility of laws and regulations being differently interpreted in different areas.