

## PART II: Protection against Specific Risks

### *I. White Lead (Painting) Convention, 1921 (No. 13)*

#### **Government's reply to [Direct Request \(CEACR\) - adopted 2015, published 105th ILC session \(2016\)](#) on Application in Practice**

***The Committee requests the Government to continue to provide information on the results of bio-monitoring conducted by the Finnish Institute of Occupational Health with regard to concentrations of white lead, and to provide statistical information on the number of inspections carried out, the outcome of these inspections, and on the number and nature of the contraventions reported.***

The REACH Regulation (1907/2006/EC) prohibits the use of white lead and lead sulfates, with the exception of the use of white lead and lead-acid sulfate paints pursuant to a Government Decree derogating from the provisions of the Regulation for the professional restoration and maintenance of works of art and historic buildings and their interiors, where this is necessary for preserving or refurbishing the site (Government Decree (647/2009) derogating from the provisions of Annex XVII to the REACH Regulation concerning restrictions on the manufacture, placing on the market and use of certain dangerous substances, mixtures and articles). Exposure may be assessed as low in such work as a whole.

This prohibition means that exposure to white lead and lead sulfate can be assumed to be generally low, and mainly confined to the exposure that occurs while removing paint when renovating old buildings. Efforts have been made to investigate this possible exposure of painters to white lead and lead sulfate using biomonitoring data on lead exposure from the Finnish Institute of Occupational Health. The Register of Biological Exposure Measurements of the Finnish Institute of Occupational Health includes 31 blood lead level measurements for workers exposed to leaded paints or coatings over the period from 1 June 2015 to 6 May 2022. The mean measurements were 0.3 µmol/L, the median was 0.2 µmol/L and the range was between 0.03 and 1.0 µmol/L. 68 per cent of the measurements exceeded the reference limit of 0.09 µmol/L for the unexposed population (the reference population limit is the concentration that is considered normal background exposure for a population). The highest measured concentrations were found in metal surfacers, whose exposure is more likely to be associated with coatings other than paints containing white lead. The highest measured blood lead level for workers renovating old window frames was 0.4 µmol/L. The action limit for biomonitoring is 1.4 µmol/L. The action limit is the concentration above which an employer must take measures to reduce exposure.

The foregoing suggests that exposure to white lead or lead sulfate does not appear to pose a significant exposure risk to workers. Occupational safety and health inspections have accordingly not focused on white lead and lead sulfate, and no detailed monitoring data are therefore available.

## II. Radiation Protection Convention, 1960 (No. 115)

### Article 1 of Convention No. 115: Laws or regulations or other appropriate means giving effect to the Convention; consultations

#### Implementing measures

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

National laws and regulations:

- [OSH Act](#).
- [Radiation Act \(859/2018\)](#), as amended.
- [Occupational Health Care Act \(1383/2001\)](#), as amended.
- [Nuclear Energy Act \(990/1987\)](#), as amended.
- [Government Decree on Ionizing Radiation \(1034/2018\)](#)
- [Ministry of Social Affairs and Health Decree on Ionizing Radiation \(1044/2018\)](#).

The Radiation and Nuclear Safety Authority (STUK) also issues Radiation Safety Guides (ST Guides), Decisions, and Guidebooks. ST Guides are general instructions for the radiation users and by following these guides the level of the safety defined on radiation legislation can be achieved. These are available on the Ministry of Justice's database: [Finlex](#). [Source: Report of the Government on C115, received in 2015]

Radiation legislation was reformed in 2018. The new Radiation Act entered into force on 15 December 2018, upon which date the Nuclear Energy Act was also amended. The new Radiation Act and secondary legislation issued under it implemented the European Union's new Basic Safety Standards Directive concerning radiation protection. Regulations issued by the Radiation and Nuclear Safety Authority in Finland are done so in accordance with the Radiation Act (859/2018) and the Nuclear Energy Act (990/1987). The aforementioned acts of law are set to be revised in line with regulations issued by the Radiation and Nuclear Safety Authority in Finland. These regulations are legally binding and STUK no longer issues aforementioned instructions.

OSH legislation will be drafted in close cooperation with social partners to keep it up-to-date and in line with the needs of working life. The modernity of decrees will be assessed at intervals of at least 5 years, and the modernity of laws at intervals of at least 10 years, as of their entry into force. [Source: Report of the Government on C187, received in 2015]

### Article 2 of Convention No. 115: Scope of application

#### Implementing measures

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 2 of the [Radiation Act \(859/2018\)](#), as amended. [Application to radiation practices, existing exposure situations and emergency exposure situations]

Section 4 of the [Radiation Act \(859/2018\)](#), as amended. [Definitions, including of radiation practices]

Sections 2 and 2a of the [Nuclear Energy Act \(990/1987\)](#), as amended. [Scope of application and application of the Radiation Act to the use of nuclear energy]

**Article 3** of Convention No. 115: Rules and measures for the effective protection of workers in the light of knowledge available

## Implementing measures

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

The [Radiation Act \(859/2018\)](#) was adopted in 2018 and repealed the Radiation Act (592/1991).

The new Radiation Act and secondary legislation issued under it will implement the European Union's new Basic Safety Standards Directive concerning radiation protection. [Source: [Website](#) of the Ministry of Social Affairs and Health, last accessed January 2022]

Sections 2a and 59 of the [Nuclear Energy Act \(990/1987\)](#), as amended. [Application of the Radiation Act to the use of nuclear energy and obligation to ensure safety at work]

See also below, under subsequent provisions of C115, for rules and measures adopted to ensure effective protection of workers and essential data.

## Government's reply to [Direct Request \(CEACR\) - adopted 2016, published 106th ILC session \(2017\)](#) on Articles 3(1) and 6(1) of C115

Since the adoption of the ILO Convention, the Radiation Act and subsequent legislation has undergone various revisions considering the latest international recommendations for radiation protection such as those of the ICRP and the IAEA. For example, the previous Radiation Act of 1990 considered the ICRP 1990 Recommendations (Publication 60). Finland became a member of the EU in 1996 and since then the Radiation Act and subsequent legislation has implemented the most recent EU directives. The current Radiation Act of 2018 and subsequent legislation implement the EU BSS-directive 2013/59/Euratom which is based on the ICRP 2007 Recommendations (ICRP Publication 103) and also considers relevant IAEA Safety Standards including the International Basic Safety Standards (IAEA Safety Requirements GSR Part 3).

Moreover, please provide any information relevant to the request contained in paragraph 30 of the Committee of Experts' [2015 General Observation on the application of Convention No. 115](#) (published in 2016) including with respect to matters covered in paragraphs 30–41 of that General Observation, referenced in the [Direct Request \(CEACR\) - adopted 2015, published 105th ILC session \(2016\)](#)

Numbers in below refer to the paragraphs of the 2015 General Observation on the application of Convention No. 115.

### *Paragraph 31. System of radiation protection*

Radiation Act (859/2018) establishes the system of radiation protection in accordance with the EU BSS directive 2013/59/Euratom which is consistent with the ICRP 2007 Recommendations and the International BSS (IAEA GSR Part 3). The general principles of justification of exposures, optimization of radiological protection and application of dose limits are set out in Sections 5 – 7 of the Radiation Act.

### *Paragraph 32. Dose limits for occupational exposure*

Section 13 of the Government Decree on Ionizing Radiation (1034/2018) establishes the following dose limits for a radiation worker:

- The effective dose of a radiation worker may not be higher than 20 millisieverts a year.

- The equivalent dose of the lens of the eye may not be higher than 100 millisieverts during a time period of five consecutive years. However, during a single year, the dose may not be higher than 50 millisieverts.
- The equivalent dose of skin may not be higher than 500 millisieverts a year as an average dose on one square centimeter size of the most exposed skin area.
- The equivalent dose of hands, arms, feet and ankles may not be higher than 500 millisieverts a year.

*Paragraph 33. Protection for pregnant and breastfeeding workers*

Section 100(1) of the Government Decree on Ionizing Radiation states that: "Once a worker has notified the undertaking or, in the case of an outside worker, their employer of their pregnancy or of breastfeeding a child, the foetus and breastfed child must be protected in a manner equivalent to the protection of a member of the public." Section 100(2) further states: "Radiation workers must be reminded of the importance of the notification referred to in subsection 1." Section 42 of the Government Decree on Ionizing Radiation states that: "The work of a pregnant worker must be organized in such a way that the foetus's equivalent dose is as low as reasonably achievable and that it is no greater than one millisievert during pregnancy once the worker has informed the undertaking or, in the case of an external worker, the employer of their pregnancy. A breastfeeding worker must not be assigned work which involves a risk of radionuclide intake or body contamination."

*Paragraph 34. Dose limits for persons between 16 and 18 years*

Section 99 of the Radiation Act establishes the following age limits and exposure conditions concerning apprentices and students:

- A radiation worker must be at least 18 years of age.
- The radiation protection of an apprentice or student must be organized in the same manner as the radiation protection of a worker engaged in the radiation practices.
- A minor apprentice or student, who must be under the age of 18 but at least 16 years of age, may only engage in the use of radiation sources to the extent that it is necessary for their education and training and the related work exercise. They may not, however, be classified in category A or assigned to an equivalent task.

Section 15 of the Government Decree on Ionizing Radiation establishes the following dose limits for students and apprentices:

- When a student or apprentice participates in the use of radiation sources according to what is provided in section 99 of the Radiation Act, the effective dose caused may not be higher than 6 millisieverts a year.
- The equivalent dose of the lens of the eye may not be higher than 15 millisieverts a year.
- The equivalent dose of skin may not be higher than 150 millisieverts a year as an average dose on one square centimeter size of the most exposed skin area.
- The equivalent dose of hands, arms, feet and ankles may not be higher than 150 millisieverts a year.

*Paragraph 35. Dose limits for workers not engaged in radiation work*

Section 14, subsections 1-3 of the Government Decree on Ionizing Radiation establishes the dose limits for the members of the public:

- The effective dose of members of the public attributable to radiation practices may not be higher than 1 millisievert a year.
- The equivalent dose of the lens of the eye may not be higher than 15 millisieverts a year.
- The equivalent dose of skin may not be higher than 50 millisieverts a year as an average dose on one square centimeter size of the most exposed skin area.

Further Section 14, subsection 4 states that: "What is provided in subsections 1–3 also applies to a worker who is not a radiation worker, an emergency worker or an emergency helper."

*Paragraph 36. Limitation of occupational exposure during an emergency*

Section 48 of the Radiation Act requires the conduct of a safety assessment pursuant to Section 26 as a condition to obtain authorization. Section 26 requires the safety assessment, among other things, to identify possible radiation

safety deviations and to assess the probability and magnitude of related potential exposure considering. Section 23 of the Act requires the undertaking to prevent radiation safety deviations with adequate effectiveness and to keep their consequences as insignificant as possible. Section 130 of the Radiation Act requires that the licensee prepares for radiation safety deviations and have an up-to-date plan of action for the deviations. Section 134 provides for radiation protection of persons involved in protective actions in an emergency. For example, the employer shall designate emergency workers and determine their tasks in advance and arrange for their radiological surveillance. Section 136 provides for regular training for emergency workers.

*Paragraph 37 Use of reference levels in emergency exposure situations*

Section 132 of Radiation Act states that: "In emergency exposure situations, protective actions shall aim to ensure that the exposure of members of the public, emergency workers, and emergency helpers is lower than the reference level of exposure for an emergency exposure situation." Section 46 of the Government Decree on Ionizing Radiation (1034/2018) states: "The reference level of exposure resulting from an emergency exposure situation for emergency workers and helpers is, as an effective dose, 100 millisieverts a year." and "In a situation involving the saving of lives, the prevention of serious health effects caused by radiation or preventing an accident from growing worse, the reference level for emergency workers and helpers is 500 millisieverts as an effective dose a year."

*Paragraph 38 Monitoring of the workplace*

Section 92 of the Radiation Act requires that: "Radiological surveillance of controlled areas and supervised areas must be conducted on a regular basis. The surveillance must allow for:

- 1) establishing that workers have been correctly classified;
- 2) determining the radiation exposure to the workers;
- 3) an immediate observation of unforeseen deviations in factors with an impact on occupational exposure."

More detailed provisions on the organization of radiological surveillance is given in STUK Regulation S/1/2018.

*Paragraph 39 Workers health surveillance*

Section 95 of the Radiation Act provides for pre-employment and follow-up examinations by a medical occupational physician. Section 106 provides for the Physician's statement on a worker's fitness for radiation work.

*Paragraph 40 Discontinuation of radiation work and alternative employment*

Section 96 of the Radiation Act sets a prohibition on assigning radiation work if a worker, according to the assessment of the physician, is not fit for the task. Section 98 prohibits dismissal based on the worker receiving a radiation dose exceeding the dose limit of radiation workers.

*Paragraph 41 Records of individual doses*

Section 20 of the Radiation Act establishes a national workers' dose register maintained by STUK (Radiation and Nuclear Safety Authority in Finland). Section 101 of the Act requires the information from the individual monitoring of category A radiation workers be delivered to the workers' dose register on a regular basis. Section 21 sets requirements on the disclosure and storage of information included in the workers' dose register. Section 92 of the Act requires regular following of the dose records to ensure compliance with the requirements applicable to occupational exposure.

Article 4 of Convention No. 115: Arrangements for workers' protection

Implementing measures

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Arrangements for the protection of **radiation workers** are provided in Sections 20 – 21 and Chapter 12 (Sections 88 – 108) on Occupational exposure of the Radiation Act (859/2018):

- Section 20 Worker's dose register
- Section 21 Disclosure and storage of information included in the workers' dose register
- Section 88 Organizing workers' radiation protection
- Section 89 Investigation obligation
- Section 90 Classification of radiation workers
- Section 91 Controlled areas and supervised areas
- Section 92 Radiological surveillance and individual monitoring
- Section 93 Reporting the monitoring results
- Section 94 Reporting abnormal radiation exposure
- Section 95 Medical surveillance
- Section 96 Prohibition on assigning radiation work
- Section 97 Special medical surveillance
- Section 98 Prohibition on dismissal
- Section 99 Age limits and exposure conditions concerning apprentices and students
- Section 100 Protection during pregnancy and breastfeeding
- Section 101 Delivering data to the workers' dose register
- Section 102 Undertaking's obligations in the protection of its own workers
- Section 103 Obligations of the employer of an outside worker
- Section 104 Undertaking's obligations in the protection of an outside worker
- Section 105 Worker's duty to participate in the investigation of radiation exposure
- Section 106 Physician's statement on a worker's fitness for radiation work
- Section 107 Physician's duty to contact
- Section 108 Reporting and retention of medical data

Further provisions on the protection of **radiation workers** are provided in the Chapter 7 (Sections 34 - 43) on Occupational exposure of the Government Decree on Ionizing Radiation (1034/2018):

- Section 34 Classification of radiation workers
- Section 35 Classification of working areas
- Section 36 Requirements for controlled areas
- Section 37 Requirements for supervised areas
- Section 38 Recording the results of radiological surveillance
- Section 39 Outside worker working in a controlled area
- Section 40 Storing the results of radiological surveillance and individual monitoring
- Section 41 Protection during pregnancy and breastfeeding
- Section 42 Information to be stored in workers' dose register
- Section 43 Requirements applicable to monitoring document

Further provisions on the investigation, assessment and monitoring of occupational exposure are given in STUK Regulation S/1/2018.

Arrangements for the protection of workers in **emergency exposure situations** are provided in Sections 132 and 134 – 136 of the Radiation Act (859/2018):

- Section 132 Limiting exposure arising from an emergency exposure situation
- Section 134 Radiation protection of persons involved in protective actions in an emergency exposure situation
- Section 135 Special medical surveillance of persons involved in protective actions Emergency



- Section 136 Training for emergency exposure situations

Arrangements for the protection of workers in **existing exposure situations** are provided in Section 140 of the Radiation Act (859/2018):

- Section 140 Reference levels in existing exposure situations

Further provisions on the protection of workers in **existing exposure situations** are provided in Sections 16 and 18 of the Decree of the Ministry of Social Affairs and Health on ionizing radiation (1044/2018):

- Section 16 Reference level of occupational exposure in protective actions
- Section 18 Use of reference levels

Arrangements for the protection of workers in case of **occupational exposure to natural radiation** are provided in Sections 144, 146, 147, 149, 151, 152 and 155 of the Radiation Act (859/2018):

- Section 144 General criteria for setting reference levels for natural radiation
- Section 146 Investigating radiation exposure
- Section 147 Limiting radiation exposure
- Section 149 Exposure to natural radiation in the workplace
- Section 151 Investigating radiation exposure arising from the processing of soil material
- Section 152 Investigating and limiting radiation exposure of an aircraft crew
- Section 155 Investigating radon concentration in workplace

Further provisions on the protection of workers subject to **occupational exposure to natural radiation** are provided in Sections 19, 22 and 23 of the Decree of the Ministry of Social Affairs and Health on ionizing radiation (1044/2018):

- Section 19 Reference level for the radon concentration in a workplace and reference level for occupational exposure to radon
- Section 22 Reference level for exposure caused by cosmic radiation
- Section 23 Reference level for occupational exposure caused by other natural radiation

Further provisions on the investigation, assessment and monitoring of occupational exposure to radon and cosmic radiation are given in STUK Regulation S/6/2022.

### **Article 5** of Convention No. 115: *Reduction of the exposure of workers to ionising radiations to the lowest practicable level*

#### **Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 6 of the [Radiation Act \(859/2018\)](#), as amended. [Principle of optimization]

Section 7 of the [Radiation Act \(859/2018\)](#), as amended. [Principle of limitation]

Section 9 of the [Radiation Act \(859/2018\)](#), as amended. [Dose constraints and constraints for potential exposure]

Section 7c of the [Nuclear Energy Act \(990/1987\)](#), as amended. [Limitation of radiation exposure]

Section 8 of the [Government Decree on Ionizing Radiation \(1034/2018\)](#). [Limiting exposure in optimizing radiation protection]

Section 23 of the [Radiation Act \(859/2018\)](#), as amended. [Criteria for organizing practices]

Section 25 of the [Radiation Act \(859/2018\)](#), as amended. [Establishing dose constraints and constraints for potential exposure]

Section 26 of the [Radiation Act \(859/2018\)](#), as amended. [Safety assessment concerning radiation practices]

Section 132 of the [Radiation Act \(859/2018\)](#), as amended. [Limiting exposure arising from an emergency exposure situation]

Section 140 of the [Radiation Act \(859/2018\)](#), as amended. [Reference levels in existing exposure situations]

Section 147 of the [Radiation Act \(859/2018\)](#), as amended. [Limiting radiation exposure to natural radiation]

### **Article 6(1)** of Convention No. 115: Maximum permissible doses of ionising radiations

#### **Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 13 of [Government Decree on Ionizing Radiation \(1034/2018\)](#). [Dose limits for radiation workers, lens of the eye, skin, hands, arms, legs and ankles]

Section 41 of [Government Decree on Ionizing Radiation \(1034/2018\)](#). [Dose limits for pregnant and breastfeeding workers]

Section 100 of [Radiation Act \(859/2018\)](#), as amended. [Protection during pregnancy and breastfeeding equivalent to the protection of a member of the public]

### **Article 6(2)** of Convention No. 115: Constant review of maximum permissible doses

#### **Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

~~Dose limits for work-related radiation exposure were enacted by the Finnish Radiation Decree (1512/1991), based on the Council Directive 96/29/EURATOM. The Council Directive (2013/59/EURATOM) repeals Directive 96/29/EURATOM, and provides for stricter dose limits. The requirements of the Directive must be implemented into national legislation by 6 February 2018.~~

~~[Source: Report of the Government on C115, received in 2015]~~

Finland adopted the [Radiation Act \(859/2018\)](#) and secondary legislation, including [Government Decree on Ionizing Radiation \(1034/2018\)](#), in 2018. [Source: [Website](#) of the Ministry of Social Affairs and Health, last accessed January 2022]

The dose limits adopted in the Government Decree (1034/2018) are based on the Council Directive 2013/59/Euratom.



**Article 7(1)** of Convention No. 115: Levels of ionising radiation for workers under 18 years old

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 15 of [Government Decree on Ionizing Radiations \(1034/2018\)](#). [Dose limits for students and trainees]

**Article 7(2)** of Convention No. 115: Prohibition of exposure for workers under the age of 16

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 99 of the [Radiation Act \(859/2018\)](#), as amended. [Age limit of at least 18 years old and exposure conditions for apprentices and students]

**Article 8** of Convention No. 115: Appropriate levels of exposure for workers who are not directly engaged in radiation work

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 14 of [Government Decree on Ionizing Radiations \(1034/2018\)](#). [Dose limits for general population and equivalent workers]

**Article 9(1)** of Convention No. 115: Appropriate warnings and information

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 66 of the [Radiation Act \(859/2018\)](#), as amended. [In-service radiation safety measures, including warning labels]

Section 31 of the [Radiation Act \(859/2018\)](#), as amended. [Duty to provide information to worker and storage of information]

**Article 9(2)** of Convention No. 115: *Provision of instructions to workers*

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 14 of the [OSH Act](#). [Instruction and guidance to be provided for employees]

Section 17 of the [OSH Act](#). [Cooperation between employers and employees]

Section 31 of the [Radiation Act \(859/2018\)](#), as amended. [Duty to provide information to worker and storage of information]

Section 33 of the [Radiation Act \(859/2018\)](#), as amended. [Training and induction of workers]

Section 34 of the [Radiation Act \(859/2018\)](#), as amended. [Supplementary training to maintain professional skills]

Section 35 of the [Radiation Act \(859/2018\)](#), as amended. [Responsibility of private entrepreneur and undertaking's representative for their radiation protection, education and training]

Section 136 of the [Radiation Act \(859/2018\)](#), as amended. [Training in the event of a radiological emergency]

Section 7i of the [Nuclear Energy Act \(990/1987\)](#), as amended. [Requirements regarding personnel]

**Article 10** of Convention No. 115: *Notification of work involving exposure of workers to ionising radiations*

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 24 of the [Radiation Act \(859/2018\)](#), as amended. [Justification for a new or existing activity]

Sections 48, 49 and 50 of the [Radiation Act \(859/2018\)](#), as amended. [Security clearance, issuance of safety permits, and exemptions]

Section 52 of the of the [Radiation Act \(859/2018\)](#), as amended. [Prior amending of a safety license and the notification of other changes to the practice.]

Section 71 of the [Radiation Act \(859/2018\)](#), as amended. [Record-keeping and notification obligation]

Sections 26 and 27 of [Government Decree on Ionizing Radiation \(1034/2018\)](#). [Radiation safety assessment and radiation activity classification]

Section 141 of the [Radiation Act \(859/2018\)](#), as amended. [Safety license in case of existing exposure situation if occupational exposure remains higher than the reference level]

Section 148 of the [Radiation Act \(859/2018\)](#), as amended. [Safety license in case of occupational exposure to natural radiation if occupational exposure or the radon concentration in a workplace remains higher than the reference level]

**Article 11** of Convention No. 115: Measurement of the level of the exposure of workers to ionising radiations and radioactive substances

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 29 of the [Radiation Act \(859/2018\)](#), as amended. [Obligation for operator to have a radiation management system]

Section 32 of the [Radiation Act \(859/2018\)](#), as amended. [Obligation to use experts, including in the monitoring of radiation protection of workers and the general public]

Sections 59-65, Chapter 9, of the [Radiation Act \(859/2018\)](#), as amended. [Radiation measurements]

- Section 59 The reliability of radiation measurements
- Section 60 Approval of a dose measurement service
- Section 61 Competence of the dose measurement service's personnel and maintenance of professional skills
- Section 62 Quality assurance of dose measurement service
- Section 63 Regulatory control of dose measurement service
- Section 64 Approval of other radiation measurements
- Section 65 Amending and withdrawing the approval

Further technical requirements on radiation measurements are provided in STUK Regulation S/7/2021.

Section 92 - 94 of the [Radiation Act \(859/2018\)](#), as amended. [Radiological surveillance and individual monitoring of radiation workers]

- Section 92 Radiological surveillance and individual monitoring
- Section 93 Reporting of the monitoring results
- Section 95 Reporting abnormal radiation exposure

Section 134(3) of the [Radiation Act \(859/2018\)](#), as amended. [Radiological surveillance of emergency workers and emergency helpers]

Section 155 of the [Radiation Act \(859/2018\)](#), as amended. [Investigating radon concentration in workplace].

Further provisions on the conduct of radon measurements in workplaces are given in STUK Regulation S/6/2022.

Section 12 and related Annexes 1 – 3 of the [Government Decree on Ionizing Radiations \(1034/2018\)](#), as amended. [Calculation and determination grounds for radiation exposure].

Sections 38 – 40 and 42 of [Government Decree on Ionizing Radiations \(1034/2018\)](#). [Radiological surveillance and individual monitoring]

- Section 38 Recording of results of monitoring of radiological surveillance
- Section 39 Outside worker working in a controlled area (concerns arrangements for radiological surveillance and individual monitoring)
- Section 40 Storing the results of radiological surveillance and individual monitoring
- Section 42 Information to be stored in workers' dose register

Section 38 of [Government Decree on Ionizing Radiations \(1034/2018\)](#). [Recording of results of monitoring of exposure conditions]

Sections 55 and 56 of [Government Decree on Ionizing Radiations \(1034/2018\)](#). [Approval of the dose measurement service and other radiation measurements]

**Article 12** of Convention No. 115: *Medical examinations of workers directly engaged in radiation work*

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 13 of the [Occupational Health Care Act \(1383/2001\)](#), as amended. [Obligation of employee to participate in medical examination]

Section 95 of the [Radiation Act \(859/2018\)](#), as amended. [Medical surveillance]

Section 106 of the [Radiation Act \(859/2018\)](#), as amended. [Physician's statement on a worker's fitness for radiation work]

Section 7w of the [Nuclear Energy Act \(990/1987\)](#), as amended. [Health examinations and the right of notification of a health care professional]

**Article 13(a)** of Convention No. 115: *Appropriate medical examination in view of the nature and/or degree of exposure*

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 97 of the [Radiation Act \(859/2018\)](#), as amended. [Special medical surveillance where worker has received a radiation dose exceeding dose limit]

Section 106 of the [Radiation Act \(859/2018\)](#), as amended. [Physician's statement on a worker's fitness for radiation work]

Section 135 of the [Radiation Act \(859/2018\)](#), as amended. [Special medical surveillance of persons involved in protective actions]

**Article 13(b)** of Convention No. 115: *Notification to the competent authority in view of the nature and/or degree of exposure*

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 93 of the [Radiation Act \(859/2018\)](#), as amended. [Reporting of abnormal radiation exposure]

Section 131 of the [Radiation Act \(859/2018\)](#), as amended. [Measures after a radiation safety deviation]

**Article 13(c)** of Convention No. 115: *Examinations of conditions by persons competent in radiation protection*

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 105 of the [Radiation Act \(859/2018\)](#), as amended. [Worker's duty to participate in the investigation of radiation exposure]

Section 131 of the [Radiation Act \(859/2018\)](#), as amended. [Measures after a radiation safety deviation]

Section 135 of the [Radiation Act \(859/2018\)](#), as amended. [Specific monitoring of the health status of those involved in conservation measures]

Section 32 of the [Radiation Act \(859/2018\)](#), as amended. [Use of experts]

Section 17 of the [Government Decree on Ionizing Radiation \(1034/2018\)](#). [Use of a radiation safety expert]

Section 18 of the [Government Decree on Ionizing Radiation \(1034/2018\)](#). [Areas of radiation safety expert's use]

**Article 13(d)** of Convention No. 115: *Employer's duty to take any necessary remedial action*

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 23 of the [Radiation Act \(859/2018\)](#), as amended. [Criteria for organizing practices (general obligation to implement measures to improve radiation radiation safety)]

Section 131 of the [Radiation Act \(859/2018\)](#), as amended. [Measures after a radiation safety deviation]

Section 132 of the [Radiation Act \(859/2018\)](#), as amended. [Limitation of exposure due to a radiological emergency]

Sections 47 and 48 of [Government Decree on Ionizing Radiations \(1034/2018\)](#). [Use of reference levels for preparedness and in the event of an emergency]

**Article 14** of Convention No. 115: *No work involving exposure of workers to ionising radiations contrary to qualified medical advice*

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 10 of the [Occupational Health Care Act \(1383/2001\)](#), as amended. [Worker protection]

Section 96 of the [Radiation Act \(859/2018\)](#), as amended. [Prohibition on assigning radiation work]

Section 106 of the [Radiation Act \(859/2018\)](#), as amended. [Physician's statement on a worker's fitness for radiation work]

**Article 15** of Convention No. 115: Inspection services

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 14 of the [Radiation Act \(859/2018\)](#), as amended. [Radiation and Nuclear Safety Authority]

Section 176 of the [Radiation Act \(859/2018\)](#), as amended. [Right to inspection, information and investigation of the Radiation and Nuclear Safety Authority]

Section 182 of the [Radiation Act \(859/2018\)](#), as amended. [Inspection programme by Radiation and Nuclear Safety Authority]



### III. Guarding of Machinery Convention, 1963 (No. 119)

#### Government's reply to [Direct Request \(CEACR\) - adopted 2015, published 105th ILC session \(2016\)](#) on Legislation and on Application in Practice

**Direct Request, 2015. *The Committee requests the Government to continue to provide information on legislative measures undertaken with regard to the application of the Convention.***

##### **Legislation and regulations**

- Act to amend the Act on Compliance of Certain Technical Devices (215/2018). Issued on 6 April 2018, entering into force on 21 April 2018.
- Act to amend the Act on Compliance of Certain Technical Devices (921/2021). Issued on 5 November 2021, entering into force on 15 November 2021.
- Act to amend section 13 of the Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces (920/2021). Issued on 5 November 2021, entering into force on 15 November 2021.

##### **Legislation regarding safety requirements aimed at employers**

- Government Decree amending section 37 of the Government Decree on the Safe Use and Inspection of Work Equipment and the annex thereto (286/2017). Issued on 11 May 2017, entering into force on 1 June 2017.
- Government Decree amending the Government Decree on the Safe Use and Inspection of Work Equipment (1095/2019). Issued on 21 November 2019, entering into force on 1 March 2020.

**Direct request 2015. *The Committee requests the Government to provide information specific to the application of this Convention, including on the number of workers covered by the relevant legislation, the number and nature of the contraventions reported, and the number, nature and cause of accidents reported.***

Indicative numbers of employees within the scope of the Convention:

Year	Number of employees
2015	898,375
2016	900,035
2017	918,662
2018	930,682
2019	918,938

The inspectors in charge of occupational safety and health issued obligations to the employer when inspecting the safety of machinery, tools and other equipment as follows:

## Application of ratified Conventions on occupational safety and health by FINLAND

Matters inspected: the safety of machinery, tools and other equipment				
Year	Inspections	Written advice	Improvement notice	Temporary prohibition notice
2015	1448	198	101	1
2016	897	206	97	
2017	505	193	62	1
2018	690	148	69	
2019	479	80	49	
2020	209	31	20	
2021	156	44	34	1

Information on accidents at work for employees that have been reported as a result of using the machine:

Days Lost	Year of accident						
	2015	2016	2017	2018	2019	2020	2021
Death	3	3	6	4	1	1	
180+ or Pension	44	46	62	52	44	39	
91-180 days	62	57	45	62	52	40	
31-90 days	244	220	238	244	236	162	
15-30 days	269	243	263	252	270	189	
7-14 days	529	484	487	501	473	334	
4-6 days	378	353	385	360	358	272	
0-3 days	2,225	2,324	2,533	2,711	2,697	2,276	
Total	3,754	3,730	4,019	4,186	4,131	3,313	3,470

The most significant forms of injury	Year of accident						
	2015	2016	2017	2018	2019	2020	2021
hazardous substances - on the skin or in the eyes	408	353	436	404	337	272	226
hitting a solid surface	364	363	332	397	441	351	324
a hit or collision of a moving agent	613	609	622	675	609	550	514
damage caused by a cutting, sharp, etc. object	1,038	1,116	1,271	1,193	1,268	923	986
trapped, crushed	594	613	672	726	671	500	590
physical or mental stress	184	175	170	172	165	193	240

The most significant causes of injury	Year of accident						
	2015	2016	2017	2018	2019	2020	2021
accessways, surfaces, ground, doors, walls etc.	164	174	163	177	174	133	130
hand tools	148	142	180	160	187	128	152
hand-held machine tools	534	554	577	553	531	433	473
other moving or mobile machinery and equipment	142	129	101	156	164	151	179
lathes, milling machines, grinders, planers, drills	142	131	146	126	156	94	113
saws, circular saws	156	131	155	143	144	124	137
other fixed machinery and equipment	111	138	152	177	155	134	137
materials, objects, products, fragments	726	790	994	945	906	634	601

IV. Benzene Convention, 1971 (No. 136)

Government's reply to [Direct Request \(CEACR\) - adopted 2015, published 105th ILC session \(2016\)](#) on Art. 9 of C136 and on Application in Practice

***The Committee requests the Government to provide detailed information on the measures taken to ensure that all workers employed in work processes involving exposure to benzene or to products containing benzene undergo pre-employment and periodic medical examinations.***

The need for health inspections is determined under the Government Decree on medical examinations in work that presents a special risk of illness (VnA 1485/2001). The initial medical examination in work that presents a special risk of illness must be conducted prior to the start of employment or exposure, or no later than one month after the work begins. A periodic examination is usually repeated every 1-3 years as the employment or exposure continues. The follow-up interval is determined during the examination on the basis of the exposure and exposure level, also having regard to individual sensitivity and to possible limiting illnesses. An examination is also conducted when employment in work occasioning a particular risk of illness comes to an end.

The Occupational Health Care Act requires employers to arrange preventative occupational health care for all employees and official appointees working in Finland. This also applies to foreign employers and to individuals serving as employers, even if there is only one employee. The employer concludes a written occupational health care agreement with the chosen service provider. While liability for arranging occupational health care always lies with the employer, occupational health care is jointly planned between the employer or representative thereof, the staff and the occupational health care service provider. The occupational health care service draws conclusions at the time of the workplace survey concerning the health significance of hazards and workload factors at work and determines the need for health inspections. This assessment considers previous medical experience concerning the occurrence of harmful effects, the hazard presented by various factors, the intensity and duration of exposure, possible joint effects, previous exposure, the findings of work hygiene measurements, and any biological exposure measurements. The effectiveness of identifying workplace hazards and assessing their significance to health will depend on the expertise of the occupational health care service.

***The Committee requests the Government to provide information on the preventive measures that have been taken with a view to decrease the number of workers exposed to benzene or decreasing products containing benzene. It also requests the Government to continue to provide information on the application of the Convention in practice, including statistics on the number of workers exposed to benzene or products containing benzene, the number and nature of infringements reported and the measures taken to address them, and the number and nature of cases of occupational disease reported.***

Occupational safety and health authorities monitor workplaces to ensure that the employer has managed the work and working conditions with a view to working in a safe and healthy manner. One area to be monitored is the management of chemical hazards and workplaces involving exposure to benzene and other carcinogenic substances and methods. Management of chemical hazards, including hazard analysis and assessment, was monitored on 14,455 occasions during the reporting period. A total of 532 improvement notices were issued with respect to managing chemical hazards, of which 192 concerned inadequate hazard analysis. Overall liability for assessing exposure nevertheless remains with the employer.

## V. Occupational Cancer Convention, 1974 (No. 139)

**Article 1(1) and (3)** of Convention No. 139: Periodic determination of prohibited carcinogenic substances and agents; Consideration given to latest information contained in ILO codes of practice or guides, and from other competent bodies

### Implementing measures

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 2 of [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#). [Definitions of carcinogens and mutagens]

Section 3 of the [Act on the List and Register of Workers Exposed to Carcinogenic Substances and Methods \(452/2020\)](#). [Definitions of carcinogens and mutagen]

Sections 2 and 9 of [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Definitions and Notification prior to asbestos demolition work]

Concerning the [the Act on the List and Register of Workers Exposed to Carcinogenic Substances and Methods \(452/2020\)](#) and Government Decree on Combating the Risk of Occupational Cancer, the purpose of the legislative reform was to amend the legislation so that the new [legislation Decree](#) would lay provisions on obligation to register all chemicals that have a hazard statement indicating carcinogenic potential, as defined the EU Regulation on Classification, Labelling and Packaging (No. 1272/2008) ([CLP Regulation](#)). Such chemicals would not be listed by name in the Decree. The carcinogenic exposure agents that are not regulated by the EU Regulation [No. 1272/2008](#) would be separately listed in the Decree. [Source: Report of the Government on C139, received in 2015]

In addition to the national legislation, EU's REACH (Registration, Evaluation, Authorisation and Restriction of Chemicals) regulation applies directly to all EU member states and sets prohibitions, authorizations, restrictions, provisions on control measures and exemptions for the use of chemicals.

### Government's reply to [Direct Request \(CEACR\) - adopted 2015, published 105th ILC session \(2016\)](#) on Articles 1(1) and (3) and 6(a) of C139

**The Committee requests the Government to provide information on developments concerning the legislative reform on the obligation to register hazardous chemicals and substances and to continue to provide information on the manner in which the observations of the SAK are taken into account in the process.**

The legislative reform concerning legislation on carcinogenic substances has been completed. All obligations of the Government Decree on the Prevention of Work-Related Cancer Risks (1267/2019) and the Act on the List and Register of Workers Exposed to Carcinogenic Substances and Methods (452/2020) now apply to substances, which have been classified as category 1A or 1B carcinogens or mutagens according to the CLP classification (H350, H350i, H340) and also to carcinogenic agents, which are not subject to CLP classification but have been listed in the Appendix I of the Government Decree on the Prevention of Work-Related Cancer Risks.

Regarding formaldehyde, in 2014, the classification of formaldehyde was revised and formaldehyde was reclassified as a Carcinogen category 1B under CLP classification. Consequently, this substance now falls under the scope of the Government Decree on the Prevention of Work-Related Cancer Risks (1267/2019) and under the Act on the List and Register of Workers Exposed to Carcinogenic Substances and Methods (452/2020).

During the legislative reform also new carcinogenic agents, which are not subject to CLP regulation, were identified and listed under Annex I of the Government Decree on the Prevention of Work-related Cancer Risks (1267/2020). These include work involving exposure to crystalline silica dust (quartz) and workers' exposure to used motor oils as well as work involving exposure to diesel engine exhaust emissions. In addition to these additions based on EU

Directives (2017/2,398/EU and 2019/130/EU) also work involving exposure to carcinogenic substances generated in combustion processes, welding and cutting of stainless steel and work involving exposure to antineoplastic drugs were listed as carcinogenic.

Government's replies to Direct request 2015 regarding articles 3 and 6 a can be found later in this report.

**Article 1(2) of Convention No. 139: Derogations from the prohibition of occupational exposure to carcinogenic substances**

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Permissive clause not used.

**Article 2(1) of Convention No. 139: Replacing carcinogenic substances/agents with non-carcinogenic or less harmful substances/agents**

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 5 of [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#). [Obligation regarding substitution]

The use of certain carcinogenic substances has continued to decrease, as these substances have been replaced with less harmful substances. This includes formaldehyde and trichloroethylene. [Source: Report of the Government on C139, received in 2015]

**Government's reply to [Direct Request \(CEACR\) - adopted 2015, published 105th ILC session \(2016\)](#) on Article 2 of C139**

***The Committee requests the Government to continue to provide information on the measures taken to replace carcinogenic substances and agents by non-carcinogenic or less carcinogenic substances and agents and to decrease the exposure of workers to such substances.***

The European Union REACH Regulation requires the replacement of the most dangerous chemicals, such as carcinogens in particular, by less dangerous chemicals in the longer term. Continued placing on the market and use of the most dangerous substances requires interim authorisation for use of the substance concerned. Legislation governing placing on the market is an effective means of reducing the exposure of workers. REACH legislation will cause many carcinogenic chemicals to leave the EU market over the next few years.

The Finnish Institute of Occupational Health provides a wide range of materials and training to help businesses reduce exposure to chemicals. A 2016 research project on [substituting chemicals hazardous to health \(julkari.fi\)](#) was conducted with a view to promoting the substitution of such chemicals by increasing information on substitution and providing solutions, and by identifying and analysing the challenges that obstruct discontinuing the use of hazardous substances and introducing alternative substances and methods at workplaces. The project provided the basis for a model solution for eliminating chemical hazards by substitution (<https://www.ttl.fi/file-download/download/public/2406>). Model solutions for chemicals procurement (<https://www.ttl.fi/file->



[download/download/public/2404kannustaa](#)) and for chemicals posing a particular health risk (<https://www.ttl.fi/file-download/download/public/2402>) also encourage the substitution of carcinogenic and other substances that cause particular harm. The Finnish Institute of Occupational Health has also participated in a similar EU project: [Minimising chemical risk to workers' health and safety through substitution - Publications Office of the EU \(europa.eu\)](#)

**Article 2(2)** of Convention No. 139: Reduction of the number of workers exposed, and of duration and degree of exposure

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 6 of [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#). [Prevention and reduction of exposure]

Section 8 of [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#). [Control measures to prevent and reduce exposure]

Section 5 of [Government Decision on Tobacco Smoke in the Environment and the Fight against the Associated Risk of Cancer at Work \(1153/1999\)](#). [Exposure controls and reduction]

Section 3 of [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Exposure assessment, limit value and monitoring]

The number of workers at risk of exposure to carcinogenic substances and processes reported to the ASA register maintained by the Finnish Institute of Occupational Health decreased significantly between 2007 and 2012. This includes workers exposed to environmental tobacco smoke (from 6,986 to 69), asbestos (from 1,298 to 1,022) and ethylene thiourea (from 51 to 4). [Source: Report of the Government on C139, received in 2015]

**Article 3** of Convention No. 139: Measures to be taken to protect workers and system of records

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 8 of the [OSH Act \(738/2002\), as amended](#). [Employers' general duty to exercise care]

Section 10 of the [OSH Act \(738/2002\), as amended](#). [Analysis and assessment of the risks at work]

Section 12 of the [OSH Act \(738/2002\), as amended](#). [Obligation of employer relating to design of the working environment]

Section 3-8 and 10-17 of [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#). [Measures of prevention and protection]

Section 9 of [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#). [Information to be provided to the OSH authority]

Section 3-17 of [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Measures of prevention and protection]

Sections 2-6 and 8-9 of [Government Decision on Tobacco Smoke in the Environment and the Fight against the Associated Risk of Cancer at Work \(1153/1999\)](#). [Measures of prevention and protection]

Section 7 of [Government Decision on Tobacco Smoke in the Environment and the Fight against the Associated Risk of Cancer at Work \(1153/1999\)](#). [Information to be provided to the OSH authority]

Sections 10 and 11 of [Government Decision on Tobacco Smoke in the Environment and the Fight against the Associated Risk of Cancer at Work \(1153/1999\)](#). [Inventory of exposed workers]

Section 1 of the [Act on the List and Register of Workers Exposed to Carcinogenic Substances and Methods \(452/2020\)](#). [Purpose of the list and register]

Section 3 of the [Act on the List and Register of Workers Exposed to Carcinogenic Substances and Methods \(452/2020\)](#). [Employer obligation to keep list of workplace exposures and exposed workers]

Sections 6 and 7 of the [Act on the List and Register of Workers Exposed to Carcinogenic Substances and Methods \(452/2020\)](#). [Reporting of data to and retention of data by the ASA register]

### Government's reply to [Direct Request \(CEACR\) - adopted 2015, published 105th ILC session \(2016\)](#) on Article 3 of C139

***The Committee requests the Government to provide information on the measures taken to respond to the issues raised in the observations of the SAK as regards the reporting of workers exposed to carcinogenic substances and agents to the ASA register, and conducting occupational hygiene measurements in workplaces.***

Information on the ASA register is provided in the section "Application of Convention 139 in practice".

Work hygiene measurements are required by law if the exposure of workers to hazardous chemical agents cannot otherwise be reliably assessed. Work hygiene measurements are accordingly not a separate subject of occupational safety and health inspection, but inspectors assess the particular need for measurements and inspection details concerning work hygiene measurements are generally only entered in the inspection monitoring system when the inspector imposes an obligation on the employer due to a lack of such measurements. Some 71 inspection entries with respect to work hygiene measurements were accordingly made during the reporting period, of which at least ten cases involved monitoring for carcinogenic factors. Guidelines were issued in 16 inspections, an improvement notice was issued in 50 inspections, and one case was referred to the Occupational Safety and Health Authority. (Source: Vera information system of the Occupational Safety and Health Authority).

**Article 4** of Convention No. 139: *Provision of information to workers*

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 11 of the [OSH Act \(738/2002\), as amended](#). [Work that causes particular risks]

Section 14 of the [OSH Act \(738/2002\), as amended](#). [Instruction and guidance to be provided for employees]

Section 17 of the [OSH Act \(738/2002\), as amended](#). [Cooperation between employers and employees]

Section 8 of [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#). [Control measures taken by employer to prevent and reduce exposure, including informing employees and warning signs]

Section 9 of [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#). [Obligations in case of unexpected exposure, including employer obligation to inform employees]

Section 16 of [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#). [Teaching and instructions]

Section 17 of [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#). [Measures taken by employers related to information]

Sections 4, 6 and 8 of [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Delimitation and operation of the area of exposure, special teaching and guidance and written security plan]

Section 8 of [Government Decision on Tobacco Smoke in the Environment and the Fight against the Associated Risk of Cancer at Work \(1153/1999\)](#). [Employee guidance]

**Article 5** of Convention No. 139: *Medical examinations or biological or other tests or investigations*

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 15 of [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#). [Health checks in accordance with Occupational Health Care Act]

Section 9 of [Government Decision on Tobacco Smoke in the Environment and the Fight against the Associated Risk of Cancer at Work \(1153/1999\)](#). [Health checks in accordance with Occupational Health Care Act]

Section 12 of [Occupational Health Care Act \(1383/2001\)](#), as amended. [Content of occupational health care, including medical examinations]

Section 13 of [Occupational Health Care Act \(1383/2001\)](#), as amended. [Duty of employee to attend a medical examination]

Section 4 of the [Government Decree on Medical Examinations in Work that Presents a Special Risk of Illness \(1485/2001\)](#), as amended. [Medical examination]

Article 6(a) of Convention No. 139: Laws or regulations

Implementing measures

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

National laws and regulations which ensure the application of the Convention include:

- [OSH Act \(738/2002\), as amended.](#)
- [Act on the List and Register of Workers Exposed to Carcinogenic Substances and Methods \(452/2020\)](#)
- [Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces \(44/2006\), as amended](#)
- [Occupational Health Care Act \(1383/2001\), as amended](#)
- [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#)
- [Government Decree on the Safety of Asbestos Work \(798/2015\), as amended](#)
- [Government Decision on Tobacco Smoke in the Environment and the Fight against the Associated Risk of Cancer at Work \(1153/1999\).](#)

OSH legislation will be drafted in close cooperation with social partners to keep it up-to-date and in line with the needs of working life. The modernity of decrees will be assessed at intervals of at least 5 years, and the modernity of laws at intervals of at least 10 years, as of their entry into force. [Source: Report of the Government on C187, received in 2015]

While there is no fixed schedule for reviewing the currency of statutes, assessment is more flexible and continual.

Article 6(b) of Convention No. 139: Bodies or persons on whom the obligation of compliance with the provisions of this Convention rests

Implementing measures

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

The Ministry of Social Affairs and Health is responsible for labour protection (OSH) and its enforcement with the Divisions for Occupational Safety and Health of the Regional State Administrative Agencies occupational safety bureaus, which are responsible for developing and monitoring working conditions in their respective districts. [Source: Report of the Government on C139, received in 2001]

Article 6(c) of Convention No. 139: Inspection services

Implementing measures

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 65 of the [OSH Act \(738/2002\), as amended.](#) [Enforcement of [OSH Act](#) by OSH authorities]

Chapter 2 of the [Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces \(44/2006\)](#), as amended. [Powers and responsibilities of the OSH authority and the inspector]

Section 9 of the [Act on the List and Register of Workers Exposed to Carcinogenic Substances and Methods \(452/2020\)](#). [Supervision by OSH Authority]

VI. Working Environment (Air Pollution, Noise and Vibration) Convention, 1977 (No. 148)

Article 1 of Convention No. 148: Scope of Application

*In its first report (1981), the Government did not list any branch of economic activity as excluded from the application of the Convention.*

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Sections 2, 3, 4, 5 and 7 of the [OSH Act](#). [Scope of application]

Section 6 of the [OSH Act](#). [Exclusion for certain activities of Defence Forces or Border Guard]

Section 2 of the [OSH Act](#). [Exclusion for ordinary hobbies or professional sports]

Section 1 of the [Government Decree on Occupational Safety and Health Requirements \(577/2003\)](#). [Scope of application]

Section 1 of the [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#). [Scope of application]

Section 1 of the [Government Decree on Protection of Workers from the Dangers of Biological Agents \(933/2017\)](#), as amended. [Scope of application]

Sections 1 and 2 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Scope of application and definitions]

Section 2 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [Scope of application]

Section 1 of the [Government Decision on Tobacco Smoke in the Environment and the Fight against the Associated Risk of Cancer at Work \(1153/1999\)](#). [Scope of application]

Section 1 of the [Government Decision on Work Carried out with Lead \(1154/1993\)](#). [Scope of application]

Section 2 of the [Government Decree on the Protection of Workers from the Dangers of Noise \(85/2006\)](#). [Scope of application]

Section 2 of the [Government Decree on the Protection of Workers from the Dangers of Vibration \(48/2005\)](#). [Scope of application]

Article 2(1) and (2) of Convention No. 148: Exclusion of categories of hazards

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Permissive clause not used: obligations of the Convention accepted for noise, air pollution and vibration. See in [NORMLEX](#).

**Article 4(1)** of Convention No. 148: Measures for prevention, control and protection prescribed by national laws or regulations

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

General:

- [OSH Act.](#)
- [Occupational Health Care Act \(1383/2001\)](#)
- [Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces \(44/2006\)](#)
- [Government Decree on Occupational Safety and Health Requirements \(577/2003\).](#)

Air pollution:

- [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#)
- [Government Decree on Protection of Workers from the Dangers of Biological Agents \(933/2017\)](#)
- [Government Decree on the Safety of Asbestos Work \(798/2015\)](#)
- [Government Decree on Chemical Agents at Work \(715/2001\)](#)
- [Government Decision on Tobacco Smoke in the Environment and the Fight against the Associated Risk of Cancer at Work \(1153/1999\)](#)
- [Government Decision on Work Carried out with Lead \(1154/1993\).](#)

Noise:

- [Government Decree on the Protection of Workers from the Dangers of Noise \(85/2006\)](#)

Vibration:

- [Government Decree on the Protection of Workers from the Dangers of Vibration \(48/2005\)](#)

**Article 4(2)** of Convention No. 148: Technical standards, codes of practice and other appropriate methods

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

The OSH Administration has published a renewed guide on work with noise and prevention on its website. The Finnish Safety and Chemicals Agency has renewed their popular guide 'Management of chemical and safety risks in small enterprises' by updating the decree regulations and practical guidelines.  
[Source: Report of the Government on C148, received in 2015]

The legislation on noise and vibration is based on EU Directives. The European Union has produced non-binding guides to good practice for the application of the EU Directives on noise and vibration. The Finnish Institute of Occupational Health and the OSH Administration have collaborated to develop operating models for the prevention of exposure to noise and vibration in the workplace. The programme "Prerequisites of good practice for SMEs and entrepreneurs" is specifically targeted at small enterprises and entrepreneurs. [Source: Report of the Government on C148, received in 2010]



**Article 5(1) and (2)** of Convention No. 148: Consultation with the most representative organisations of employers and workers concerned

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

OSH legislation will be drafted in close cooperation with social partners to keep it up-to-date and in line with the needs of working life. ~~The modernity of decrees will be assessed at intervals of at least 5 years, and the modernity of laws at intervals of at least 10 years, as of their entry into force.~~ [Source: Report of the Government on C187, received in 2015] While there is no fixed schedule for reviewing the currency of statutes, assessment is more flexible and continual.

**Article 5(3)** of Convention No. 148: Collaboration at all levels between employers and workers

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

- At the national level

See under Article 5(1) and (2) of Convention No. 148, above.

- At the undertaking level

See under Article 20 of Convention No. 155 and Article 4(2)(d) of Convention No. 187.

**Article 5(4)** of Convention No. 148: Opportunity for employer' and workers' representatives to accompany inspectors

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 7 of the [Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces \(44/2006\)](#), as amended. [Notice of an inspection and presence during the inspection]

Section 31 of the [Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces \(44/2006\)](#), as amended. [Duties of the OSH representative]

Article 6(1) of Convention No. 148: Responsibility of employers

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

- General:

Section 8 of the [OSH Act](#). [Employers' general duty to exercise care]

Section 2 of the [Government Decree on Occupational Safety and Health Requirements \(577/2003\)](#). [General obligations of the employer]

- Air pollution:

Sections 3, 5-6 and 8-17 of the [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#). [Responsibilities of employer]

Sections 5-16 of the [Government Decree on Protection of Workers from the Dangers of Biological Agents \(933/2017\)](#), as amended. [Responsibilities of employer]

Sections 3, 6-10 and 14-17 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Responsibilities of employer]

Sections 4-12, 14, 16 and 19 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [Responsibilities of employer]

Sections 2 and 4-10 of the [Government Decision on Tobacco Smoke in the Environment and the Fight against the Associated Risk of Cancer at Work \(1153/1999\)](#). [Responsibilities of employer]

Sections 3-5, 9 and 12 of the [Government Decision on Work Carried out with Lead \(1154/1993\)](#). [Responsibilities of employer]

- Noise:

Sections 6-7 and 9-18 of the [Government Decree on the Protection of Workers from the Dangers of Noise \(85/2006\)](#). [Responsibilities of employer]

- Vibration:

Sections 5-6, 8-17 and 20 of the [Government Decree on the Protection of Workers from the Dangers of Vibration \(48/2005\)](#). [Responsibilities of employer]

**Article 6(2)** of Convention No. 148: Collaboration between two or more employers undertaking activities simultaneously at one workplace

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

See implementing measures under Article 17 of Convention No. 155.

**Article 7(1)** of Convention No. 148: Requirement of workers to comply with safety procedures

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

- General:

See under Article 19(a) of Convention No. 155.

- Air pollution

Sections 4, 10 and 11 of the [Government Decision on Work Carried out with Lead \(1154/1993\)](#). [Employee obligations and health checks]

**Article 7(2)** of Convention No. 148: Rights of workers and their representatives to present proposals and obtain training and to appeal to appropriate bodies

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 13a of the [Government Decree on Protection of Workers from the Dangers of Biological Agents \(933/2017\)](#), as amended. [Information to be made available to workers and representatives on their request]

Section 9 of the [Government Decree on the Protection of Workers from the Dangers of Vibration \(48/2005\)](#). [Assessment of adverse reactions and hazards, including employees' opportunity to be informed]

See also under Article 20 of Convention No. 155 and Article 4(2)(d) of Convention No. 187.

**Article 8(1)** of Convention No. 148: Establishment of criteria for determining hazards and, where appropriate, specification of exposure limits

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

- Air pollution:

Annex II of the [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#). [Calculation of limit values]

Sections 3, 4 and 7 of the [Government Decree on Protection of Workers from the Dangers of Biological Agents \(933/2017\)](#), as amended. [Division into groups, classification, and factors to consider in risk assessment]

Section 3 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Exposure assessment, limit value and monitoring]

Section 13 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [Concentrations known to be harmful]

Annexes of the [Ministry of Social Affairs and Health Decree on Concentrations known to be Harmful \(654/2020\)](#), as amended. [Workplace exposure limits and guideline values for workplace air pollutants]

Section 3 of the [Government Decision on Tobacco Smoke in the Environment and the Fight against the Associated Risk of Cancer at Work \(1153/1999\)](#). [Exposure assessment]

Section 12 of the [Government Decision on Work Carried out with Lead \(1154/1993\)](#). [Limit values]

- Noise:

Sections 4 and 5 of the [Government Decree on the Protection of Workers from the Dangers of Noise \(85/2006\)](#). [Exposure action and limit values]

- Vibration:

Section 4, 19 and 20 of the [Government Decree on the Protection of Workers from the Dangers of Vibration \(48/2005\)](#). [Exposure limit values and action values]

**Article 8(2)** of Convention No. 148: Consideration of opinions of technically competent persons designated by employers' and workers' organizations

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Exposure limits are discussed in partnership with the labour market organizations, the industries and representative of the scientific community in the Advisory Committee on Industrial Protection in Chemical Industries. In the HTP section, the Central Organization of Finnish Trade Unions, the Confederation of Finnish Industries and the Federation of the Chemical Industries have their representation. [Source: Report of the Government on C148, received in 2005]

**Article 8(3)** of Convention No. 148: Establishment, supplementation and regular revision of criteria and exposure limits

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

The [Ministry of Social Affairs and Health Decree on Concentrations known to be Harmful \(654/2020\)](#) has been amended in 2024 **2020**. This Decree also repeals previous Ministry of Social Affairs and Health Decree on Concentrations known to be Harmful (538/2018). [Source: Section 2 of the [Ministry of Social Affairs and Health Decree on Concentrations known to be Harmful \(654/2020\)](#)]

**Article 9(a)-(b)** of Convention No. 148: Technical and supplementary organisational measures to prevent exposure

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

- General:

Section 10 of the [OSH Act](#). [Analysis and assessment of the risks at work]

Section 12 of the [OSH Act](#). [Obligation of employer relating to design of the working environment]

Section 37 of the [OSH Act](#). [Airborne impurities]

Section 38 of the [OSH Act](#). [Chemical agents and dangerous substances used at work]

Section 39 of the [OSH Act](#). [Physical agents and electrical safety]

- Air pollution:

Section 9 of the [Government Decree on Occupational Safety and Health Requirements \(577/2003\)](#). [Workplace volume and ventilation]

Provisions in [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#) include:

- Section 3 [Hazard identification and risk assessment]
- Sections 5-6 [Replacement, prevention and reduction of exposure]
- Section 8 [Control measures to prevent and reduce exposure]
- Section 12 [Access to area of danger]

Provisions in [Government Decree on Protection of Workers from the Dangers of Biological Agents \(933/2017\)](#), as amended, include:

- Section 5 [Replacement]
- Sections 6-7a [Hazard identification and assessment]
- Section 8 [Prevention or reduction of exposure to biological agents]
- Sections 14-18 [Other measures]

Provisions in [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended, include:

- Sections 4-5 [Delimitation and operation of the area of exposure, and service facilities]
- Section 8 [Written security plan]
- Sections 12-13 [Asbestos demolition work methods]

- Section 15 [Ensuring the cleanliness of the exposure area and the safety of further use]

Provisions in [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended, include:

- Section 6 [Hazard identification and risk assessment]
- Sections 8-9 [General principles of risk reduction and Specific preventive and protective measures]
- Section 10 [Hazards due to the physical properties of chemical agents]

Provisions in [Government Decision on Tobacco Smoke in the Environment and the Fight against the Associated Risk of Cancer at Work \(1153/1999\)](#) include:

- Sections 3-4 [Exposure assessment]
- Sections 5-6 [Exposure controls and reduction, monitoring and preparing for change]

Provisions in [Government Decision on Work Carried out with Lead \(1154/1993\)](#) include:

- Section 2 [Lead exposure assessment]
- Section 3 [Measures to reduce the risk of lead]
- Section 5 [Ablution]
- Section 6 [Cleaning]

- Noise:

Provisions in [Government Decree on the Protection of Workers from the Dangers of Noise \(85/2006\)](#) include:

- Sections 6-7 [Identification and identification of noise exposure, exposure assessment and measurement]
- Section 10 [Assessment of hazards]
- Section 11 [Factors to be considered in the risk assessment]
- Sections 12-13 [Prevention or reduction of exposure, and measures when limits are exceeded]
- Section 15 [Noise reduction programme]

- Vibration:

Provisions in [Government Decree on the Protection of Workers from the Dangers of Vibration \(48/2005\)](#) include:

- Sections 5-6 [Determination and identification of vibration exposure, exposure level assessment]
- Section 9 [Assessment of hazards]
- Section 10 [Factors considered in risk assessment]
- Sections 11-12 [Prevention or reduction of exposure, and measures when limits are exceeded]
- Section 13 [Anti-vibration programme]

**Article 10** of Convention No. 148: *Provision of suitable personal protective equipment, where measures do not bring air pollution, noise and vibration within specified limits*

## Implementing measures

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

See under Article 16(3) of Convention No. 155.



**Article 11(1) and (2)** of Convention No. 148: Supervision at suitable intervals of the health of workers, at no cost to the workers

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

- General:

Section 4 of the [Occupational Health Care Act \(1383/2001\)](#), as amended. [Employer obligation to arrange for occupational health care at their own expense]

Section 12 of [Occupational Health Care Act \(1383/2001\)](#), as amended. [Content of occupational health care, including medical examinations]

Section 7 of the [Government Decree on the Principles of Good Occupational Health Care Practice, the Content of Occupational Health Care and the Training of Professionals and Experts \(708/2013\)](#), as amended. [Performing a health examination]

Section 1 of the [Government Decree on Medical Examinations in Work that Presents a Special Risk of Illness \(1485/2001\)](#), as amended. [Employer obligation to arrange at their own expense, for health examinations of an employee or other person in work involving a special risk]

Section 4 of the [Government Decree on Medical Examinations in Work that Presents a Special Risk of Illness \(1485/2001\)](#), as amended. [Medical examination]

- Air pollution:

Section 15 of [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#). [Health checks in accordance with Occupational Health Care Act]

Section 19 of [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [Health monitoring]

Section 9 of [Government Decision on Tobacco Smoke in the Environment and the Fight against the Associated Risk of Cancer at Work \(1153/1999\)](#). [Health checks in accordance with Occupational Health Care Act]

Section 9 of [Government Decision on Work Carried out with Lead \(1154/1993\)](#). [Health checks in accordance with Occupational Health Care Act]

- Noise:

Section 20 of the [Government Decree on the Protection of Workers from the Dangers of Noise \(85/2006\)](#). [Health monitoring]

**Article 11(3) and (4) of Convention No. 148: Suitable alternative employment or maintenance of income through social security measures or otherwise; No adverse effect on the rights of workers under social security or social insurance legislation**

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

If the employer has no clear solution on how the worker could continue working with exposure to noise or vibration without compromising their health, it is common practice to organise a consultation with the worker, the employer and an occupational health care expert, as well as an OSH representative, shop steward or other support person. If the workplace is unable to find an alternative work without exposure to noise or vibration, the accident insurance company can compensate for vocational rehabilitation costs. If vocational rehabilitation is not an option, disability pension is a possible solution.

The evaluations and methods for finding replacement work belong to insurance companies, who manage the occupational disease investigations and vocational rehabilitations. As for diseases related to indoor air, there have been problems that are partly difficult to solve.

In Finland, the accident insurance compensation criteria and benefits are detailed in the law. Cases that do not qualify as an occupational accident or disease under the law, cannot be included in the insurance system. The accident insurance cannot take part in covering the costs caused by a worker's vocational rehabilitation or by relocation in such cases.

[Source: Report of the Government on C148, received in 2015]

**Article 12 of Convention No. 148: Notification to competent authorities of working conditions involving exposure**

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 13 of the [Government Decree on Protection of Workers from the Dangers of Biological Agents \(933/2017\)](#), as amended. [Notification to the OSH authority]

Section 9 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Notification to regionally competent authority prior to any asbestos removal work requiring licence]

Market surveillance by the OSH authorities targets technical devices' compliance with requirements, which include limit values for noise and vibration. Exceeding those values is not basis for prohibiting the devices' launch onto the market. However, such information has to be mentioned in the products' instructions for use and is monitored as part of the market surveillance of products. The market surveillance does not target processes or substances, air pollutants, noise or vibration. [Source: Report of the Government on C148, received in 2015]

**Government's reply to [Direct Request \(CEACR\) - adopted 2018, published 108th ILC session \(2019\)](#) on Articles 12 of C148**

***In the absence of any notification and authorization procedures, the Committee requests the Government to provide detailed information on how the competent authorities ensure the control of processes, substances, machinery and equipment, which are likely to expose workers to risks resulting from air pollution, noise or vibration.***

The employer must comply with occupational safety legislation and the general duty of care defined therein.

When the workplace is free of contaminants, noise or vibration during inspections, the occupational health and safety inspector monitors that the employer complies with the occupational safety legislation (738/2002) and the general duty of care defined therein.

The inspector monitors that the employer has eliminated the hazards from general to individual, in order of priority:

- By replacement: the hazard or hazardous substance has been eliminated or replaced by a safer alternative.
- By technical and structural measures: the amount of exposure in the exposure zone is minimized.
- By organizational measures: the number of exposed workers and / or the duration and intensity of exposure are minimized.
- Personal protective equipment is the last resort to prevent exposure.

The inspector shall supervise the workplace as a whole and the nature of the inspection in an appropriate manner, taking into account the implementation and fulfillment of the employer's general duty of care.

#### Risk assessment and workplace study

The sub-assemblies included in the risk assessment performed by the employer can be described as follows:

- hazard identification
- assessment of the significance of the hazards
- identification of measures to eliminate and reduce risks - implementation of measures - monitoring of the effectiveness of measures.

The planning of occupational health care activities must be based on a workplace survey, which must utilize the employer's own risk assessment. Both the assessment and assessment of hazards by the employer and the workplace assessment by the occupational health service must cover the activities and tasks of the workplace with regard to hazardous exposures.

#### Exposure risk assessment

The risk assessment will take into account the following:

- The significance of the hazards to the health and safety of the worker has been comprehensively assessed, for example taking into account each occupational exposure factor for each workplace or work process.
- All permanent or temporary workers affected by the workplace, especially special groups such as pregnant or young workers.
- Occupational diseases, accidents and incidents at work.
- The risks assessed and the measures planned are adequate to control the exposure of workers and are proportionate to the hazards of the exposure.
- Working methods are designed and arranged to be as safe as possible, including general hygiene, waste handling, storage and transport.
- The work uses appropriate equipment and tools that are suitable for the job and do not increase the hazard or exposure.
- The necessary methods and instructions for safe use have been drawn up. The risk assessment should be updated as necessary. Employees should be provided with the information and additional information required for the assessment whenever the situation changes.

#### Occupational health workplace survey, action plan and health inspections

The organization of occupational health care is supervised in the supervision instructions<sup>8</sup> are recorded at:

[https://www.tyosuojelu.fi/documents/14660/198601/Tyoterveyshuollon\\_jarjestamisen\\_valvonta\\_012019/706f8c1b-4acc-be8b-efff-1ecc9dd730cd](https://www.tyosuojelu.fi/documents/14660/198601/Tyoterveyshuollon_jarjestamisen_valvonta_012019/706f8c1b-4acc-be8b-efff-1ecc9dd730cd).

The workplace report and action plan for occupational health care must be in writing and up-to-date, and the employer's own risk assessment must be utilized in the workplace report. The occupational health report and plan should cover workplace activities, exposures, and health inspections. They must assess the significance of the hazards and nuisances to the health and safety of workers exposed in different ways, and the tasks which pose a particular risk of illness must be identified and the need for health surveillance taken into account.

The responsibilities of the regional government agencies for occupational health and safety are instructed on the control of chemical agents as follows:

[https://www.tyosuojelu.fi/documents/14660/198601/Kemiallisten\\_tekijoiden\\_valvonta\\_2020](https://www.tyosuojelu.fi/documents/14660/198601/Kemiallisten_tekijoiden_valvonta_2020)

Monitoring of compliance with the legislation on chemical agents at work is the responsibility of the occupational safety and health authorities. The guide describes the measures by which the inspector finds out and monitors compliance with the obligations concerning chemical agents at the workplace. It harmonises the supervision of occupational safety and health of chemical agents and increases the transparency of supervision. At a general level, the guidelines describe what matters are inspected by the labor inspection, what obligations can be imposed on the employer and how compliance with the obligations is monitored. Other activities of the occupational safety and health authority or the exercise of its powers, such as infringements or administrative coercion, are not covered by the guide. The inspector evaluates the workplace as a whole. This guide is an aid to the inspector in describing the procedures to be performed during the inspection.

Assessment and limit values for exposure to chemical agents

Workplace air pollutant measurements or biological exposure measurements are required when there is reason to assume that there is a health hazard exposure and the employer is otherwise unable to demonstrate the safety of employment for example by modeling. The employer shall take proper care of the measurements and the assessment of exposure, as well as the measures necessary for the assessment.

***Article 13(a)-(b) of Convention No. 148: Information on potential occupational hazards in the working environment; Instructions on measures available for prevention, control and protection***

## Implementing measures

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

- Air pollution:

Section 8 of [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#). [Control measures taken by employer to prevent and reduce exposure, including informing employees and warning signs]

Section 9 of [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#). [Obligations in case of unexpected exposure, including employer obligation to inform employees]

Section 16 of [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#). [Teaching and instructions]

Section 17 of [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#). [Measures taken by employers related to information]

Section 9 of the [Government Decree on Protection of Workers from the Dangers of Biological Agents \(933/2017\)](#), as amended. [Training and guidance for employees]

Sections 4, 6 and 8 of [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Delimitation and operation of the area of exposure, special teaching and guidance and written security plan]

Section 16 of [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [Training and guidance for employees]

Section 8 of [Government Decision on Tobacco Smoke in the Environment and the Fight against the Associated Risk of Cancer at Work \(1153/1999\)](#). [Employee guidance]

## Application of ratified Conventions on occupational safety and health by FINLAND

Sections 8 and 9 of [Government Decision on Work Carried out with Lead \(1154/1993\)](#). [Warning labels and OSH instructions]

- Noise:

Section 18 of the [Government Decree on the Protection of Workers from the Dangers of Noise \(85/2006\)](#). [Training and guidance for employees]

- Vibration:

Section 17 of the [Government Decree on the Protection of Workers from the Dangers of Vibration \(48/2005\)](#). [Training and guidance for employees]

See also under Article 5(c) and 5(d) of Convention No. 155 and Article 4(3)(c) of Convention No. 187.

### Article 14 of Convention No. 148: Promotion of research

#### Implementing measures

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

In 2010-11, with the support of the Ministry of Social Affairs and Health, the Finnish Institute of Occupational Health organised a wide, intensified information campaign on the health risks concerning hand-arm vibration and their management. In another project by the Finnish Institute of Occupational Health, an implementation process for hearing protectors was developed. With the support of the Ministry of Social Affairs and Health, an online tool for managing chemical risks with workplaces' chemical safety information was published on the website of the Finnish Institute of Occupational Health.

The OSH Administration has published a renewed guide on work with noise and prevention on its website. The guide is suitable also for SMEs. Model solutions suitable for especially small enterprises' risk management have been published, including regarding car painting, the work of plater-welders, metal working, concrete industry, construction and renovation as well as hairdressing and beauty care business works.

[Source: Report of the Government on C148, received in 2015]

### Article 15 of Convention No. 148: Appointment of a competent person or use of a competent service by employers

#### Implementing measures

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 10 of the [OSH Act](#). [Analysis and assessment of the risks at work, including use of external experts]

Article 16(a) of Convention No. 148: Steps as may be necessary to give effect to the Convention

Implementing measures

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

See under Article 9(2) of Convention No. 155.

Article 16(b) of Convention No. 148: Appropriate inspection services

Implementing measures

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

See under Article 9(1) of Convention No. 155.

Government's reply to [Direct Request \(CEACR\) - adopted 2018, published 108th ILC session \(2019\)](#) on Articles 4, 9 and 16(b) of C148

*The Committee requests the Government to provide detailed statistical information on the inspections conducted in the area of air pollution, noise and vibration, the violations detected and the measures taken as a result, with particular reference to the decisions issued by the OSH authorities to remove the cause of occupational hazards, and the number of air measurements undertaken by the OSH authorities.*

*The Committee also requests the Government to continue to provide information on the developments in recent years concerning the number of workplace accidents caused by noise and vibration, as well as the number of cases of occupational disease.*

Article 4. Technical standards, codes of practice and other appropriate methods can be found from the following websites:

www.tyosuojelu.fi (occupational health and safety administration)

www.ttl.fi (institute of occupational health)

www.tukes.fi (Finnish Safety and Chemicals Agency)

Open data about working life in Finland - Työelämätiето | www.tyoelamatiето.fi

for example themes: Occupational health and safety (including statistics of labour district's supervision and statistics of occupational diseases).

Articles 9 and 16 (b). The OSH Administration invests in the prevention of occupational diseases, in particular by monitoring the up-to-dateness of risk assessment, cooperation between the workplace and occupational health care, and by providing information.

PPE should be the last method to protect the worker from exposure. According to the EU and Finnish national legislation, risks on workplace are controlled or managed primarily through technical and process technical means. The last method of preventing exposure is the use of PPE.

The labour inspectorate does not always oblige the employer to measure the air born exposure levels, if the labour inspector assesses that the employer assesses and manages the risks by other means.

It is the statutory duty of the Institute of Occupational Health to store information of all occupational diseases and occupational diseases in the Register of Occupational Illnesses (Act 159/1978, 2a § 2 mom).

The overall number of confirmed occupational diseases of working age has been declining in Finland for a long time: cases reported from 2006 levels have decreased by 85% to 2018.

In 2011-2015, the prevalence of occupational diseases was 1,044 cases/1000 workers (2366 cases) for noise. The incidence in the five-year period 2014-2018 was 0.646 cases/1000 workers (1462 cases). The trend was positive from the five-year period 2011-2015 to the next review period 2014-2018 also for chemical exposures (0.582 => 0.511), asbestos and other silicates (0.314 => 0.186) and vibration (0.052 => 0.051). A slight increase in occupational disease rates, on the other hand, was for moisture damage exposure and mold (0.063 => 0.064) and Biological exposures (0.120 => 0.137). Työikäisten vahvistetut ammattitaudit | Työelämätiето | [www.tyoelamatiето.fi](http://www.tyoelamatiето.fi)

Approximately 23,000 to 28,000 occupational health and safety inspections are carried out in Finland each year. Due to the corona, the number of inspections decreased to less than 20,000 per year. The number of inspections has varied between 60 and 70 per person-year in recent years, which is in line with targets. Between 2017 and 2020, the workplace survey related to occupational health care cooperation was monitored more than 42,000 times and the hazard identification and risk assessment almost 39,000 times. In the period 2017-2020, health inspections in work causing a special risk of illness were inspected almost 11,000 times and the management of chemical risks approximately 9,000 times. Through these actions, the occupational safety and health administration implements its four-year framework plan together with stakeholders, to contribute to noise, vibration and air pollution in a coordinated manner with stakeholders.

The number of person-years in the Finnish Occupational Safety and Health Administration has decreased from 431 to 394 during 2016-2019. The number of statutory monitoring tasks over the past few years has been expanding to other aspects beyond noise, vibration or air pollution. The Occupational Safety and Health Administration has responded to this challenge by developing and targeting its controls through a variety of means. <https://www.tyosuojelu.fi/tietoa-meista/julkaisut/vuosikertomukset>



## VII. Asbestos Convention, 1986 (No. 162)

### Article 1(1) of Convention No. 162: Scope of application

#### Implementing measures

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 1 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Application to asbestos work]

Section 1 of the [Act on Certain Requirements Concerning Asbestos Removal Work \(684/2015\)](#), as amended. [Application to competence of an asbestos worker, licences for asbestos removal work and related registers]

Sections 2, 3, 4, 5 and 7 of the [OSH Act](#). [Scope of application]

### Article 1(2) and (3) of Convention No. 162: Exclusion of particular branches of economic activity or particular undertakings

#### Implementing measures

Permissive clause not used.

### Article 3(1) and (2) of Convention No. 162: Laws and regulations and their periodic review

#### Implementing measures

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Laws and regulations apply the provisions of Convention No. 162 include:

- [OSH Act](#)
- [Act on Certain Requirements Concerning Asbestos Removal Work \(684/2015\)](#).
- [Government Decree on the Safety of Asbestos Work \(798/2015\)](#)
- [Government Decree Repealing Certain Government Decisions and Decrees on Prohibitions and Restrictions Respecting Certain Chemicals \(415/2009\)](#).

The [Act on Certain Requirements Concerning Asbestos Removal Work \(684/2015\)](#) was amended in 2019. The [Government Decree on the Safety of Asbestos Work \(798/2015\)](#) was amended in 2021.

The modernity of decrees will be assessed at intervals of at least 5 years, and the modernity of laws at intervals of at least 10 years, as of their entry into force. [Source: Report of the Government on C187, received in 2015]

While there is no fixed schedule for reviewing the currency of statutes, assessment is more flexible and continual.

**Article 3(3) and (4)** of Convention No. 162: Permitted derogations from preventive and protective measures

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 3 of the [Act on Certain Requirements Concerning Asbestos Removal Work \(684/2015\)](#), as amended. [License for asbestos removal work, and works where a license is not required]

**Article 4** of Convention No. 162: Consultations with the most representative organizations of employers and workers concerned

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

OSH legislation will be drafted in close cooperation with social partners to keep it up-to-date and in line with the needs of working life. [Source: Report of the Government on C187, received in 2015]

**Article 5(1)** of Convention No. 162: System of inspection

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 16 of the [Act on Certain Requirements Concerning Asbestos Removal Work \(684/2015\)](#), as amended. [Enforcement of the Act by OSH authorities]

Section 9 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Notification to regional competent OSH authority prior to asbestos removal work requiring a licence]

See also under Article 9(1) of Convention No. 155.

**Article 5(2)** of Convention No. 162: Necessary measures, including appropriate penalties, to ensure effective enforcement

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 15 of the [Act on Certain Requirements Concerning Asbestos Removal Work \(684/2015\)](#), as amended. [Penal provision]

See also under Article 9(2) of Convention No. 155.

**Article 6(1)** of Convention No. 162: Responsibility of employers

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 8 of the [OSH Act](#). [Employers' general duty to exercise care]

Sections 3, 6-10 and 14-17 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Responsibilities of employer]

**Article 6(2)** of Convention No. 162: Cooperation between two or more employers undertaking activities simultaneously at one workplace

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 8(4) of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Self-employed persons obligations regarding safety plans in a shared workplace]

Section 15(4) of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Self-employed persons obligation regarding the cleanliness of the exposure zone and its safe use in shared workplaces]

See also under Article 17 of Convention No. 155.

**Article 6(3)** of Convention No. 162: Preparation of procedures for dealing with emergency situations

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 17 of the [OSH Act](#). [Cooperation between employers and employees]

Sections 46-47 of the [OSH Act](#). [First-aid and designation of personnel]

Section 12 of the [Occupational Health Care Act \(1383/2001\)](#), as amended. [Content of occupational health care, including participation in organization of first-aid]

Section 6 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Specific instruction and guidance to workers, including on emergency procedures]

**Article 7** of Convention No. 162: *Responsibility of workers to comply with safety and hygiene procedures*

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 2 of the [Act on Certain Requirements Concerning Asbestos Removal Work \(684/2015\)](#), as amended.  
[Competence of asbestos removal workers]

See also under Article 19(a) of Convention No. 155.

**Article 8** of Convention No. 162: *Co-operation of employers and workers or their representatives*

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

See under Article 20 of Convention No. 155 and Article 4(2)(d) of Convention No. 187.

**Article 9(a)** of Convention No. 162: *Regulations prescribing adequate engineering controls and work practices*

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Provisions of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended, include:

- Section 3 [Assessment, limit values and follow-up of exposure]
- Section 4 [Enclosure of the exposure zone and working in the zone]
- Section 5 [Service space]
- Section 6 [Specific instruction and guidance]
- Section 7 [Asbestos surveys]
- Section 8 [Safety plan in writing]
- Section 10 [Management and supervision of asbestos removal work]
- Section 11 [Principles for safe asbestos removal work]
- Section 12 [Working methods for asbestos removal work]
- Section 13 [Additional requirements concerning the enclosure method]
- Section 14 [Use of work equipment and testing their operation]
- Section 15 [Ensuring the cleanliness of the exposure zone and its safe use later]

**Article 9(b)** of Convention No. 162: Special rules and procedures for certain work processes

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 2 of the [Government Decree Repealing Certain Government Decisions and Decrees on Prohibitions and Restrictions Respecting Certain Chemicals \(415/2009\)](#). [Entry into force of EU REACH Regulation]

Section 9 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Notification to regional competent OSH authority prior to asbestos removal work requiring a licence]

Section 4 of the [Act on Certain Requirements Concerning Asbestos Removal Work \(684/2015\)](#), as amended. [Licensing authority]

Sections 5-9 of the [Act on Certain Requirements Concerning Asbestos Removal Work \(684/2015\)](#), as amended. [Provisions on the granting, renewal and withdrawal of licence for asbestos removal work]

**Article 10(a)** of Convention No. 162: Replacement by other materials or products or the use of alternative technology

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 2 of the [Government Decree Repealing Certain Government Decisions and Decrees on Prohibitions and Restrictions Respecting Certain Chemicals \(415/2009\)](#). [Entry into force of EU REACH Regulation]

Section 5 of [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#). [Obligation regarding substitution]

**Article 10(b)** of Convention No. 162: Total or partial prohibition in certain work processes

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 2 of the [Government Decree Repealing Certain Government Decisions and Decrees on Prohibitions and Restrictions Respecting Certain Chemicals \(415/2009\)](#). [Entry into force of EU REACH Regulation]

- Annex XVII of the [EU REACH Regulation](#), as amended. [Prohibition on the manufacture, placing on market, and use of certain dangerous substances, mixtures and articles]

**Article 11(1)** of Convention No. 162: Prohibition of the use of crocidolite

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 2 of the [Government Decree Repealing Certain Government Decisions and Decrees on Prohibitions and Restrictions Respecting Certain Chemicals \(415/2009\)](#). [Entry into force of EU REACH Regulation]  
▪ Annex XVII of the [EU REACH Regulation](#), as amended. [Prohibition on the manufacture, placing on market, and use of certain dangerous substances, mixtures and articles]

**Article 11(2)** of Convention No. 162: Derogation from prohibition of the use of crocidolite

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 2 of the [Government Decree Repealing Certain Government Decisions and Decrees on Prohibitions and Restrictions Respecting Certain Chemicals \(415/2009\)](#). [Entry into force of EU REACH Regulation]  
▪ Annex XVII of the [EU REACH Regulation](#), as amended. [Derogations for prohibition on the manufacture, placing on market, and use of certain dangerous substances, mixtures and articles]

Section 2 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Definition of asbestos, including crocidolite]

Section 11 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Principles for safe asbestos removal work]

Section 12 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Working methods for asbestos removal work]

Section 13 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Additional requirements concerning the enclosure method]

**Article 12(1)** of Convention No. 162: Prohibition of the spraying of all forms of asbestos

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 2 of the [Government Decree Repealing Certain Government Decisions and Decrees on Prohibitions and Restrictions Respecting Certain Chemicals \(415/2009\)](#). [Entry into force of EU REACH Regulation]  
▪ Annex XVII of the [EU REACH Regulation](#), as amended. [Prohibition on the manufacture, placing on market, and use of certain dangerous substances, mixtures and articles]

**Article 12(2)** of Convention No. 162: Derogation from prohibition of the spraying of all forms of asbestos

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 2 of the [Government Decree Repealing Certain Government Decisions and Decrees on Prohibitions and Restrictions Respecting Certain Chemicals \(415/2009\)](#). [Entry into force of EU REACH Regulation]

- Annex XVII of the [EU REACH Regulation](#), as amended. [Derogations for prohibition on the manufacture, placing on market, and use of certain dangerous substances, mixtures and articles]

Section 2 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Definition of asbestos, including of asbestos work]

Section 11 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Principles for safe asbestos removal work]

Section 12 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Working methods for asbestos removal work]

Section 13 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Additional requirements concerning the enclosure method]

**Article 13** of Convention No. 162: Requirement for employers to notify to the competent authority certain types of work involving exposure to asbestos

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 9 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Notification to regional competent OSH authority prior to asbestos removal work requiring a licence]

**Article 14** of Convention No. 162: Responsibility of producers, suppliers and manufacturers regarding adequate labelling

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 56 of the [OSH Act](#). [Obligations of the product manufacturer and suppliers to be regulated separately]

Section 2 of the [Government Decree Repealing Certain Government Decisions and Decrees on Prohibitions and Restrictions Respecting Certain Chemicals \(415/2009\)](#). [Entry into force of EU REACH Regulation]

- Annex XVII of the [EU REACH Regulation](#), as amended. [Prohibition on the manufacture, placing on market, and use of certain dangerous substances, mixtures and articles]



- Appendix 7 of Annex XVII of the [EU REACH Regulation](#), as amended. [Special provisions on the labelling of articles containing asbestos]

**Article 15(1)** of Convention No. 162: *Prescription of the limits of exposure or of other exposure criteria*

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 3 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Assessment, limit values and follow-up of exposure]

**Article 15(2)** of Convention No. 162: *Periodic review and update of exposure limits and other exposure criteria*

**Implementing measures**

☐ Please indicate what measures have been taken to give effect to this Article.

The exposure limits and other criteria were assessed during the reform of asbestos legislation in 2015. An Asbestos Directive is part of the work programme of the European Commission in 2022. The next review will be conducted in this context and when the Directive is implemented.

**Article 15(3)** of Convention No. 162: Responsibility of employers to prevent or control the release of asbestos dust into the air, ensure compliance with exposure limits and other exposure criteria, and reduce exposure level

### Implementing measures

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 3 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Assessment, limit values and follow-up of exposure]

Section 8 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Safety plan in writing]

Section 10 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Management and supervision of asbestos removal work according to safety plan]

Section 15 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Ensuring the cleanliness of the exposure zone and its safe use later]

**Article 15(4)** of Convention No. 162: Employers' responsibility to provide for the use of respiratory equipment and special protective clothing as a supplementary, temporary, emergency or exceptional measure

### Implementing measures

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 14 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Use of work equipment and testing their operation]

Annex III of the [Government Decree on the Selection and Use of Personal Protective Equipment at Work \(427/2021\)](#). [List of works and industries which may require the use of personal protective equipment]

The employer is liable for the costs of the PPE if it is selected on the basis of a risk assessment performed by the employer or if the use of such equipment is required in the legislation concerning the sector in question. [Source: [Website of the OSH Administration](#), last accessed February 2022]

**Article 16** of Convention No. 162: Responsibility of the employer to establish practical measures for prevention, control and protection

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 8 of the [OSH Act](#). [Employers' general duty to exercise care]

Section 3 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Assessment, limit values and follow-up of exposure]

Section 8 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Safety plan in writing]

Section 10 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Management and supervision of asbestos removal work according to safety plan]

Section 15 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Ensuring the cleanliness of the exposure zone and its safe use later]

**Article 17(1)** of Convention No. 162: Recognised qualification of persons engaging in demolition and removal work

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 2 of the [Act on Certain Requirements Concerning Asbestos Removal Work \(684/2015\)](#), as amended. [Competence of asbestos removal workers]

Section 3 of the [Act on Certain Requirements Concerning Asbestos Removal Work \(684/2015\)](#), as amended. [Licence for asbestos removal work]

Section 4 of the [Act on Certain Requirements Concerning Asbestos Removal Work \(684/2015\)](#), as amended. [Licensing authority]

Section 3(3) of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Measurements taken by person with necessary vocational skills to take and assess samples]

Section 7 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Asbestos surveys]

**Article 17(2)** of Convention No. 162: Work plan for demolition work

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 7 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Asbestos surveys]

Section 8 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Safety plan in writing]

**Article 17(3)** of Convention No. 162: Consultation of workers or their representatives on the work plan

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 17 of the [OSH Act](#). [Cooperation between employers and employees]

Section 8 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Safety plan in writing]

**Article 18(1)** of Convention No. 162: Provision of appropriate work clothing, not to be worn outside the workplace

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 4 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Enclosure of the exposure zone and working in the zone]

Section 14 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Use of work equipment and testing their operation]

Annex III of the [Government Decree on the Selection and Use of Personal Protective Equipment at Work \(427/2021\)](#). [List of works and industries which may require the use of personal protective equipment]

**Article 18(2)** of Convention No. 162: Handling and cleaning of used work clothing and special protective clothing

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 4 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Enclosure of the exposure zone and working in the zone]

Section 14 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Use of work equipment and testing their operation]

Section 7 of the [Government Decree on the Selection and Use of Personal Protective Equipment at Work \(427/2021\)](#).  
[Care and maintenance of personal protective equipment]

**Article 18(3)** of Convention No. 162: *Prohibition to take home work clothing, special protective clothing and personal protective equipment*

**Implementing measures**

*Please indicate what measures have been taken to give effect to this Article.*

Section 4 of the Government Decree on the Safety of Asbestos Work (798/2015) provides that asbestos must be prevented from spreading outside an exposure zone. Asbestos-containing substances and equipment must be labelled and packed to avoid causing any hazard when transported from the exposure zone. Workers must clean themselves of asbestos dust before leaving an exposure zone. Suitable facilities with appropriate equipment must be available for personal decontamination from asbestos. Section 5 of the said Decree provides that there must be separate service facilities for the safe completion of dust-creating and other servicing of equipment used in asbestos work. Disposable protective overalls are generally used in asbestos work, and are treated as asbestos waste after use. Such overalls may not be taken home, nor is there any reason to do so. Other equipment, such as the personal protective equipment used in asbestos work, is also properly cleaned at the workplace and may not be taken home.

**Article 18(4)** of Convention No. 162: *Responsibility of the employer for cleaning, maintenance and storage of work clothing, special protective clothing and personal protective equipment*

**Implementing measures**

☒ *Please check if the information in the box below is up-to-date; if not, please update the text.*

Section 7 of the [Government Decree on the Selection and Use of Personal Protective Equipment at Work \(427/2021\)](#).  
[Care and maintenance of personal protective equipment]

Section 14 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Use of work equipment and testing their operation]

**Article 18(5)** of Convention No. 162: *Facilities for workers to wash, take a bath or shower*

**Implementing measures**

☒ *Please check if the information in the box below is up-to-date; if not, please update the text.*

Section 48 of the [OSH Act](#). [Personnel rooms, including adequate and appropriately fitted facilities for washing]

Section 4(4) of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Suitable spaces with appropriate equipment for personal decontamination]

**Article 19(1)** of Convention No. 162: Employers' responsibility for the disposal of waste containing asbestos

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 6 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Specific instruction and guidance, including on treatment of asbestos-containing waste]

Section 12 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Working methods for asbestos removal work]

Section 13 of the [Waste Act \(646/2011\)](#), as amended. [Prevention of hazard and harm caused by waste and waste management]

Sections 28-31, Chapter 4, of the [Waste Act \(646/2011\)](#), as amended. [Responsibility for organizing waste management]

Section 8 of the [Government Decree on Waste \(978/2021\)](#). [Hazardous waste packaging]

Annex 3 of the [Government Decree on Waste \(978/2021\)](#). [List of waste, including asbestos as hazardous waste]

**Article 19(2)** of Convention No. 162: Appropriate measures by the competent authority and by employers to prevent pollution of the general environment

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 13 of the [Waste Act \(646/2011\)](#), as amended. [Prevention of hazard and harm caused by waste and waste management]

Section 17 of the [Waste Act \(646/2011\)](#), as amended. [Prohibition on mixing hazardous waste]

Section 8 of the [Government Decree on Waste \(978/2021\)](#). [Hazardous waste packaging]

Annex 3 of the [Government Decree on Waste \(978/2021\)](#). [List of waste, including asbestos as hazardous waste]

**Article 20(1)** of Convention No. 162: Measurement and monitoring by the employer

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 4 of the [Act on the List and Register of Workers Exposed to Carcinogenic Substances and Methods \(452/2020\)](#). [Detection and monitoring of exposure]

Section 3(3) of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Employer obligation regarding regular measurements]

Section 15 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Ensuring the cleanliness of the exposure zone and its safe use later]

Section 17 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Asbestos work carried out on a foreign shipyard]

**Article 20(2)** of Convention No. 162: Period for the keeping of records

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 1 of the [Act on the List and Register of Workers Exposed to Carcinogenic Substances and Methods \(452/2020\)](#).  
[Purpose of the list and register]

Section 3 of the [Act on the List and Register of Workers Exposed to Carcinogenic Substances and Methods \(452/2020\)](#).  
[Employer obligation to keep list of workplace exposures and exposed workers]

Sections 6 and 7 of the [Act on the List and Register of Workers Exposed to Carcinogenic Substances and Methods \(452/2020\)](#). [Reporting of data to and retention of data by the ASA register for 80 years]

For workers of companies registered to other countries working in Finland, it is appropriate that the workers' exposure information is gathered collectively to the origin country's system. This way, a correct picture of the total exposure can be seen. [Source: Report of the Government on C162, received in 2015]

**Article 20(3)** of Convention No. 162: Access to the records by workers, their representatives and the labour inspection services

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 3 of the [Act on the List and Register of Workers Exposed to Carcinogenic Substances and Methods \(452/2020\)](#).  
[List of workplace exposures and exposed workers, including right of employees and employee representatives to access group-level information without individual names]

Section 8 of the [Act on the List and Register of Workers Exposed to Carcinogenic Substances and Methods \(452/2020\)](#).  
[Disclosure of information, including for the OSH authority]

**Government's reply to [Direct Request \(CEACR\) - adopted 2016, published 106th ILC session \(2017\)](#) on Article 20(2) and (3) of C162**

***The Committee requests the Government to provide information on the measures taken to ensure that the workers concerned, their representatives and the inspection services have access to these records, pursuant to Article 20(3) of the Convention.***

Exposure to carcinogens that accumulate during the employment history of an employee is relevant to the risk of developing cancer. It is accordingly appropriate to collect exposure data in a consolidated manner in the systems of an employee's country of origin. EU legislation requires employers to maintain a list of carcinogens used at a



workplace and of employees working there if the findings of a risk assessment indicate that exposure poses a risk to employee health. An employer in Finland must forward details from this list to the ASA register annually.

Employees are personally entitled to access their information on an employer's list of exposed workers or in the ASA register. This right is conferred under the General Data Protection Regulation (EU) 2016/679. Employees and their representatives are also entitled to access anonymous group-level information from an employer's list, pursuant to section 3 of the Act (452/2020) on the List and Register of Workers Exposed to Carcinogenic Substances and Methods. The occupational safety and health authority is entitled to receive the information from the ASA register that is necessary for its supervisory function (section 8 of the Act on the List and Register of Workers Exposed to Carcinogenic Substances and Methods).

**Article 20(4) of Convention No. 162: Right to request the monitoring of the working environment and to appeal to competent authority concerning the results thereof**

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 17 of the [OSH Act](#). [Cooperation between employers and employees]

Section 26 of the [Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces \(44/2006\)](#), as amended. [Issues to be handled in cooperation, including principles and manner of investigating risks and hazards at the workplace]

Section 27 of the [Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces \(44/2006\)](#), as amended. [Handling of co-operation issues]

**Article 21(1) of Convention No. 162: Medical examinations**

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 4 of the [Government Decree on Medical Examinations in Work that Presents a Special Risk of Illness \(1485/2001\)](#), as amended. [Medical examination]

Section 15 of [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#). [Health checks in accordance with Occupational Health Care Act]

Section 12 of [Occupational Health Care Act \(1383/2001\)](#), as amended. [Content of occupational health care, including medical examinations]

Section 13 of [Occupational Health Care Act \(1383/2001\)](#), as amended. [Duty of employee to attend a medical examination]

After termination of employment, the occupational health care instructs workers exposed to asbestos to go to follow-up examinations for those exposed to asbestos. Compliance with regulations is monitored. In addition, informative guidance is used to improve awareness.

[Source: Report of the Government on C162, received in 2015]

Government's reply to [Direct Request \(CEACR\) - adopted 2016, published 106th ILC session \(2017\)](#) on Article 21(1) of C162

*The Committee requests the Government to continue providing information on the measures taken in practice to ensure that all workers who have been exposed to asbestos are provided with the necessary medical examinations to monitor their health.*

Occupational safety and health authorities oversee the implementation of health inspections during employment. With respect to the post-employment period, section 4 of the Government Decree on medical examinations in work that presents a special risk of illness (1485/2001) provides that consideration must be given to arranging a medical examination at the time of terminating employment due to a change of job, unemployment or retirement according to exposure to such hazards as carcinogenic substances. The departing employee must receive guidance at the time of such an examination on the need for further medical examinations. A person who is no longer employed is not covered by occupational health care, and should seek a medical examination at a public health centre or private medical clinic.

[Article 21\(2\)](#) of Convention No. 162: *Monitoring of workers' health with no loss of earnings for workers, and during working hours*

### Implementing measures

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Moreover, please provide up-to-date information on how it is ensured that the monitoring of workers' health in connection with the use of asbestos takes place, as far as possible, during working hours.

Section 1 of the [Government Decree on Medical Examinations in Work that Presents a Special Risk of Illness \(1485/2001\)](#), as amended. [Employer obligation to arrange at their own expense, for health examinations of an employee or other person in work involving a special risk]

In accordance with Finnish legislation, the employer may exercise their right of direction over the employee only during working hours. Therefore, the employer cannot, in principle, order the employee to have a medical examination outside working hours. For practical reasons, however, the employees often agree to have a medical examination outside working hours. [Source: Report of the Government on C162, received in 1993]

Section 1 of the Government Decree on medical examinations in work that presents a special risk of illness requires an employer to arrange for and defray the costs of medical examinations of an employee or other person whose work is subject to the Occupational Safety and Health Act in work that presents a special risk of illness in accordance with the said Decree. Medical examinations are mainly conducted during working hours, as the employer orders the employee to undergo the medical examination and the examination is closely related to the employee's work. The examination may also be conducted outside of working hours if the employee so wishes.

**Article 21(3)** of Convention No. 162: *Information of workers of the results of their medical examinations and receipt of individual advice*

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 5 of the [Government Decree on Medical Examinations in Work that Presents a Special Risk of Illness \(1485/2001\)](#), as amended. [Aims of medical examinations, including to provide employee with information and instructions]

**Article 21(4)** of Convention No. 162: *Provision of other means of maintaining income where continued work is medically inadvisable*

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

If the employer has no clear solution on how the worker could continue working without compromising their health, it is common practice to organise a consultation with the worker, the employer and an occupational health care expert, as well as a safety and health representative, shop steward or other support person. If the workplace is unable to offer another position for the worker, accident insurance covers the costs incurred in vocational rehabilitation, including retraining. If age or illnesses limit a person's ability to work, a disability pension may be provided. [Source: Report of the Government on C162, received in 2015]

**Article 21(5)** of Convention No. 162: *System of notification of occupational diseases caused by asbestos*

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 111 of the [Workers Compensation Act \(459/2015\)](#), as amended. [Employer obligation to report occupational accident and disease to insurance institution]

Section 46a of the [Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces \(44/2006\)](#), as amended. [Notification of occupational disease by doctor to the Regional State Administrative Agency, and by authority to the Finnish Institute of Occupational Health]

Annex of the [Government Decree on the List of Occupational Diseases \(769/2015\)](#). [List of occupational diseases, including those diseases linked to asbestos]

**Article 22(1)** of Convention No. 162: Promoting the dissemination of information and the education of all concerned

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Citizens need to be aware of the asbestos risks and their management, so enough information must be available at schools, in education institutes and in media. For example, new training material is being drafted in an international ABClean project that the Finnish Institute of Occupational Health participates in. The Finnish Institute of Occupational Health is also preparing guidelines on recognising and managing asbestos risks in mines. The Organisation for Respiratory Health in Finland has also prepared the "Guide for people exposed to asbestos and those suffering from the related diseases" (in English).

[Source: Report of the Government on C162, received in 2015]

Section 14 of the [OSH Act](#). [Instruction and guidance to be provided for employees]

Section 17 of the [OSH Act](#). [Cooperation between employers and employees]

Section 26 of the [Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces \(44/2006\)](#), as amended. [Issues to be handled in cooperation]

**Article 22(2)** of Convention No. 162: Written policies and procedures and information for workers

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 14 of the [OSH Act](#). [Instruction and guidance to be provided for employees]

**Article 22(3)** of Convention No. 162: Provision of information by employers about health hazards, instruction in preventive measures and correct work practices and training

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 14 of the [OSH Act](#). [Instruction and guidance to be provided for employees]

Section 6 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Specific instruction and guidance]

Section 8 of the [Government Decree on the Safety of Asbestos Work \(798/2015\)](#), as amended. [Safety plan in writing, made known to workers]

VIII. Chemicals Convention, 1990 (No. 170)

Article 1(1), (3) and (4) of Convention No. 170: Scope of application

Implementing measures

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

The legislation below ensures that the Convention is applied within every field of economic activity where chemicals are used:

- [Chemicals Act \(599/2013\)](#), as amended
- [Government Decree on Exceptions for National Defence in the Application of Chemical Legislation \(996/2010\) \(217/2022\)](#)  
-The previous Decree has been repealed and supplanted by a new Decree 217/2022.
- [Employment Contracts Act \(55/2001\)](#), as amended
- [Public Access to Information Act \(621/1999\)](#), as amended
- [Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces \(44/2006\)](#), as amended
- [OSH Act \(738/2002\)](#), as amended
- [EU REACH Regulation](#)
- [EU CLP Regulation](#).

[Source: First report of the Government on C170, received in 2016]

Article 1(2)(a) of Convention No. 170: Exclusions after consultations, and on the basis of assessments of hazards and of protective measures to be applied

Implementing measures

Permissive clause not used.

Article 1(2)(b) of Convention No. 170: Special provision to protect confidential information after consultations

Implementing measures

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 24(17) of the [Public Access to Information Act \(621/1999\)](#), as amended. [Definition of confidential official documents]

Sections 22-25, Chapter 6, of the [Public Access to Information Act \(621/1999\)](#), as amended. [Secrecy obligations]

Sections 26-32, Chapter 7, of the [Public Access to Information Act \(621/1999\)](#), as amended. [Derogations from secrecy and declassification]

Section 4(1), Chapter 3, of the [Employment Contracts Act \(55/2001\)](#), as amended. [Employee obligation regarding business secrets]

~~Policies and legislation relating to OSH are prepared following a tripartite principle, ensuring employer and employee organisations' representation. [Source: Report of the Government on C155, received in 2015]~~

**Article 3** of Convention No. 170: Consultations with most representative organisations of employers and workers concerned

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Finland has a National Chemical Programme (KELO National Chemicals Programme) that has presented recommendations for reducing negative health and environmental impacts caused by chemicals. The National Chemicals Programme has been updated for 2022–2035, with the most representative organisations of employers and employees involved in the preparatory work.

The central labour market parties have been heard in connection with the safe use of chemical in, for example, the Advisory Committee on Occupational Safety Regulations, the Advisory Committee on Occupational Safety, the Advisory Committee on Chemicals, as well as in the ILO Committee in connection with the implementation of this Convention.

[Source: First report of the Government on C170, received in 2016]

**Article 4** of Convention No. 170: Formulation, implementation, and periodic review of a coherent policy on safety in the use of chemicals at work

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Legislative framework applicable to chemicals:

- [Chemicals Act \(599/2013\)](#), as amended.
- [OSH Act \(738/2002\)](#), as amended
- [Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces \(44/2006\)](#), as amended.
- [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended
- [Employment Contracts Act \(55/2001\)](#), as amended
- [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended
- [Public Access to Information Act \(621/1999\)](#), as amended
- [Act on the Transport of Dangerous Goods \(719/1994\)](#), as amended
- [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#)
- [Government Decree on Safety Requirements of Industrial Handling and Storage of Dangerous Chemicals \(856/2012\)](#), as amended
- [Government Decree on Exceptions for National Defence in the Application of Chemical Legislation \(996/2010\) \(217/2022\)](#)  
-The previous Decree has been repealed and supplanted by a new Decree 217/2022.
- [Act on the Employment Security of Municipal Officeholders \(304/2003\)](#), as amended
- [State Civil Service Act \(750/1994\)](#), as amended
- [Government Decision on Containers Containing Dangerous Goods and their Labelling \(421/1989\)](#)
- [EU REACH Regulation](#)
- [EU CLP Regulation](#)
- [Regulation \(EU\) No. 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals.](#)

[Source: First report of the Government on C170, received in 2016]



Finland has a National Chemical Programme (National chemicals programme, see Article 3).

Policies and legislation relating to OSH are prepared following a tripartite principle, ensuring employer and employee organisations' representation. [Source: Report of the Government on C155, received in 2015]

OSH legislation will be drafted in close cooperation with social partners to keep it up-to-date and in line with the needs of working life. The modernity of decrees will be assessed at intervals of at least 5 years, and the modernity of laws at intervals of at least 10 years, as of their entry into force. [Source: Report of the Government on C187, received in 2015]

**Article 5 of Convention No. 170: Power of competent authority to prohibit or restrict use, or to require advance notification and authorisation**

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

The competent authorities are the Finnish Safety and Chemicals Agency, the OSH Authority, and the rescue authority. The Finnish Safety and Chemicals Agency maintains the Chemical Products Register (KETU) that contains the information on dangerous chemicals. [Source: First report of the Government on C170, received in 2016]

Sections 8-14 of the [Chemicals Act \(599/2013\)](#), as amended. [Supervisory authorities and their tasks]

Section 15 of the [Chemicals Act \(599/2013\)](#), as amended. [Competent authorities]

Sections 22-23 of the [Chemicals Act \(599/2013\)](#), as amended. [Submission of information on a chemical to the Finnish Safety and Chemicals Agency or the European Chemicals Agency or the Finnish Environment Agency]

Section 18 of the [Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces \(44/2006\)](#), as amended. [Prohibition to supply products]

-While market surveillance of chemicals is the responsibility of the Finnish Safety and Chemicals Agency (Tukes), the Occupational Safety and Health Authority may issue the temporary prohibition prescribed under section 18. Sections 19 and 20 of the Enforcement Act described below are accordingly not relevant.

~~Section 19 of the [Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces \(44/2006\)](#), as amended. [Removal of products from the market and use]~~

~~Section 20 of the [Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces \(44/2006\)](#), as amended. [Information and sanctions]~~

Section 49 (1) of the [Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces \(44/2006\)](#), as amended. [Notification to other public authorities]

-On learning of a hazard or defect in a product subject to safety provisions enforced by another authority, the Occupational Safety and Health Authority shall notify the said competent authority.

The Occupational Safety and Health Authority oversees compliance with the Occupational Safety and Health Act and provisions adopted pursuant thereto governing the safe use of chemicals at workplaces in accordance with the Enforcement Act (monitoring of working conditions).

Section 23 of the [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended. [Permission required from the Finnish Safety and Chemicals Agency]

Section 24 of the [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended. [Obligation to notify rescue authority]



Section 106 of the [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended.  
[Prohibition of product or explosive]

See also e.g. Titles VII and VIII of the [EU REACH Regulation](#). [Authorisation and Restrictions on the manufacturing, placing on the market, and use of certain dangerous substances, mixtures, and articles]

**Government's reply to [Direct Request \(CEACR\) - adopted 2018, published 108th ILC session \(2019\)](#) on Article 5 of C170**

***The Committee requests the Government to provide information on any relevant developments, including on any modified legislative requirements concerning the nature of hazardous chemicals and substances to be notified and authorized, classified and labelled.***

In its report for Occupational Cancer Convention on 2015, the Government noted that the national legislation on occupational carcinogens was to be updated. During this legislation reform, for example obligation to report the use of carcinogenic substances and workers exposed to carcinogenic substances to the national ASA register (register of workers exposed to carcinogenic substances) would be extended to cover all those chemicals that have a hazard statement (H-statement) indicating carcinogenic potential as defined in EU's CLP Regulation (Regulation on the *classification, labelling and packaging* of substances and mixtures; No. 1272/2008). In addition to these chemicals, those carcinogenic agents that are not part of the chemicals regulated by the CLP Regulation were planned to be separately listed in the legislation and the requirement to report substances to the ASA register would apply also to such carcinogenic agents (e.g. different kinds of dusts and fumes).

This legislative reform has been completed. All obligations of the Government Decree on the Prevention of Work-Related Cancer Risks (1267/2019) and the Act on the List and Register of Workers Exposed to Carcinogenic Substances and Methods (452/2020) now apply to substances, which have been classified as category 1A or 1B carcinogens or mutagens according to the CLP classification (H350, H350i, H340) and also to carcinogenic agents, which are not subject to CLP classification but have been listed in the Appendix I of the Government Decree on the Prevention of Work-Related Cancer Risks. During the reform also new carcinogenic agents, which are not subject to CLP regulation, were identified and listed under Annex I of the Government Decree on the Prevention of Work-

related Cancer Risks (1267/2020). These include workers' exposure to used motor oils and work involving exposure to crystalline silica dust (quartz) as well as work involving exposure to diesel engine exhaust emissions. In addition to these additions based on EU Directives (2017/2,398/EU and 2019/130/EU) also work involving exposure to carcinogenic substances generated in combustion processes, welding and cutting of stainless steel and work involving exposure to antineoplastic drugs have been listed as carcinogenic.

**Article 6(1) and (2) of Convention No. 170: Systems and specific criteria for the classification of all chemicals and for assessing the relevance of required information**

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

The competent authority for EU REACH and CLP regulations in Finland is the Finnish Safety and Chemicals Agency. [Source: First report of the Government on C170, received in 2016]

Section 5 of the [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended. [Relationship with other legislation, including with EU CLP and REACH Regulations]

Section 6 of the [Chemicals Act \(599/2013\)](#), as amended. [Definition of chemical as substances and mixtures as defined in EU REACH and CLP Regulations]

Provisions of the [EU CLP Regulation](#) concerning classification of chemicals include those in:

- Title II [Hazard classification]
- Title V [Harmonisation of classification and labelling of substances and classification and labelling inventory]
- Annex I [Classification and labelling requirements for hazardous substances and mixtures]

Chapter 2.2, Appendix A of the [Ministry of Transport Decree on the Transport of Dangerous Goods on Roads \(171/2009\)](#). [Classification criteria]

**Article 6(4) of Convention No. 170: Progressive extension of classification systems and their application**

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Article 15 of the [EU CLP Regulation](#). [Review of classification for substances and mixtures]

**Article 7(1) and 7(3)(1) of Convention No. 170: Marking of all chemicals**

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

The competent authority for EU REACH and CLP Regulations in Finland is the Finnish Safety and Chemicals Agency. [Source: First report of the Government on C170, received in 2016]

Every chemical must be marked in a recognisable way. The authorities must approve the requirements for markings. [Source: First report of the Government on C170, received in 2016]

Provisions of the [EU CLP Regulation](#) concerning marking and labelling include those in:

- Title III [Hazard communication in the form of labelling]
- Annex II [Special rules for labelling and packaging of certain substances and mixtures]
- Annex III [List of hazard statements, supplemental hazard information and supplemental label elements]
- Annex V [Hazard pictograms].

Section 21 of the [Chemicals Act \(599/2013\)](#), as amended. [Marketing of chemicals requirements, in addition to EU requirements]

### Article 7(2) and 7(3)(1) of Convention No. 170: Labelling of hazardous chemicals

#### Implementing measures

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Container markings for dangerous chemicals must provide workers with the essential information on the chemical's classification, dangers and required safety measures. [Source: First report of the Government on C170, received in 2016]

Section 51 of the [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended. [Instructions and markings]

See also under Article 7(1) and 7(3)(1) above.

### Article 6(3) and Article 7(3)(2) of Convention No. 170: Requirements in case of transport

#### Implementing measures

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

[Act on the Transport of Dangerous Goods \(719/1994\)](#), as amended. [Provisions on the transport of dangerous substances]

The legislation on the different modes of transportation in Finland (road, railway, air, and sea as general cargo) is based on the UN Model Regulations on the Transport of Dangerous Goods. [Source: First report of the Government on C170, received in 2016]

### Article 8(1) of Convention No. 170: Provision of chemical safety data sheets to employers

#### Implementing measures

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Article 31 of the [EU REACH Regulation](#). [Requirements for safety data sheets]

~~Section 10 of the OSH Act. [Analysis and assessment of hazards at work]~~

Section 6 of the [Chemicals Act \(599/2013\)](#), as amended. [Definition of hazardous chemicals]

Section 20 of the [Chemicals Act \(599/2013\)](#), as amended. [Language requirement for information on chemicals]

Section 59 of the [Chemicals Act \(599/2013\)](#), as amended. [Chemical violation]

Section 51 of the [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended. [Instructions and markings]

## Application of ratified Conventions on occupational safety and health by FINLAND

Section 4 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [Information for the identification of hazards]

Section 5 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [Safety data sheets and a list of chemicals used in the workplace]

### Article 8(2) of Convention No. 170: Establishment of criteria for chemical safety data sheets

#### Implementing measures

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 6 of the [Chemicals Act \(599/2013\)](#), as amended. [Definition of hazardous chemicals]

Article 31(5), (6) and (8) and Annex II of the [EU REACH Regulation](#). [Requirements for safety data sheets]

The competent authority for EU REACH and CLP Regulations in Finland is the Finnish Safety and Chemicals Agency. [Source: First report of the Government on C170, received in 2016]

### Article 8(3) of Convention No. 170: Consistency between chemical safety data sheet and label

#### Implementing measures

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Articles 17 and 18 of the [EU CLP Regulation](#). [General rules and Product identifiers]

Section 31 and Annex II of the [EU REACH Regulation](#). [Requirements for safety data sheets]

Section 59 of the [Chemicals Act \(599/2013\)](#), as amended. [Chemical violation]

### Article 9(1)(a) and (3) of Convention No. 170: Responsibilities of suppliers – classification and identification

#### Implementing measures

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Chemical suppliers are responsible for ensuring that the chemicals are classified according to the Convention or otherwise assessed and marked in a recognisable way. [Source: First report of the Government on C170, received in 2016]

Article 4(1) to (3), (4), (8) and (10) of the [EU CLP Regulation](#). [General obligations to classify, label and package]

Title II of the [EU CLP Regulation](#). [Hazard classification]

Article 10 and Annex VI of the [EU REACH Regulation](#). [Information to be submitted for general registration purposes]

Section 59 of the [Chemicals Act \(599/2013\)](#), as amended. [Chemical violation]

**Article 9(1)(b)-(c) and (2)** of Convention No. 170: Responsibilities of suppliers – marking and labelling and provision of revised labels to employers

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Chemical suppliers are responsible for ensuring that the chemicals are classified according to the Convention or otherwise assessed and marked in a recognisable way. [Source: First report of the Government on C170, received in 2016]

Article 4(4) to (10) and 30 of the [EU CLP Regulation](#). [General obligations to classify, label and package]

Section 51 of the [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended. [Instructions and markings]

Section 59 of the [Chemicals Act \(599/2013\)](#), as amended. [Chemical violation]

**Article 9(1)(d) and (2)** of Convention No. 170: Responsibilities of suppliers – preparation of chemical safety data sheets and provision to employers

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Article 31 and Annex II of the [EU REACH Regulation](#). [Requirements for safety data sheets]

Section 51 of the [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended. [Instructions and markings]

Section 59 of the [Chemicals Act \(599/2013\)](#), as amended. [Chemical violation]

**Article 10(1) and (3)** of Convention No. 170: Responsibility of employers regarding chemicals used at work

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 10 of the [OSH Act \(738/2002\), as amended](#). [Analysis and assessment of the risks at work]

Section 4 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [Information for the identification of hazards]

Section 5 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [Safety data sheets and a list of chemicals used in the workplace]

Section 6 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [Identification of hazards and assessment of risks]

Section 8 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [General principles for reducing risks]

Section 9 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [Specific prevention and protection measures]

Section 10 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [Hazards arising from the physical properties of chemical agents]

Section 35 of the [EU REACH Regulation](#). [Access to information for workers]

***Article 10(1) and (4) of Convention No. 170: Responsibility of employers to make information available to workers and their representatives***

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

It is the employer's duty to provide the workplace with up-to-date material safety data sheets and, where necessary, descriptions of safe use (exposure scenarios) for identifying risks associated with chemicals. The employer also needs to make sure that the safety data sheets and descriptions of safe use cover the use of the chemicals present in the workplace.

The employer needs to identify whether hazardous chemicals are used and whether hazardous exposure agents are generated in the workplace. The employer should aim to replace the hazardous chemicals with less dangerous substances and prevent the generation of exposure agents.

The following legislation ensures that the employer's obligations are realised when labelling chemicals and providing safety data sheets.

Occupational Safety and Health Act (738/2002)

- The employer's general responsibility for identifying and assessing the hazards related to and caused by the work. (section 10)

Government Decree on Chemical Agents at Work (715/2001)

- sections 4 and 16

Government Decree (715/2001), translation from Finnish can be found on the following website: <https://finlex.fi/en/laki/kaannokset/2001/en20010715.pdf>

More information on occupational use of chemical agents can be found on the following website: <https://www.tyosuojelu.fi/web/en/working-conditions/chemical-agents>.

**Article 10(2)** of Convention No. 170: Responsibility of employers to obtain information

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 10 of the [OSH Act \(738/2002\), as amended](#). [Analysis and assessment of the risks at work]

Section 4 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [Information for the identification of hazards]

Section 5 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [Safety data sheets and a list of chemicals used in the workplace]

Section 6 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [Identification of hazards and assessment of risks]

Section 8 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [General principles for reducing risks]

**Article 11** of Convention No. 170: Transfer of chemicals

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 38 of the [OSH Act \(738/2002\), as amended](#). [Chemical agents and hazardous substances used at work]

Section 4 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [Information for the identification of hazards]

Section 8 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [General principles for reducing risks]

Section 16 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [Instruction and guidance provided for employees]

Section 59 of the [Government Decree on Safety Requirements of Industrial Handling and Storage of Dangerous Chemicals \(856/2012\)](#), as amended. [Equipment markings]



**Article 12(a)-(c)** of Convention No. 170: Responsibilities of employers regarding exposure to chemicals

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 38 of the [OSH Act \(738/2002\)](#), as amended. [Chemical agents and hazardous substances used at work]

Section 6 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended [Identification of hazards and assessment of risks]

Section 7 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [Measurements]

Section 8 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [General principles for reducing risks]

Section 12 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [Binding occupational exposure limit values]

Section 13 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [Concentrations known to be harmful]

Section 19 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [Health surveillance]

Section 20 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [Issuing regulations on the measurement of atmospheric contaminants]

Annexes of the [Ministry of Social Affairs and Health Decree on Concentrations known to be Harmful \(654/2020\)](#), as amended. [Workplace exposure limits and guideline values for workplace air pollutants]

Section 7 of the [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#). [Exposure limit values]

Section 14 of the [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#). [Exposure monitoring]

Sections 12-13 of the Occupational Health Care Act (1383/2001), as amended. [Content of occupational health care; Employee's obligation to participate in a medical examination]

Sections 2-5 of the Government Decree on health examinations in work that presents a special risk of illness (1485/2001), as amended. [Special risk of illness; Investigating the special risk of illness and the need for medical examinations; Medical examination; Aims of examinations]

**Article 12(d)** of Convention No. 170: Employer responsibility regarding records of the monitoring of the working environment and of exposure

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

The employer must ensure that the registered information on the exposure of the work environment and the employees who use dangerous chemicals meet the authorities' requirements and are available for employees and their representatives. [Source: First report of the Government on C170, received in 2016]

See article 12 (a) to (c) above.

**Government's reply to [Direct Request \(CEACR\) - adopted 2018, published 108th ILC session \(2019\)](#) on Article 12(d) of C170**

***The Committee therefore requests the Government to provide information on the duration of the monitoring requests to be kept, as prescribed by the competent authority (Article 12(d)).***

The Government Decree on Combating the risk of Occupational Cancer (1267/2019) provides that an employer must investigate the potential exposure of employees to carcinogens and mutagens, and must assess the significance of exposure to the safety and health of workers (risk assessment). The employer must archive the current risk assessment and corresponding previous assessments, together with the data on which they are based, and must submit these to the occupational safety and health authority on request. On discontinuing operations, an employer must submit the foregoing assessments and information to the relevant occupational safety and health authority. Monitoring information related to the working environment and employee exposure is the data upon which the risk assessment is based, and falls within the scope of the archiving obligations of the foregoing Decree in this respect.

It is also specifically provided with respect to carcinogens that the employer is obliged to maintain a list of carcinogens and of employees exposed to them. Information on exposure levels must also be documented where available. (Act on the List and Register of Workers Exposed to Carcinogenic Substances and Methods (452/2020), section 3). The employer must report the information on its list to the national ASA register annually. (Act on the List and Register of Workers Exposed to Carcinogenic Substances and Methods (452/2020), section 6). Information is archived in the ASA Register for 80 years (Act on the List and Register of Workers Exposed to Carcinogenic Substances and Methods (452/2020), section 7).

Statutory provisions governing an archiving period are justified in the case of carcinogens, because cancer develops slowly over the years or decades as a result of cumulative exposure to carcinogens. The effects of other chemicals usually occur immediately or within a very short time, and long-term archiving of data is accordingly not generally justified. An EU Directive has recently provided that employers must keep records of the use of substances that are toxic to reproduction (reprotoxic) at the workplace and of exposed employees for a period of five years if the findings of a risk assessment indicate that exposure poses a risk to the health of workers, and also of the degree of exposure of employees where this information is available. This amendment will be transposed into Finnish national legislation by no later than April 2024. (Directive (EU) 2022/431 of the European Parliament and of the Council amending Directive 2004/37/EC on the protection of workers from the risks related to exposure to carcinogens or mutagens at work, Article 1).

The purposes of medical examinations under the Government Decree on health examinations in work that presents a special risk of illness (1485/2001) include investigating employee exposure and any likely resulting change in functional capacity or health. The drafting and the archiving periods of patient records in occupational healthcare are governed by the Act on the Status and Rights of Patients (789/2021). Provisions governing the archiving periods of patient records are included in the annex to Decree 94/2022 of the Ministry of Social Affairs and Health, which was adopted pursuant to this Act.

**Article 13(1) and (2)(a)** of Convention No. 170: Risk assessment and protection of workers by appropriate means; Exposure limit to hazardous chemicals

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 38 of the [OSH Act \(738/2002\), as amended](#). [Chemical agents and hazardous substances used at work]

Section 6 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [Identification of hazards and assessment of risks]

Section 7 of the [Government Decree on Combating the Risk of Occupational Cancer \(1267/2019\)](#). [Exposure limit values]

Section 8 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [General principles for reducing risks]

Section 9 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [Specific prevention and protection measures]

**Article 13(2)(b)-(c)** of Convention No. 170: First-aid and arrangements to deal with emergencies

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 38 of the [OSH Act \(738/2002\), as amended](#). [Chemical agents and hazardous substances used at work]

Sections 44-47 of the [OSH Act \(738/2002\), as amended](#). [Risk of accident; Alarm, safety and rescue equipment and instructions; First aid; Appointment of first aid and rescue personnel]

Section 11 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [Accidents as well as hazardous incidents and emergencies]

See also under Article 18 of Convention No. 155.

**Article 14** of Convention No. 170: Disposal of hazardous chemicals

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Sections 88-89 of the [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended. [Disposal of explosives]

Section 133 of the [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended. [Decommissioning]

Section 13 of the [Waste Act \(646/2011\)](#), as amended. [Prevention of hazard and harm caused by waste and waste management]

Section 8 of the [Government Decree on Waste \(978/2021\)](#). [Hazardous waste packaging]

Section 8 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [General principles for reducing risks]

**Article 15 and Article 18(3)** of Convention No. 170: Information and training for workers

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 5 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [Safety data sheets and a list of chemicals used in the workplace]

Section 14 of the [OSH Act \(738/2002\), as amended](#). [Instruction and guidance to be provided for employees]

Section 16 of the [Government Decree on Chemical Agents at Work \(715/2001\)](#), as amended. [Instruction and guidance provided for employees]

**Article 16 and Article 17(1)** of Convention No. 170: Co-operation between employers and workers and their representatives

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 17 of the OSH Act [\(738/2002\), as amended](#). [[Työnantajan ja työntekijöiden välinen yhteistoiminta](#)]

Section 18 of the [OSH Act \(738/2002\), as amended](#). [Employees' general OSH obligations]

Section 20 of the [OSH Act](#). [Use of personal protective equipment and suitable work clothing]

Section 21 of the [OSH Act](#). [Use of work equipment and dangerous substances]

Chapters 5 and 5a of the Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces (44/2006) [Occupational safety and health cooperation at

the workplace; Cooperation in occupational safety and health at a joint workplace and in combating common hazards]

See under Article 20 of Convention No. 155 and Article 4(2)(d) of Convention No. 187.

**Article 17** of Convention No. 170: *Duties of workers*

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 18 of the OSH Act (738/2002), as amended. [Employees' general OSH obligations]

Section 19 of the OSH Act (738/2002), as amended. [Vikojen ja puutteellisuuksien poistaminen ja niistä ilmoittaminen]

See under Article 19(a) of Convention No. 155.

**Article 18(1) and (2)** of Convention No. 170: *Right to removal and protection from undue consequences*

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 23 of the OSH Act (738/2002), as amended. [Employee refraining from work]

Section 26 of the Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces (44/2006), as amended. [Right of an occupational safety and health representative to interrupt dangerous work]

See under:

- Articles 13 and 19(f) of Convention No. 155, and
- Article 5(e) of Convention No. 155.

**Article 18(4)** of Convention No. 170: *Disclosure of the specific identity of an ingredient of a chemical mixture to competitor*

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

See under Article 1(2)(b) of Convention No. 170 above.

**Article 19** of Convention No. 170: Responsibility of exporting States

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 106 of the [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended.  
[Prohibition of product or explosive]

Article 3(7) of the [Regulation \(EU\) No. 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals](#). [Definition of chemical subject to export notification]

Article 8 of the [Regulation \(EU\) No. 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals](#). [Export notifications forwarded to Parties and other countries]

Section 23 of the [Chemicals Act \(599/2013\)](#), as amended. [Notification on export]

IX. Prevention of Major Industrial Accidents Convention, 1993 (No. 174)

Article 1 of Convention No. 174: Scope of application

Implementing measures

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Sections 1 – 4 and 2 of the [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended. [Purpose of the Act and scope of application]

Sections 2-7 of the [OSH Act \(738/2002\), as amended](#). [Scope of application]

Sections 1 and 2 of the [Government Decree on the Monitoring the Manufacture and Storage of Explosives \(819/2015\)](#), as amended. [Scope of application]

Sections 1 and 2 of the [Government Decree on the Monitoring the Handling and Storage of Dangerous Chemicals \(685/2015\)](#), as amended. [Scope of application]

Sections 1 and 2 of the [Government Decree on Safety Requirements of Industrial Handling and Storage of Dangerous Chemicals \(856/2012\)](#), as amended. [Scope of application]

Article 1(4) of Convention No. 174: Exclusions, after consulting representative organizations of employers and workers

Implementing measures

Permissive clause not used.

Article 4 of Convention No. 174: Coherent national policy on the protection of workers, the public and the environment against the risk of major accidents

Implementing measures

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

National laws include:

- [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended
- [OSH Act \(738/2002\), as amended](#)
- [Rescue Act \(379/2011\)](#), as amended.

The Advisory Committee on Safety Technology has drafted a policy on the prevention of major accidents, related to the use of dangerous chemicals. The Committee includes representatives of all authorities and social partners as well as organisations involved with the industry. [Source: First report of the Government on C174, received in 2015]

Policies and legislation relating to OSH are prepared following a tripartite principle, ensuring employer and employee organisations' representation. [Source: Report of the Government on C155, received in 2015]

The modernity of decrees will be assessed at intervals of at least 5 years, and the modernity of laws at intervals of at least 10 years, as of their entry into force. [Source: Report of the Government on C187, received in 2015]



While there is no fixed schedule for reviewing the currency of statutes, assessment is more flexible and continual.

Government's reply to [Direct Request \(CEACR\) - adopted 2018, published 108th ILC session \(2019\)](#) on Article 4 of C174

**The Committee requests the Government to provide a copy of that major accident prevention policy.**

Major accident prevention (2016) policy (Vaarallisten kemikaalien käytöstä aiheutuvien suuronnettomuusvaarojen ehkäisemistä koskeva toimintaohjelma) is attached to this report. Concerning major accident prevention, a close cross-administrative cooperation is carried out in bodies and advisory boards within the sector.

***Article 5** of Convention No. 174: Establishment, review and update of system for the identification of major hazard installations*

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 22 of the [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended.  
[Breakdown of activities]

Sections 4 and 5 of the [Government Decree on the Monitoring the Handling and Storage of Dangerous Chemicals \(685/2015\)](#), as amended. [Criteria for large-scale industrial handling and storage facility and for minor industrial handling and storage facility]

The Advisory Committee on Safety Technology is a cooperation body established by the Government, which assists the Ministry of Employment and the Economy in processing technical safety matters within the meaning of the [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#). [Source: First report of the Government on C174, received in 2015]

Section 1 of the [Government Decree on the Advisory Committee on Safety Technology \(853/2018\)](#). [Duties of the Advisory Committee]

**Article 6** of Convention No. 174: *Special provision to protect confidential information*

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 24(17) of the [Public Access to Information Act \(621/1999\)](#), as amended. [Definition of confidential official documents]

Sections 22-25, Chapter 6, of the [Public Access to Information Act \(621/1999\)](#), as amended. [Secrecy obligations]

Section 86 of the [Rescue Act \(379/2011\)](#), as amended. [Obligation of confidentiality]

Section 43 of the [Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces \(44/2006\)](#), as amended. [Secrecy obligation]

-A technical amendment (613/2018) has been made to Section 43 of the Enforcement Act harmonising the statutory terminology used with regard to commercial secrecy.

**Article 7** of Convention No. 174: *Employer responsibility to identify any major hazard installation within their control*

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Sections 22-25 of the [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended. [Provisions regarding authorization and notification for large-scale and minor industrial handling and storage facility]

Section 43 of the [Government Decree on the Monitoring the Manufacture and Storage of Explosives \(819/2015\)](#), as amended. [Classification of premises]

**Article 8** of Convention No. 174: *Employer responsibility to notify the competent authority*

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Sections 22-25 of the [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended. [Provisions regarding authorization and notification for large-scale and minor industrial handling and storage facility]

Section 133 of the [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended. [Decommissioning]

Sections 8-12, Chapter 3 of the [Government Decree on the Monitoring the Handling and Storage of Dangerous Chemicals \(685/2015\)](#), as amended. [Authorization procedure]

Section 44 of the [Government Decree on the Monitoring the Handling and Storage of Dangerous Chemicals \(685/2015\)](#), as amended. [Notification of cessation or suspension of industrial processing and storage]

Sections 4-7 of the [Government Decree on the Monitoring the Manufacture and Storage of Explosives \(819/2015\)](#), as amended. [Authorization procedure for the manufacture of explosives in a production facility]

Sections 17-25 of the [Government Decree on the Monitoring the Manufacture and Storage of Explosives \(819/2015\)](#), as amended. [Authorization procedure for the storage of explosives]

Section 72 of the [Government Decree on the Monitoring the Manufacture and Storage of Explosives \(819/2015\)](#), as amended. [Notification of cessation or suspension of the manufacture and storage of explosives]

### ***Article 9 of Convention No. 174: Documented system of major hazard control***

#### **Implementing measures**

☐ **Please check if the information in the box below is up-to-date; if not, please update the text.**

Section 30 of the [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended. [Measures to prevent major accidents involving dangerous chemicals]

Section 6 of the [Government Decree on the Monitoring the Handling and Storage of Dangerous Chemicals \(685/2015\)](#), as amended. [Obligation to draw up a policy document]

Section 13 and Annex III of the [Government Decree on the Monitoring the Handling and Storage of Dangerous Chemicals \(685/2015\)](#), as amended. [Policy document]

Sections 26 and 27 of the [Government Decree on the Monitoring the Manufacture and Storage of Explosives \(819/2015\)](#), as amended. [Obligation to draw up a policy document and its content, processing and revision]

**Sections 9, 10 and 44 of the OSH Act (738/2002), as amended.** [Occupational Safety and Health Action Programme; Investigation and assessment of risks, Risk of accident]

Government Decision on the control of major accident hazards liable to affect workers (922/1999)

#### **Government's reply to [Direct Request \(CEACR\) - adopted 2018, published 108th ILC session \(2019\)](#) on Articles 9(f), (g) and 20(c) of C174**

***The Committee requests the Government to specify whether there are specific provisions giving effect to the consultation requirements of workers and their representatives as provided for in Articles 9(f) and (g) and 20(c) of the Convention.***

Occupational health care cooperation

Occupational safety and health cooperation is governed by the Occupational Safety and Health Act and by the Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces. Section 17 of the Occupational Safety and Health Act requires employers and employees to cooperate to maintain and improve occupational safety at the workplace. Employers must give employees necessary information in good time on any factors that affect safety and health at a workplace, other circumstances affecting working conditions, and any assessments and other analyses and plans concerning them. Employers must also ensure that these matters are discussed between the employer and the employees or their representatives appropriately and in good time. Employees must in turn cooperate with employers and employee representatives to achieve the aims of the said Act. Employees are entitled to submit proposals to an employer on safety and health at a workplace, and on other matters referred to in subsection 2, and to receive a response thereto.

Co-operation on occupational safety and health is governed by chapter 5 of the Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces. The Act includes provisions on the matters to be discussed in cooperation, on processing, and on the election, duties and status of an occupational safety and health representative.

Section 26 provides for the following matters to be considered in co-operation.

In addition to other provisions, and having regard to the conditions of work and of the workplace, the issues to be handled in cooperation between the employer and employees shall include:

- 1) matters immediately affecting the safety and health of any employee, and any changes therein;
- 2) the principles and manner of investigating risks and hazards at the workplace, and the factors generally affecting the safety and health of employees that have emerged in the course of an investigation or workplace survey performed by an occupational health care organisation;
- 3) development objectives and programmes relating to measures to maintain working capacity, promoting prolonged careers, and otherwise affecting the safety and health of employees;
- 4) matters affecting the safety, health and working capacity of employees and relating to the organisation and dimensioning of work, or to any essential changes therein;
- 5) the need and arrangements for training, guidance and induction of employees referred to in Acts supervised by the occupational safety and health authorities;
- 6) statistics and other monitoring information relating to the work, working environment and the state of the work community, and describing safety and health at work;
- 7) monitoring of implementation and impacts of the matters referred to in the foregoing paragraphs 1-6.

Chapter 5a of the Enforcement Act also governs occupational safety and health co-operation at a joint workplace and for combating common hazards.

Section 3 of the Government Decision (922/1999) on the control of major accident hazards liable to affect workers requires an employer, when drafting and maintaining the plans, documents and reports referred to in section 2 of the said Decision, to process matters therein relating to the safety and health of employees together with the employees or their representatives, as separately provided with respect to cooperation in matters of occupational safety and health. Section 4 of the Decision also requires the employee safety and health aspects of the policy document, safety report and rescue plan referred to in section 2 to be available to the workers or their representatives at the workplace.

**Articles 10, 11 and 12** of Convention No. 174: Employer responsibilities concerning safety reports

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

- Preparation (Art. 10):

Section 30 of the [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended.  
[Measures to prevent major accidents involving dangerous chemicals]

Section 7 of the [Government Decree on the Monitoring the Handling and Storage of Dangerous Chemicals \(685/2015\)](#), as amended. [Obligation to draw up a safety report]

Section 14 and Annex IV of the [Government Decree on the Monitoring the Handling and Storage of Dangerous Chemicals \(685/2015\)](#), as amended. [Safety report]

Sections 26 and 28 of the [Government Decree on the Monitoring the Manufacture and Storage of Explosives \(819/2015\)](#), as amended. [Obligation to draw up a safety report, and its content, processing, conclusions and review]

- Review, update and amending (Art. 11) and transmission to competent authority (Art. 12):

Sections 14 and 16 of the [Government Decree on the Monitoring the Handling and Storage of Dangerous Chemicals \(685/2015\)](#), as amended. [Safety report and review]

**Article 13** of Convention No. 174: Employer responsibility to inform competent authority and other bodies designated for this purpose as soon as a major accident occurs

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 98 of the [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended.  
[Obligation to report a chemical and explosive accident]

**Article 14** of Convention No. 174: Employer responsibility to present detailed report to competent authority

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 98 of the [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended.  
[Obligation to report a chemical and explosive accident]

**Article 15** of Convention No. 174: Responsibility of competent authorities to establish, update at appropriate intervals and coordinate emergency plans and procedures

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Sections 47 and 48 of the [Rescue Act \(379/2011\)](#), as amended. [Rescue plans]

Sections 2-12 of the [Ministry of the Interior Decree on External Rescue Plans \(1286/2019\)](#). [Provisions regulating external emergency plans]

**Article 16(a) and (b)** of Convention No. 174: Responsibility of competent authorities to ensure dissemination of information and giving of warning

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 27 of the [Rescue Act \(379/2011\)](#), as amended. [Tasks of the area rescue service and rescue service]

Section 8 of the [Ministry of the Interior Decree on External Rescue Plans \(1286/2019\)](#). [Communication on the external emergency plan]

Section 31 of the [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended. [Obligation of the operator to provide information]

**Article 16(c)** of Convention No. 174: Responsibility of competent authorities regarding information and warning to other States, where major accident could have transboundary effects

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

As regards the prevention of transboundary effects of industrial accidents, the [UN Convention on the Transboundary Effects of Industrial Accidents](#) (sopS 26/2000) is in force. [Source: First report of the Government on C174, received in 2015]

**Article 17** of Convention No. 174: Responsibility of competent authority to establish a comprehensive siting policy

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 5 of the [Land Use and Building Act \(132/1999\)](#), as amended. [Land use planning objectives]

Section 24(2) of the [Land Use and Building Act \(132/1999\)](#), as amended. [Implementation and consideration of objectives]

Section 39(2) of the [Land Use and Building Act \(132/1999\)](#), as amended. [Content requirements for the general formula]

Section 54(2)-(3) of the [Land Use and Building Act \(132/1999\)](#), as amended. [Layout content requirements]

Sections 17-20 of the [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended. [Plant location]

**Article 18(1)** of Convention No. 174: Inspection

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Chapter 14 of the [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended. [Control]

Experts who inspect production facilities that pose a danger of a major accident need to have a Master's degree in technology, natural science or engineering as they apply for their position. Before the inspector starts conducting inspections alone, they will be accompanied by a more experienced inspector and prepare inspection reports. The inspector will participate in relevant training (training in operational inspections) arranged by the Finnish Safety and Chemicals Agency or by other organisations, prepare permit decisions and notifications, and assess safety reports with the guidance of an experienced inspector. [Source: First report of the Government on C174, received in 2015]

**Article 18(2)** of Convention No. 174: Opportunity for representatives of the employer and of workers to accompany inspectors

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 7 of the [Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces \(44/2006\)](#), as amended. [Notice of an inspection and presence during the inspection]

Section 31 of the [Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces \(44/2006\)](#), as amended. [Duties of the OSH representative]



**Article 19** of Convention No. 174: Right of competent authority to suspend operation which poses imminent threat of major accident

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 106 of the [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended. [Prohibition of product or explosive]

Section 109 of the [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended. [Restrictions on the operation of a production plant]

Section 81 of the [Rescue Act \(379/2011\)](#), as amended. [Order to rectify deficiencies and suspension of operations]

**Article 20(a) and (b)** of Convention No. 174: Right and duties of workers and representatives – appropriate cooperative mechanisms; information

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 17 of the [OSH Act \(738/2002\)](#), as amended. [Cooperation between employers and employees]

Section 38 of the [OSH Act \(738/2002\)](#), as amended. [Chemical agents and hazardous substances used at work]

Section 44 of the [OSH Act \(738/2002\)](#), as amended. [Risk of accident]

Sections 22-43, Chapter 5 of the [Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces \(44/2006\)](#), as amended. [Provisions for OSH cooperation in the workplace]

Section 8 of the [Ministry of the Interior Decree on External Rescue Plans \(1286/2019\)](#). [Communication on the external emergency plan]

**Article 20(c)** of Convention No. 174: Right and duties of workers and representatives – appropriate cooperative mechanisms; consultation on safety reports, emergency plans and procedures, and accident reports

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 17 of the [OSH Act \(738/2002\)](#), as amended. [Cooperation between employers and employees]

Sections 3 and 4 of the [Government Decree on the Control of Major Accident Hazards Liable to Affect Workers \(922/1999\)](#). [Employer-employee cooperation; Access to documents].

Section 3 of the [Government Decree on the Control of Major Accident Hazards Liable to Affect Workers \(922/1999\)](#). [Cooperation between employer and employees]

**Article 20(d)** of Convention No. 174: Right and duties of workers and representatives – appropriate cooperative mechanisms; regular instruction and training

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 17 of the [OSH Act \(738/2002\)](#), as amended. [Cooperation between employers and employees]

Section 14 of the [OSH Act \(738/2002\)](#), as amended. [Instruction and guidance to be provided for employees]

Section 44 of the [OSH Act \(738/2002\)](#), as amended. [Risk of accidents]

Sections 7 and 8 of the [Government Decree on the Control of Major Accident Hazards Liable to Affect Workers \(922/1999\)](#). [Training and instructions; Exercises]

**Article 20(e)** of Convention No. 174: Right and duties of workers and representatives – appropriate cooperative mechanisms; corrective action and notification

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 17-19 and 23 of the [OSH Act \(738/2002\)](#), as amended. [Cooperation between employers and employees; General obligations of an employee, elimination and reporting of faults and deficiencies, Employee's right to refrain from working]

Section 36 of the [Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces \(44/2006\)](#), as amended. [OSH representative's right to interrupt dangerous work]

See also under Article 13 and Article 19(f) of Convention No. 155.

**Article 20(f)** of Convention No. 174: Right and duties of workers and representatives – appropriate cooperative mechanisms; discussion of hazard with employer and notification of competent authority

**Implementing measures**

☒ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 17 of the [OSH Act \(738/2002\)](#), as amended. [Cooperation between employers and employees]

Section 26 of the [Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces \(44/2006\)](#), as amended. [OSH issues handled through workplace cooperation]

Section 31 of the [Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces \(44/2006\)](#), as amended. [Duties of the OSH representative]

Section 5 of the [Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces \(44/2006\)](#), as amended. [Carrying out a workplace inspection]

**Article 21** of Convention No. 174: Rights and duties of workers and their representatives – compliance

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 18 of the OSH Act (738/2002), as amended. [General obligations of an employee]

See under Article 19(a) of Convention No. 155.

**Article 22** of Convention No. 174: Responsibility of exporting States

**Implementing measures**

☐ Please check if the information in the box below is up-to-date; if not, please update the text.

Section 106 of the [Act on Safety in Handling Dangerous Chemicals and Explosives \(390/2005\)](#), as amended. [Prohibition of product or explosive]

Article 3(7) of the [Regulation \(EU\) No. 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals](#). [Definition of chemical subject to export notification]

Article 8 of the [Regulation \(EU\) No. 649/2012 of the European Parliament and of the Council of 4 July 2012 concerning the export and import of hazardous chemicals](#). [Export notifications forwarded to Parties and other countries]

Section 23 of the [Chemicals Act \(599/2013\)](#), as amended. [Notification on export]

## Application of Conventions 13, 115, 119, 136, 148, 162, 170 and 174 in practice

*In so far as it has not already been supplied in reply to other questions, please provide information on the practical application of the Convention concerned (for example, copies or extracts from official documents including inspection reports, studies and inquiries, statistics); please also state whether courts of law or other tribunals have given decisions involving questions of principle relating to the application of the Conventions concerned. If so, please supply the text of these decisions.*

General information concerning supervision by the occupational safety and health authority is available in the annual reports of the Occupational Safety and Health Administration <https://www.tyosuojelu.fi/tietoa-meista/julkaisut/vuosikertomukset>, which are also available in English. A digest of key occupational safety and health supervision figures is provided at the end of the annual report.

A data publication produced in a joint project of the Finnish Institute of Occupational Health and the occupational safety and health authorities was released in May 2022, making this the first open data publication of occupational safety and health enforcement. Information on occupational safety and health inspections and matters inspected in 2017–2020 is available from the Working Life Information service of the Finnish Institute of Occupational Health. These materials currently cover inspections conducted between 2017 and 2020, comprising nearly 90,000 workplace inspections. Nearly 38,000 employers and more than 63,000 workplaces were inspected. The material is also available in English via links in the press release at <https://www.ttl.fi/ajankohtaista/tiedote/tyosuojelutarkastukset-varmistavat-turvallista-tyoelamaa-tiedot-loytyvat-nyt-verkosta>. The Work-Life knowledge service has an English language portal at <https://www.tyoelamatieto.fi/en/>.

Statistical information relating to Convention No. 162:

### Occupational diseases caused by asbestos

The dataset for all age groups included a total of 453 cases of confirmed or suspected asbestos-related disease, 323 of which were confirmed cases. Ninety-eight cases of confirmed or suspected asbestos-related disease were recorded for people of working age, of which 50 were confirmed cases. A long delay between exposure and diagnosis is typical of asbestos-related diseases, so the majority of such diseases are diagnosed in people over the age of 65 years. The data for all age groups show 293 cases of confirmed or suspected asbestos plaque disease, of which 257 cases were confirmed. A total of 66 confirmed or suspected cases of asbestos plaque disease were recorded among people of working age, of which 50 cases were confirmed. A total of 44 confirmed or suspected cases of asbestosis were recorded in the data for age groups, with illness confirmed in 18 cases. Six confirmed or suspected cases of asbestosis were recorded for people of working age, with none of these confirmed as occupational disease. The dataset for all age groups included a total of 9 cases of confirmed or suspected round atelectasis or visceral pleural fibrosis, all of which were confirmed as occupational disease. One of the confirmed cases was recorded in the data for people of working age.

There were 127 cases of confirmed or suspected occupational cancer in the dataset for all age groups, 58 of which were confirmed as occupational disease, leaving 69 cases in which occupational cancer was suspected. A total of 26 cases of confirmed or suspected occupational cancer were recorded in people of working age, of which 2 cases were confirmed as occupational cancer. Some 70 cases of confirmed or suspected occupational lung cancer were recorded in the dataset for all age groups, of which 19 cases were confirmed as occupational lung cancer. There were 18 cases of occupational lung cancer caused by asbestos, and one case was caused by quartz dust. Two cases of suspected occupational lung cancer included a record of exposure to quartz dust. Chromium and its compounds, and other chemical factors, were both recorded in one suspected case of occupational lung cancer. The remaining cases of suspected occupational lung cancer were related to asbestos. There were 15 cases of confirmed or suspected occupational lung cancer among people of working age, one of which was confirmed as an

occupational disease caused by asbestos. There were 39 cases of confirmed or suspected mesothelioma, 37 of which were confirmed as occupational disease. Only one such case occurred in a person of working age, and this was not confirmed as an occupational disease.

(Source: *Ammattitaudit ja ammattitautiepäilyt 2018: Työperäisten sairauksien rekisteriin kirjatut uudet tapaukset* [Occupational diseases and suspected occupational diseases in 2018: New cases recorded in the Register of Occupational Diseases], available in Finnish at <https://www.julkari.fi/handle/10024/144300>)

#### Occupational safety and health inspections

Some 3,098 asbestos-related inspections were conducted between 1 January 2016 and 12 May 2022. These inspections were the basis for issuing 3,226 guidelines and 585 improvement notices. Eight interim prohibitions were imposed and 42 obligations were referred for administrative preparation.

#### Enforcement data relating to Convention No. 170:

The Occupational Safety and Health Authority reviewed the risk assessment and management of chemical agents in 20,500 inspections conducted between 1 June 2016 and 17 May 2022, issuing a total of 6,330 guidelines and 722 improvement notices. Eleven cases were referred to the Occupational Safety and Health Authority for processing, with 86 obligations referred for administrative preparation. (Source: Vera information system of the Occupational Safety and Health Authority).

#### Enforcement data relating to Convention No. 174, enforcement data are available for facilities at risk of explosion:

The Occupational Safety and Health Authority conducted 655 inspections of facilities at risk of explosion between 1 June 2015 and 2 May 2022, issuing 190 guidelines and 37 improvement notices. Ten cases were also referred for administrative preparation and two cases were referred for processing by the Occupational Safety and Health Authority. (Source: Vera information system of the Occupational Safety and Health Authority).

Practical application to Convention No. 136. The Finnish Institute of Occupational Health maintains the statutory (452/2020) ASA register of persons occupationally exposed to carcinogens and carcinogenic methods, based on information provided by employers. Employers conduct an exposure assessment and report exposed individuals retrospectively to the register annually. The ASA register indicates that 3,451 individuals (3,269 men and 182 women) were exposed to benzene in Finland in 2019. This figure has been rising since 2015, when the number of people exposed to benzene was 2,586 (2,484 men and 102 women). There has been no special change in the recent past regarding exposure to benzene in practical work-life in Finland. The number of notifications to the ASA register has generally risen in 2015-2019, which is considered due to greater awareness and not to any increase in the number of individuals actually exposed. The number of notifications for 2020 has naturally increased due to the amendment, but there was no change for benzene.

The occupations in which men are exposed to benzene are motor vehicle fitter and vehicle repair mechanic, firefighting, other unclassified cleaning, agricultural and industrial machinery fitter and repair mechanic, and non-commissioned officer. The correspondingly most typical occupations for women are laboratory technician, civil engineering specialist, plastics industry process worker, motor vehicle fitter and vehicle repair mechanic, and police inspector and sergeant.

Management of chemical hazards, including hazard analysis and assessment, was monitored on 14,455 occasions during the reporting period. A total of 532 improvement notices were issued with respect to managing chemical hazards, of which 192 concerned inadequate hazard analysis.

No occupational diseases caused by benzene were recorded in 2005-2018.

Occupational disease caused by benzene was suspected in six cases over the same period (one case of lymphoma, one of aplastic anaemia, one of bladder cancer, one of toxic effects of benzene and two cases of asthma). One case of suspected occupational diseases caused by benzene dates from 2015 (asthma) and one case from 2016 (bladder cancer), while the others date from previous years.

Six cases of occupational disease caused by benzene derivatives were recorded over the same period: two caused by toluene (methylbenzene), two by xylene (dimethylbenzene) and two by styrene (vinylbenzene). Two of the confirmed cases caused by derivatives occurred in 2015 (xylene/toxic encephalopathy and styrene/asthma), and one dates from 2018 (styrene/toxic encephalopathy). The other cases are from previous years.

These derivatives are common organic solvents and not subject to benzene restrictions. The foregoing exposures have caused four cases of toxic encephalopathy, one of irritant asthma, and one unclear toxic effect condition. Most people do indeed handle a wide range of organic solvents in their work, meaning that the classification "organic solvent" is also entered without further specification as the exposure in a confirmed or suspected occupational disease, and the typical disease is confirmed or suspected toxic encephalopathy.

### *Application of Convention No. 139 in practice*

#### **Government's reply to [Direct Request \(CEACR\) - adopted 2015, published 105th ILC session \(2016\)](#)**

***The Committee requests the Government to continue to provide relevant statistical information on the application of the Convention in practice, including information on the number and nature of the contraventions reported, the number, nature and cause of cases of disease, etc.***

The following information has been submitted annually to the Register of Persons Exposed to Carcinogens and Methods in Their Occupation (the ASA Register) over the reporting period, covering the reported work departments, the number of officially registered undertakings that have submitted a notification (an undertaking may have more than one work department), and the number of employees reported.

The situation on 13 May 2022 is shown below (data for 2020 to be completed).

year	work departments	business IDs	notified employees
2015	1,280	759	17,813
2016	1,267	770	19,048
2017	1,308	807	20,308
2018	1,301	799	21,562
2019	1,348	824	21,984
2020	1,915	1,047	33,573

The number of notifications has risen almost continuously since 2015. The increased number of notifications is due to a rise in notifications filed in northern Finland, where notifications have risen significantly since 2010, whereas the number of notifications filed elsewhere in Finland has remained largely unchanged over the same period. Analyses suggest that one significant background factor is a rise in the number of mineworkers in Northern Finland, coupled with greater awareness of the possibility of asbestos exposure in mining and the related ASA reporting obligation.

The large increase observed for 2020 is due to new legislation. Notifications to date in 2020 (still being supplemented) include 9,351 individuals exposed to quartz (respirable crystalline silica), 2,254 exposed to diesel exhaust fumes, 1,651 exposed to used engine oils, 3,083 exposed to carcinogenic combustion products, and 3,110 exposed to hardwood dust. All of these exposures were added to the list of carcinogenic exposures from the beginning of 2020. (with respect to hardwood dust, oak and beech dust were already included in reported exposures in 2019, with a total of 617 employee exposures). (Source: ASA register maintained by the Finnish Institute of Occupational Health).

Excluding separately reported asbestos-related inspections, a total of 1,468 occupational safety and health inspections targeting carcinogenic substances were conducted during the reporting period. Some 910 guidelines and 96 improvement notices were issued in these inspections, with two inspections referred for processing by the occupational safety and health authority.

ASA notifications were reviewed in 866 Occupational Safety and Health Authority inspections over the reporting period. These inspections resulted in issuing a total of 328 guidelines and improvement notices. (Source: Vera information system of the Occupational Safety and Health Authority).

The latest published data on confirmed and suspected occupational cancers date from 2018 (Source: *Ammattitaudit ja ammattitautiepäilyt 2018* [Confirmed and suspected occupational diseases in 2018] <https://www.julkari.fi/handle/10024/144300>). A total of 127 confirmed and suspected cases of occupational cancer were recorded, of which 58 cases were confirmed.

There were 19 confirmed cases of occupational lung cancer. There were 18 cases of occupational lung cancer caused by asbestos, and one case was caused by quartz dust. Mesothelioma was confirmed as an occupational disease in 37 cases. Mesotheliomas are invariably associated with exposure to asbestos. All cases of mesothelioma and most other occupational cancers occurred in people who had already exceeded working age, and only two of 58 cases of occupational cancer were found among people of working age.

Besides cases of lung cancer and mesothelioma, one case of nasal cavity cancer was confirmed as an occupational cancer (exposure to nickel and nickel compounds).