

No. 141

Article 22 of the Constitution of the ILOReport for the period 1 June 2016 to 31 May 2023, made by the **Government of Finland**

on the

Rural Workers' Organisations Convention, 1975 (No. 141)

(ratification registered on 14 September 1977)

I LEGISLATION AND REGULATIONS

Nothing new to report.

II Direct request

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III Information on the practical application of the Conventions

On-going criminal investigations on exploitation of berry pickers do not concern the violation of the rural worker's right to organize.

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

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

Statements by the labour market organisations:**The Central Organization of Finnish Trade Unions (SAK)**

In addition to the below, we also make reference to our statement relating to Convention No. 11.

Rural worker is defined as any person engaged in agriculture, handicrafts or a related occupation in a rural area, whether as a wage earner or a self-employed person.

Under the Convention, it shall be an objective of national policy concerning rural development to facilitate the establishment and growth of strong and independent organisations of rural workers as

an effective means of ensuring the participation of rural workers in economic and social development and in the benefits resulting therefrom.

Among rural workers, the most thorny issue arises from the working and living conditions of foreign berry-pickers.

Each summer, thousands of berry-pickers have arrived in Finland from Thailand and other non-EU countries. Some pickers work on farms in a contractual employment relationship.

Others pick wild berries. These pickers of wild berries arrive in Finland on a tourist visa and they are not in any contractual employment relationship. They are considered self-employed.

The decisions on picking sites are made by the berry companies. Pickers are usually housed in old schools or similar buildings that may only have a few showers for several dozen people. The accommodation provided is consistently poorer than that of the local population. The berry companies also provide the cars used by the pickers. The pickers themselves pay for fuel. A fee is also charged for the accommodation. No healthcare has been arranged. A picker who falls ill must go to the local health centre which is entitled to charge a full fee for any treatment because the picker is not covered by Finnish social security.

The pickers' earnings depend on the quantity of berries they manage to pick. The price per kg paid for the berries appears to be the same for all pickers regardless of who is the buyer. While the pickers' earnings may seem fair, it must be taken into account that working 15–16 hours per day, their hourly earnings only come to a few euro. This is very low when compared to the average minimum wage under Finnish collective agreements, for example. Deducting airfare and the broker's fees paid by the pickers in their native country, earnings may dwindle to next to nothing or evaporate completely. Some berry-pickers cannot even afford a plane ticket home.

A case of exploitation of berry-pickers is currently under investigation and it appears that the constituent elements of the offence of human trafficking are fulfilled in the case.