

REPORT

Article 22 of the Constitution of the ILO

for the period 1 June 2022 to 31 May 2025

made by the Government of Finland

on the **LABOUR INSPECTION (AGRICULTURE) CONVENTION, 1969 (No. 129)**

(ratification registered on 3 September 1974)

Direct Request, 2022

See ILO 81 for general information on labour inspection.

In particular, the Committee requests the Government to provide statistics on the number of inspections carried out, disaggregated between regular and unannounced inspection visits, remote inspections and in-person visits, as well as planned inspections and inspections undertaken as a result of a complaint.

See Article 27.

The Committee requests the Government to continue to transmit copies of the annual labour inspection reports to the ILO, ensuring that they contain statistics of workplaces liable to inspection and the number of workers employed therein, in accordance with Articles 20 and 21(c) of Convention No. 81 and Articles 26 and 27(c) of Convention No. 129.

Statistics Finland provides the information on the amount of companies and number of workers with a delay of one year, so the information is not available when the annual report is prepared. The feedback has been taken into account in the annual report for 2024.

Noting the indication of the Government that the labour inspectorate has moved from a sector-based approach to a phenomenon-based approach for inspection, the Committee requests the Government to continue to provide information on the labour inspection activities undertaken in this sector, including inspection visits conducted and measures taken as a result thereof. The Committee also requests the Government to provide further information on how it ensures that labour inspectors supply technical information and advice to employers and workers concerning the most effective means of complying with the legal provisions, especially as regards migrant seasonal workers.

See Article 6.

The Committee requests the Government to provide further information on training provided to labour inspectors in areas relevant to agriculture, including the number of labour inspectors who completed such training.

See Article 9.

Article 1

In this reply, the Standard Industrial Classification TOL 2008 has been used. The industry agriculture, forestry and fishing (TOL A) includes the exploitation of vegetal and animal natural resources, comprising the activities of growing of crops, raising and breeding of animals, harvesting of timber and other plants, animals or animal products from a farm or their natural habitats.

Article 2

There were no changes with regard to Article 2 compared to the previous report.

Article 3

There were no changes with regard to Article 3 compared to the previous report.

Article 4

There were no changes with regard to Article 4 compared to the previous report.

Article 5

Government Decree amending the Government Decree on seasonal activities in the agricultural and tourism sectors (966/2017)

The government is preparing to add collection of natural products in the degree.

Article 6

(1, 2)

The OSH Divisions have produced information for workplaces and employees through multiple channels, focusing particularly on the work of foreign labour and the collection of natural products. Information has been disseminated through, for example, media releases and interviews in sectoral press, social media, direct communication and stakeholder cooperation and at physical events and webinars.

(3)

REGULATION (EU) 2021/2115 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 2 December 2021 establishing rules on support for strategic plans to be drawn up by Member States under the common agricultural policy (CAP Strategic Plans) and financed by the European

Agricultural Guarantee Fund (EAGF) and by the European Agricultural Fund for Rural Development (EAFRD) and repealing Regulations (EU) No 1305/2013 and (EU) No 1307/2013

and

REGULATION (EU) 2021/2116 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 2 December 2021 on the financing, management and monitoring of the common agricultural policy and repealing Regulation (EU) No 1306/2013

increase legislation relating to OSH and employment terms within the scope of social conditionality. In brief, social conditionality means that negligence of workers' OSH and employment contracts may result in loss of subsidies. The control of social conditionality requires the submission of the OSH authorities' control data to the paying agency but does not affect the content of OSH enforcement.

Article 7

There were no changes with regard to Article 7 compared to the previous report.

Article 8

There were no changes with regard to Article 8 compared to the previous report.

Article 9

Inspectors have been provided with a broad range of training relating to primary production, covering both basic training and more in-depth competence in various areas. Training has focused on aspects including risk of falling, biological hazards, occupational diseases and difficult customer situations. In addition, training days and courses have been organised relating to the use of foreign labour and human trafficking as well as other training relating to inspection work and workplace conditions.

With a particular focus on enforcement concerning primary production, the course on protection of agricultural machinery and equipment and user instructions of machinery provides comprehensive induction into safety requirements and related legislation concerning agricultural and forestry machinery. The course covers key machinery, such as tractors, trailers, combine harvesters, small loaders as well as front and rear loaders. Presented for each piece of machinery are use, typical accidents, use-related hazards, protective and safety equipment, applicable provisions and standards as well as examples of possible shortcomings detected in enforcement and on use of powers. The course also contains examples of user instructions, and further information is available via links.

Article 10

There were no changes with regard to Article 10 compared to the previous report.

Article 11

There were no changes with regard to Article 11 compared to the previous report.

Article 12

There were no changes with regard to Article 12 compared to the previous report.

Article 13

There were no changes with regard to Article 13 compared to the previous report.

Article 14

There were no changes with regard to Article 14 compared to the previous report.

See Article 27 c and d.

Article 15

There were no changes with regard to Article 15 compared to the previous report.

Article 16

There were no changes with regard to Article 16 compared to the previous report.

Article 17

There were no changes with regard to Article 17 compared to the previous report.

Article 18

There were no changes with regard to Article 18 compared to the previous report.

Article 19

There were no changes with regard to Article 19 compared to the previous report.

Article 20

There were no changes with regard to Article 20 compared to the previous report.

Article 21

There were no changes with regard to Article 21 compared to the previous report.

See response for Article 27 d.

Article 22

There were no changes with regard to Article 22 compared to the previous report.

Article 23

There were no changes with regard to Article 23 compared to the previous report.

Article 24

There were no changes with regard to Article 24 compared to the previous report.

Article 25

There were no changes with regard to Article 25 compared to the previous report.

Article 26

Based on the feedback, the latest statistics of workplaces and the number of workers employed therein published on the website of Statistics Finland, are included in the annual labour inspection reports for 2024, even though the data is only available from 2023.

Article 27

There were no changes with regard to Article 27 compared to the previous report. Occupational safety and health (OSH) enforcement in the agriculture sector is reported on as part of general annual reporting of OSH enforcement.

a) General OSH legislation also applies to agriculture, for more information see the report on ILO Convention No. 81.

b) During the reporting period, 176 inspectors carried out primary production (Standard Industrial Classification TOL A) inspections. OSH inspectors do not carry out inspections of just one industry.

c)

| Number of persons who worked in agricultural and horticultural enterprises in 2023 | | | | | | | |
|--|--------------------------|----------------|----------------------|------------------------|-----------------------------|-------------------------------|---------------------------------|
| TOTAL | Farmers and joint owners | Family members | Regular labour force | Temporary labour force | Foreign labour force, total | Foreign labour force, regular | Foreign labour force, temporary |
| 118 551 | 56 275 | 27 790 | 11 378 | 23 108 | 15 820 | 2 622 | 13 197 |

Source: Natural Resources Institute Finland

| | 2022 | 2023 | 2024 |
|---|--------|--------|--------|
| Number of agricultural and horticultural enterprises* | 43,540 | 42,271 | 40,871 |

| | | | |
|--------------------------------|---------|---------|---|
| Number of companies in TOL A** | 128,011 | 124,783 | - |
| Number of employees in TOL A** | 43,663 | 43,816 | - |

* Source: Natural Resources Institute Finland

** Source: Statistics Finland

d) Numbers of inspections

During the reporting period from 1 January 2022 to 31 December 2024, the Regional State Administrative Agencies' OSH Division inspectors carried out 1,568 inspections at agriculture, forestry and fishing workplaces (TOL A). Of these inspections, 186 related to the use of foreign labour.

| | 2022 | 2023 | 2024 |
|--|------|------|------|
| TOL 01 | | | |
| Total number of inspections | 407 | 327 | 244 |
| Total number of inspected workplaces | 325 | 268 | 187 |
| Workplace inspections | 318 | 256 | 183 |
| Document-based inspections | 62 | 69 | 57 |
| Remote inspections | 27 | 2 | 4 |
| Authority initiated inspections | 377 | 298 | 226 |
| Inspections based on customer contacts | 30 | 29 | 18 |
| TOL 02 | | | |
| Total number of inspections | 257 | 177 | 121 |
| Total number of inspected workplaces | 226 | 147 | 109 |
| Workplace inspections | 142 | 114 | 73 |
| Document-based inspections | 65 | 60 | 42 |
| Remote inspections | 50 | 3 | 6 |
| Authority initiated inspections | 243 | 168 | 113 |
| Inspections based on customer contacts | 14 | 9 | 8 |
| TOL 03 | | | |
| Total number of inspections | 5 | 11 | 14 |
| Total number of inspected workplaces | 5 | 10 | 10 |
| Workplace inspections | 5 | 7 | 14 |
| Document-based inspections | 0 | 4 | 0 |
| Remote inspections | 0 | 0 | 0 |
| Authority initiated inspections | 5 | 9 | 12 |
| Inspections based on customer contacts | 0 | 2 | 2 |

e) Obligations imposed

As laid down in the Enforcement Act (Act on Occupational Safety and Health Enforcement and Cooperation on Occupational Safety and Health at Workplaces 44/2006), an inspector issues written advice or an improvement notice concerning any conditions they observe during an inspection that do not comply with provisions. An improvement notice can be issued in matters referred to in section 13, subsection 3 of the Enforcement Act if the hazard or harm arising from non-complying conditions is greater than minimal or the employer has not followed previously issued written advice. Compliance with improvement notices is ensured with monitoring, but compliance with written advice is not systematically enforced and, for this reason, there are no statistics on the effects of enforcement. If an employer does not comply with an improvement notice issued, the matter may be referred to administrative preparation.

If a defect or a shortcoming at the workplace risks the life or health of an employee, the inspector may promptly issue a prohibition on the use of a machine, work equipment or technical device, a product or a work method or the continuation of work, as a temporary prohibition notice, if the risk to the employee's life or health is immediate. A temporary prohibition notice shall be complied with immediately.

| Industry | Obligations | 2022 | 2023 | 2024 |
|----------|------------------------------|------|------|------|
| TOL 01 | Written advice | 764 | 624 | 399 |
| | Improvement notice | 80 | 82 | 54 |
| | Temporary prohibition notice | 0 | 1 | 0 |
| TOL 02 | Written advice | 445 | 240 | 178 |
| | Improvement notice | 32 | 45 | 30 |
| TOL 03 | Written advice | 4 | 25 | 21 |
| | Improvement notice | 3 | 5 | 7 |

f) and g)

Occupational accidents and occupational diseases for which agricultural (TOL A) employees have received compensation:

| Employees / TOL A | 2021 | 2022 | 2023 |
|-------------------------------------|-------|-------|-------|
| Accidents at work | 1,304 | 1,234 | 1,198 |
| Accident on the way to or from work | 63 | 74 | 73 |
| Cases of occupational disease | 27 | 28 | 15 |

The 5 most common deviations leading to accidents at work in 2023

1. slipping, tumbling and falling, fall of persons 258 cases
2. walking on a sharp object, uncoordinated movements, etc. 210 cases
3. loss of control of machine, means of transport or handling equipment or animal 152 cases
4. body movement under or with physical stress 130 cases
5. breakage, fall etc. of Material Agent 120 cases

There are also persons working particularly in Standard Industrial Classification industry N 'Administrative and support service activities' (including temporary agency work) and in the municipal sector (including farm relief work) who work in agricultural roles. Compensation for accidents of those working in occupation category '61 Market-oriented skilled agricultural workers' was provided as follows:

| Employees / Category 61 | 2021 | 2022 | 2023 |
|-------------------------------------|-------|-------|-------|
| Accidents at work | 1,400 | 1,349 | 1,232 |
| Accident on the way to or from work | 96 | 85 | 84 |

The 5 most common deviations leading to accidents at work in the category in 2023

1. slipping, tumbling and falling, fall of persons 275 cases
2. walking on a sharp object, uncoordinated movements, etc. 179 cases
3. shock, fright, violence, aggression, threat, presence 176 cases
4. breakage, fall etc. of Material Agent 140 cases
5. body movement under or with physical stress 137 cases

Source: Finnish Workers' Compensation Center, Pakki database

Agricultural entrepreneurs can receive compensation for occupational accidents and occupational diseases through mandatory occupational MATA insurance.

| Agricultural entrepreneurs | 2022 | 2023 | 2024 |
|-------------------------------|-------|-------|-------|
| Occupational accidents | 3,085 | 3,035 | 2,847 |
| Cases of occupational disease | 58 | 72 | 33 |

Source: Farmers' Social Insurance Institution (MELA) statistics at tilastot.mela.fi

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

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 (SY)
8. The Commission for Church Employers

Statements of the labour market organisations

The Central Organisation of Finnish Trade Unions (SAK), the Confederation of Unions for Professional and Managerial Staff in Finland (Akava) and the Finnish Confederation of Professionals (STTK) comment as follows:

Occupational safety and health (OSH) inspector resources still remain insufficient in enforcement concerning agriculture. The growing and harvesting periods are the most critical periods, which is why inspections should take place within a very narrow timeframe of the year. Agriculture is in a weaker position than other sectors in terms of inspector resources.

Finnish agriculture differs significantly from many other EU countries in terms of the enormous number of seasonal workers compared with the number of regular wage and salary earners. Foreign labour is also used in other countries, but statistics of the Natural Resources Institute Finland show that up to half of the sector's workers come from abroad. Foreign seasonal workers are a particularly vulnerable group, which is why enforcement and inspection resources should be increased.

In reference to the above, there are particular concerns about the position of foreign-background seasonal workers and persons working permanently in Finland. According to our experience, sufficient induction into safe working methods is not realised in workplaces in a language understood by the worker.

Workers provided with accommodation in their employer's premises have reported poor conditions. Accommodation-related regulations are linked with the mandates of several different authorities, with no authority assigned with the primary responsibility. A solution to this challenge must be found at the ministry level.