

REPORT

Article 22 of the Constitution of the ILO

Report for the period 1 June 2013 to 31 May 2016, made by the **Government of Finland**

on the

FREEDOM OF ASSOCIATION AND PROTECTION OF THE RIGHT TO ORGANIZE CONVENTION, 1948

No. 87

(ratification registered on 20 January 1950)

I - LEGISLATION AND REGULATIONS

Nothing new to report.

II – V

Nothing new to report.

VI

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
8. The Commission for Church Employers

Statements from the labour market organisations

The Central Organization of Finnish Trade Unions (SAK)

The Confederation of Unions for Professional and Managerial Staff in Finland (Akava)

The Finnish Confederation of Professionals (STTK)

The declaration issued by the International Labour Organization ILO in 1998 indicates that the right to collective bargaining on the terms of employment is a fundamental right for employees. This declaration is based on the organisation's key Conventions that have all been ratified in Finland; these include Convention no. 98 on the right to organise and bargain collectively.

One of the basic principles of the collective bargaining system is that collective agreements can include more favourable terms of employment for employees than those included in legislation.

Interfering with the national collective agreement system's favourability principle is against ILO Convention no. 98.

According to the interpretation of central organisations of trade unions, the Finnish Government's proposal last autumn on the possibility of using coercive legislation to interfere in matters within the scope of the autonomic bargaining right of labour market organisations would have been against ILO Convention no. 98.

The Government published a draft legislative proposal with statement requests, whose limitations on the freedom of contract would not have been required in light of ILO Conventions no. 87 and 98. In addition, they would not have been effective in securing fundamental social and cultural rights or employment.

The central organisations of trade unions feel it important, even if the Government does not in the end implement the proposed legislative amendments, that the autonomic bargaining right of the labour market organisations is included in the ILO Convention and that there should be no need for returning to coercive statutes or other such procedures in the future.

The Confederation of Unions for Professional and Managerial Staff in Finland (Akava)

As previously, Akava has separately taken into account the fact that the employers have not been prepared to accept collective agreements for all higher-ranking salaried employees. The employers still do not often recognise the status of the local union representative or employee trustee of higher-ranking salaried employees. However, the position of employee representatives will become even more significant as we move towards more and more workplace-level bargaining and agreement activities.