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Factsheet for case FI-2020-15/525

Temporary right of workers outside of EU/EEA countries to change employer and sector

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Country	Finland, applies nationwide
Time period	Temporary, 09 April 2020 - 31 October 2020
Type	Legislation or other statutory regulation
Category	Support for essential services – Mobilisation of a larger workforce
Case created	13 April 2020 (updated 23 April 2020)

Background information

In Finland, many essential sectors (i.e agriculture and forestry) are dependent on foreign workforce. Due to the current travel restrictions in Finland and elsewhere, entry of foreign workforce, and in particular seasonal workforce to the country, is limited.

Due to the outbreak of COVID-19, many workers will be either temporarily laid off or dismissed. This applies especially to the travel, restaurant and culture sectors where many foreigners work. Dismissed or temporarily laid-off workers experience particular challenges as residence permits granted on the basis of work are tied to employment.

Restrictions established in Ulkomaalaislaki (the Alien Act) (301/2004) and other relevant acts that regulate the rights of foreign workforce limit the right of workers who come outside of EU/EEA to change employer or sector. In order to change employer or sector, they normally need to apply for a permission.

Temporary amendments to these Acts give foreign workers (outside of EU/EEA) already residing in Finland a temporary right to work in essential sectors and roles without the need to apply for a permission when changing employer or sector.

Content of measure

These temporary amendments to the Acts that regulate the right of foreigners to change employer and sector apply to citizens of non-EU/EAA countries who have a residence permit in Finland.

This temporary right applies to sectors that are essential either for the society as a whole and roles that are essential for the labour market of individual sectors (e.g. maintenance tasks).

Sectors classified as essential include but are not limited to:

- 1) agriculture
- 2) fishery
- 3) forestry
- 2) food and drink industry
- 3) electricity and gas
- 4) construction
- 5) production of chemical products
- 6) production of pharmaceutical products

Use of measure

No information to date.

Actors, target groups and funding

Actors	Target groups	Funding
National government	Migrants Seasonal workers Companies providing essential services	No special funding required

Social partners

Role of social partners	No involvement
Form of involvement	Not applicable

Due to urgency of the situation, no consultancy round was organised when the temporary amendments were made. There is no information available regarding possible other forms of involvement of the social partners in planning this measure.

Sectors and occupations

This case is not sector-specific.

This case is not occupation-specific.

Sources

- 02 April 2020: Hallituksen esitys eduskunnalle laeiksi ulkomaalaislain sekä kolmansien maiden kansalaisten maahantulon ja oleskelun edellytyksistä kausityöntekijöinä työskentelyä varten annetun lain väliaikaisesta muuttamisesta (www.eduskunta.fi)
- 09 April 2020: Lakimuutokset kolmansien maiden kansalaisten oikeudesta työskennellä huoltovarmuuden ja työmarkkinoiden toimivuuden kannalta tärkeissä tehtävissä voimaan 9.4.2020 (tem.fi)