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## Finland: Staff information and consultation on restructuring plans

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Finland

Phase:

Anticipation

Type: [Staff information and consultation on restructuring plans](#)

Last modified: 27 September, 2019

Native name:

Laki yhteistoiminnasta yrityksissä (334/2007), Laki yhteistoiminnasta suomalaisissa ja yhteisönlajuisissa yritysyhmissä (335/2007), Laki yhteistoiminnasta valtion virastossa ja laitoksissa (1233/2013), Laki työnantajan ja henkilöstön välisestä yhteistoiminnasta kunnissa (449/2007)

English name:

Act on Cooperation within Undertakings (334/2007), Act on Cooperation within [...] Groups of Undertakings (335/2007), Act on Cooperation within Government Agencies and Institutions (1233/2013), Act on Cooperation [...] within Municipalities (449/2007)

### Article

334/2007: Ch. 1, 2, 5, 6; Ch. 4, Sec. 20-26. 335/2007: §3. 1233/2013: Ch. 1-4. 449/2007: Sec. 1-15

### Description

According to the acts on cooperation, the employer has an information and consultation obligation towards the employees regarding matters and decisions that may have an effect on them. Such matters include, but are not limited to, (collective) dismissals, temporary lay-offs, alternations of full-time contracts into part-time contracts, the termination of some or all activities of the company, its transfer to another place, the acquisition of machinery and equipment, changes in the range of services or products, work arrangements, and the use of external labour.

Regarding (collective) dismissals, the employer must give an advance notice at least five days before the start of the cooperation negotiations. The minimum consultation period depends on the size of the company and of the number employees affected, as follows:

- Where fewer than 10 employees are likely to be adversely affected, the minimum consultation period is 14 days.
- Where 10 or more employees are likely to be adversely affected, the minimum consultation period is six weeks.
- If the company has more than 20 but fewer than 30 employees, the minimum consultation period is 14 days, even if 10 or more employees would be affected.
- Companies with fewer than 20 employees are not obliged to negotiate.

The employer has to inform employee representatives in writing on the grounds for the proposed redundancies, the number of proposed redundancies in each group of employees, the time period planned for the redundancies to be implemented, and the principles according to which redundant employees will be selected. Procedural requirements regarding information to the employees may differ somewhat with the type of dismissal. For example, when the dismissals, temporary lay-offs or alternations of full-time contracts into part-time contracts concerns fewer than 10 employees or temporary lay-offs of over 10 employees for less than 90 days, information shall be given to the employees or their representatives if they so request.

Negotiations are usually carried out between the employer and employee representatives. If only a few employees are affected, the negotiations can be carried out with them in person, unless they request engaging a representative. The opinions of both parties have to be reported in the minutes of the consultation and signed by both sides. The employer is not obliged to consider the outcome, although the negotiations should aim at finding consensus. Once the decision has been made, the employer must inform the employees or their representatives of it and of the timeframe within which it will be executed.

The employer is obliged to inform employee representatives about the company's financial situation and development prospects at least twice during each accounting period. Upon request of the employee representatives, the employer must present the information to the entire personnel. In a company of 20-29 employees, the employer may inform the entire personnel directly. Also certain other information,

especially concerning company finances, is to be given to employee representatives automatically or upon request. After receiving the information, employee representatives may ask further questions which the employer must answer within a reasonable time.

## Comments

A tripartite working group was set up late 2018 to draft new legislation concerning the terms of dismissal and other cooperation procedures. The current laws are generally considered as bureaucratic 'dismissal acts' rather than cooperation acts. The reform aims at developing the activity and productivity of companies, improving cooperation between companies and employees, and to develop employee influence on decision making. A proposal is expected by March 2020.

Trade unions are generally at least nominally involved in cooperation negotiations, as trade union members have a priority to employee representative positions.

### Cost covered by

Not applicable

### Involved actors other than national government

Trade union  
Works council

### Thresholds

Company size by number of employees:

20

Number of affected employees:

10

### Sources

- ▣ DG Employment, Social Affairs and Equal Opportunities/Héra, Selected companies' legal obligations regarding restructuring, 2011
- ▣ [EMCC actors in restructuring](#)
- ▣ Alpha Consulting, Anticipating & Managing Change - A dynamic approach to the social aspects of corporate restructuring, Brussels, European Commission, 2003
- ▣ [Act on Cooperation within Undertakings \(334/2007\)](#)
- ▣ [Act on Cooperation within Finnish and Community-wide Groups of Undertakings \(335/2007\)](#)
- ▣ [Laki yhteistoiminnasta yrityksissä \(334/2007\)](#)
- ▣ [Laki yhteistoiminnasta suomalaisissa ja yhteisönlaajuisissa yritysryhmissä \(335/2007\)](#)
- ▣ [Laki yhteistoiminnasta valtion virastoissa ja laitoksissa \(1233/2013\)](#)
- ▣ [Laki työnantajan ja henkilöstön välisestä yhteistoiminnasta kunnissa \(449/2007\)](#)
- ▣ Ius Laboris (2009) Collective Redundancies Guide, Brussels
- ▣ Jokivuori, P. (2009). The impact of the information and consultation directive on industrial relations — Finland, EIROOnline Articles, EIRO ID# FI0710029Q
- ▣ [EMCC legal framework of restructuring](#)
- ▣ Watson Wyatt (2006). Employment Terms & Conditions Report Europe Volume I, Brussels, Belgium
- ▣ Ministry of Employment and the Economy (2018), 'Yhteistoimintalain uudistamista valmisteleva työryhmä asetettu'. 21 December.

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