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Factsheet for case FI-2020-12/814

Permission to derogate from the obligation to obtain the employee's consent to work overtime in critical sectors

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Country	Finland, applies nationwide
Time period	Temporary, 17 March 2020 - 13 May 2020
Type	Legislation or other statutory regulation
Category	Change of work arrangements to ensure business continuity – Increase of maximum working time
Case created	05 May 2020 (updated 06 May 2020)

Background information

The Emergency Powers Act (Valmiuslaki) (1552/2011) lays down provisions on the power of authorities in emergency conditions.

The Finnish Government, in cooperation with the President of the Republic, has declared a state of emergency due to the COVID-19 outbreak.

As a result of this, parts of the Emergency Powers Act were activated. The Government issued a decree to allow employers to respond to possible labour shortage caused COVID-19 in critical functions of society. Derogation from the obligation to obtain employees consent to work overtime is part of this decree.

Content of measure

Permission to derogate from the obligation to obtain employees consent to work overtime is a measure that may be applied to all personnel working in health care and social services, rescue services, emergency response centres and police services in Finland.

This measure is not connected to any specific set of professions.

If this measure is applied and employee is obliged to work overtime without their consent, employers are required to pay special attention to employee's health and safety.

No financial support is provided but this measure seeks to prevent labour shortages in sectors that are critical for functions of the society.

Use of measure

No information to date.

Actors, target groups and funding

Actors	Target groups	Funding
National government	Employees	No special funding required

Social partners

Role of social partners	No involvement
Form of involvement	No involvement

The social partners were not involved.

Sectors and occupations

This case is sector-specific.

Economic area	Sector (NACE level 2)
O - Public Administration And Defence; Compulsory Social Security	O84 Public administration and defence; compulsory social security
Q - Human Health And Social Work Activities	Q86 Human health activities
	Q87 Residential care activities
	Q88 Social work activities without accommodation

This case is not occupation-specific.

Sources

- 17 March 2020: Employers permitted to temporarily derogate from working hours and annual holidays arrangements in critical functions of society (valtioneuvosto.fi)