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European Monitoring Centre on Change

Finland: Selection of employees for (collective) dismissals

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Finland

Phase:

Management

Type:

Selection of employees for (collective) dismissals

Last modified: 09 June, 2017

Native name:

Työsopimuslaki (55/2001)

English name:

The Employment Contracts Act (55/2001)

Article

Ch. 7, Sec. 9-10

Description

In case of (collective) dismissals, employee representatives are protected in that they cannot be dismissed before all posts in their job category are eliminated and no other suitable work is available for this person.

An employee on maternity, paternity or parental leave may only be dismissed on financial or production-related grounds, if the activity of the employer ceases completely. Any dismissal of an employee who is pregnant or on family leave shall be deemed to have taken place on the basis of the employee's pregnancy or family leave, unless the employer can prove that there was some other reason.

Comments

Some collective agreements may regulate further the order in dismissals, for example:

- In selecting candidates for collective dismissals, employers should take into account length of service and family circumstances.
- Preference in retention should be given to skilled personnel and those partly disabled due to work accidents.

Cost covered by

Not applicable

Involved actors other than national government

National government only

Thresholds

No, applicable in all circumstances

Sources

- Watson Wyatt (2006) Employment Terms & Conditions Report Europe Volume I, Brussels, Belgium
- [Employment Contracts Act \(55/2001\)](#)
- [Työsopimuslaki \(55/2001\)](#)

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