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European Monitoring Centre on Change

Finland: Staff information and consultation on business transfers

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Finland

Phase:

Anticipation

Type: Staff information and consultation on business transfers

Last modified: 27 September, 2019

Native name:	Työsopimuslaki (55/2001), Laki yhteistoiminnasta yrityksissä (334/2007), Laki yhteistoiminnasta suomalaisissa ja yhteisönlajuisissa yritysryhmissä (335/2007), Laki yhteistoiminnasta valtion virastoissa ja laitoksissa (1233/2013), Laki työnantajan ja henkilöstön välisestä yhteistoiminnasta kunnissa (449/2007)
English name:	Employment Contracts Act (55/2001), 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

55/2001: Ch. 1, Sec. 10. 334/2007: Ch. 7. 335/2007: Ch. 4 Sec. 44. 1233/2013: Ch. 4, Sec. 17. 449/2007: Sec. 11

Description

A business transfer is defined as the assignment of a business or a part of it to another employer, with the business remaining the same or similar after the transfer.

The new and old employer must inform relevant employee representatives about

- the timing of the transfer;
- the reasons for the transfer;
- the legal, economic and social consequences of the transfer for the employees; and
- any intended measures that might concern employees.

The transferor must provide this information, to the extent it is available, in good time before the transfer. The transferee must provide the complete information within one week of the executed transfer.

The transferee is further obliged to give employee representatives an opportunity to ask further questions about the transfer, and to answer their questions. On request of the representatives, the transferee must present the information about the transfer to the entire personnel. If dismissals are to take place, cooperation negotiations will take place as usual in situations of collective dismissals, with a minimum duration of six weeks when 10 or more employees are affected, and 14 days when fewer than 10 employees are affected.

Comments

Trade unions find that staff information and consultation practices are often deficient in events that do not involve dismissals, including in business transfer situations. Especially the Finnish Confederation of Professionals (STTK) has promoted a reform of the acts on cooperation so as to encourage more dialogue and cooperation within companies.

Cost covered by

Not applicable









Involved actors other than national government

National government only

Thresholds

Company size by number of employees:
20

Sources

-  Act on Cooperation within Undertakings (334/2007)
-  Laki yhteistoiminnasta yrityksissä (334/2007)
-  Act on Cooperation within [...] Groups of Undertakings (335/2007)
-  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)
-  Employment Contracts Act (55/2001)
-  Työsopimuslaki (55/2001)

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