

20.11.2016

Veijonmaa

AGREEMENT ON A WORK TRY-OUT AT A WORK PLACE

A TE Office can assign an individual client to a work try-out at a workplace to investigate his or her vocational choices and career options or to support his or her return to the labour market. A work try-out is based on the client's service needs. The client may begin a work try-out after the agreement has been filled in and signed.

Agreement number			
Organiser of the work try-out			
Itä-Suomen Yliopisto, Metsätieteiden osasto			
Business ID		Telephone	
Number of persons the organiser employs	Address		
2800	PL 111, Yliopistokatu 7		
Postal code	Town/ city		
80101	Joensuu		
The person at the location of the work try-out re-sponsible for the guidance and supervision of the participant			
Matti Maitamo			
Telephone		Email	
Person participating in the work try-out		Personal identification number	
Luis Puerto Rodriguez			
Telephone		Address	
+358 40 8269911			
Postal code		Town/ city	
80140		Joensuu	
The party paying the unemployment benefit			
KELA			
TE Office		Telephone	
P-K:n TE-Toimisto		029 504 3000	
Address			
Kauppakatu 40			
Postal code		Town/ city	
80100		Joensuu	
Is the organiser of the work try-out about to initiate, or in the process of initiating co-operation negotiations that could lead to dismissals, lay-offs, or shorter working hours?			
<input type="checkbox"/> no <input checked="" type="checkbox"/> yes, the negotiations are beginning/ have begun Yt-neuvottelut päättyneet 16.03.2016			
<p>A work try-out agreement does not release employers organising the work try-out from responsibilities under the Employment Contracts Act with respect to their employees. The Employment Contracts Act imposes an obligation on employers to offer work to employees who have been terminated or temporarily laid off, and to part-time employees in their employments. If an employer organising a work try-out has terminated or temporarily laid off employees or part-time employees in his or her service, the employer must make certain, before entering into an agreement on a work try-out, that the obligation to offer work under terms of the Employment Contracts Act has been fulfilled. An employer violating the obligation to offer work, as set in the Employment Contracts Act, may be required to pay compensation as set in the Employment Contracts Act. Further information on the obligation to offer work under the Employment Contracts Act shall be given by employer organisations and occupational health and safety officials.</p>			
Has the organiser of the work try-out dismissed personnel or enacted lay-offs for economical or production-related reasons? (If the lay-offs are over, please tick No)			
<input type="checkbox"/> no <input checked="" type="checkbox"/> yes, when? Yt-neuvottelut päättyivät 16.03.2016			
Does the organiser of the work try-out have part-time employees?			
<input type="checkbox"/> no <input checked="" type="checkbox"/> yes			

If you answered "Yes" to either of the previous two questions, please answer the additional questions below:

Has the organiser of the work try-out offered work to persons who have been dismissed, laid off, or are working part time, as required by the Employment Contracts Act before signing the agreement on a work try-out?

☒ yes ☐ no

If such work was not offered, is the reason for this that the organiser of the work try-out has no obligation to offer work?

☐ yes (the employer's obligation to offer work has been removed, or it has been limited in the collective agreement, or the obligation to offer work has expired)

☐ no

Is the work try-out organised at a workshop of a municipality, a federation of municipalities, a foundation or an association, or an equivalent coaching unit, and is it related to activities which the organiser of the work try-out does not arrange with the organiser's own employees with employment contracts?

☒ no ☐ yes

Are the work tasks in question such that the organising party requires the applicant to supply a drug test certificate in accordance with section 6 of the Act on the Protection of Privacy in Working Life (759/2004)?

☒ no ☐ yes

Does the Act on checking the criminal background of persons working with children (504/2002) apply to the tasks in question?

☒ no ☐ yes

Have the occupational health care action plan and workplace investigation defined in the Occupational Health Care Act (1383/2001) been carried out, and are they up to date?

☒ yes ☐ Why not? _____

The TE Office, the party organising the work try-out and the person participating in the work try-out have entered into an agreement on a work try-out in accordance with the Act on public employment and business service (916/2012) with the following conditions:

1. The work try-out is to take place to

☒ investigate the participant's vocational choices and career options ☐ support the participant's return to the labour market

2. Objectives of work try-out (detailed description):

To get to know scientific work at the university, planning and conducting scientific research

3. Work tasks that the participant will perform over the course of the work try-out (detailed description):

Processing of big data, statistical modelling and testing, large-area calculations, planning of an article, literature review, writing an article, scientific publication process

4. The work try-out will take place 10 / 01 20 17 - 30 / 03 20 17 (its duration must not exceed 6 months with the same provider, or if it is organised by the municipality, the maximum is 6 months carrying out the same work tasks.)

5. The work try-out participant will work 5 days a week and 8 hours a day.

The work try-out will take place on the following weekdays (e.g. Mon-Fri or Mon, Wed, Fri): MON - FRI

The timing of the work try-out (e.g. primarily 9 am - 3 pm, evening shift once a week 5 pm - 7 pm):

8 AM - 4 PM

6. Location of the work try-out

Itä-Suomen Yliopisto, Metsätieteiden osasto

7. The party organising the work try-out commits to taking responsibility for the participant's guidance and supervision over the course of the entire work try-out.

8. At the end of the work try-out the party organising the work try-out is required to give the TE Office an assessment of the participant's suitability for the work, profession, or professional sector in question, and if the aim of the work try-out was to support his/her return to the labour market, an assessment of the participant's need to develop his/her capacities for working life and competence. If the feedback is given using form TEM6.90, the TE Office forwards it to the person participating in the try-out.

9. If necessary, the TE Office shall have the right to view the work try-out location's conditions.

10. All other terms and conditions that the TE Office has set for the implementation of the work try-out and are necessary with regard to the participant:

According to Chapter 4, sections 8-11 of the Act on public employment and business service, the legal status of the work try-out participant and the obligations of the party organising the work try-out over the course shall be as follows:

- A person participating in a work try-out does not have an employment relationship with the party organising the work try-out or with a TE Office.
- The Act on Equality between Women and Men (609/1986) and the Non-Discrimination Act (21/2004) shall apply to a person participating in a work try-out.
- The organiser of the work try-out is responsible for the occupational safety of the person participating in the work try-out in accordance with the provisions of the Occupational Safety and Health Act (738/2002) and the Young Workers Act (998/1993). The Ministry of Employment and the Economy shall provide group liability insurance for all work try-out participants. If the participant sustains an injury or contracts a work-related disease during the work try-out, compensation will be paid out of State funds on the grounds mentioned in the provisions on occupational accidents, injuries and diseases in the Occupational Accidents, Injuries and Diseases Act (459/2015), unless the participant is entitled to compensation of no less than the same amount under another Act
- The provisions on daily rest periods laid down in section 28 of the Working Hours Act (605/1996) and provisions on work schedules in section 35 shall apply to the work try-out
- Section 3, sections 4(1) and (2), sections 5(1), (2) and (4), section 6, section 7(1—3), sections 9, 10, 14 and 15, Chapters 5 and 6, section 21(2), and sections 22 and 24 of the Act on the Protection of Privacy in Working Life shall apply to the work try-out
- The organiser of the work try-out cannot assign obligations based on this agreement to a third party
- The organiser of the work try-out is obligated to supply the name of the work try-out participant as well as of the terms and conditions of the work try-out agreement to the employees' representative or another person representing employees.
- The organiser of the work try-out must notify the party paying the unemployment benefit of the days of absence accumulated by the person participating in the work try-out.
- The TE Office shall decide on terminating the agreement on a work try-out if the participant in the work try-out has been absent for five consecutive days of the try-out or if there have otherwise been so many absences that the goals set for the work try-out are not met. The organiser of the work try-out must also notify the TE Office of such absences.
- The TE Office and the organiser of the work try-out have the right to terminate the agreement on the work try-out for reasons other than absences by reporting on it in writing to the other parties. However, termination of the agreement must not be based on grounds for discrimination prohibited by law, or any other inappropriate reason.

Signatures to the agreement and names printed in block letters

Place and date Joensuu 30/11/2016
Place and date Joensuu 30/11/2016
Place and date Joensuu 02/12/2016

Copies of this agreement: 1. One for the individual participating in the work try-out, a second for the organiser of the work try-out and a third for the TE Office