

16 September 2026

Case Document No. 4

The Finnish Trade Union of Education (OAJ) v. Finland
Complaint No. 256/2025

RESPONSE BY OAJ TO ETUC'S THIRD PARTY COMMENTS

Registered at the Secretariat on 3 September 2026

Mr Henrik Kristensen
Executive Secretary
European Committee of Social Rights

Ref. Complaint No. 256/2025
The Finnish Trade Union of Education (OAJ) v. Finland

Sir,

With reference to your letter of 31 July 2026 concerning complaint no. 256/2025, the Finnish Trade Union of Education (OAJ) respectfully thanks for the opportunity to submit a response to the European Trade Union Confederation's (ETUC) observations.

The observations of the ETUC valuably highlight the European Social Charter (ESC) as a "living instrument". This also applies to the development of the regulation of the right to strike and secondary strikes as an essential part of it. Secondary strikes make it possible for the less resourced trade unions to protect the interests of their members effectively. We also consider the additional information that the ETUC has presented on the UN and ILO universal conventions, their rights and practices, most valuable.

The ETUC has expressed its strong concern that the Finnish government has elevated the voice of non-organised workers to that of trade unions. We agree that this does not promote negotiations within the meaning of Articles 6§1 or 6§2 of the ESC. It is specifically required in the last-mentioned provision that states should promote negotiations between organisations.

We also agree with the ETUC that the state and public authorities can participate in negotiations as a third party, but they should not have a dominant position. The regulation of industrial relations and enactment into law, without considering the views of both social partners, is an indication of a dominant position. In this way, the Finnish government has acted contrary to fair social dialogue.

Finally, we agree with the positions and arguments presented in the ETUC observations regarding the violations of Articles 6§3 and 6§4, i.e. the prior restrictions on settlement of labour disputes and the restriction of secondary strikes. For some reason, however, the ETUC has, in the (V) Conclusions, ended up discussing all these issues as violations of Article 6§2. We anticipate the observations to contain typographical errors in these respects.

Helsinki 3 of September 2026

On behalf of the Finnish Trade Union of Education



Katarina Murto
President of the Union



Ulla Walli
Director of the Legal Department