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EUROPEAN SOCIAL CHARTER

Comments by the central Organisation of Finnish Trade Unions (SAK), the Finnish Confederation of Professionals (STTK), and the Confederation of Unions for Professional and Managerial Staff in Finland (Akava)

on the 12th national report

on the implementation of the European Social Charter

submitted by

THE GOVERNMENT OF FINLAND

(Articles 3, 12 and 13 for the period
01/01/2012 – 31/12/2015)

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Translation of the statement by Central Organisation of Finnish Trade Unions (SAK), Confederation of Unions for Professional and Managerial Staff in Finland (Akava) and Finnish Confederation of Professionals (STTK):

**Council of Europe; Revised European Social Charter; Twelfth Periodic Report
by Finland**

The Central Organisation of Finnish Trade Unions (SAK), the Confederation of Unions for Professional and Managerial Staff in Finland (Akava) and the Finnish Confederation of Professionals (STTK) state the following:

Article 3: The right to safe and healthy working conditions

Problems caused by dampness and mould damage

The Finnish central organisations of employees proposed in their opinion in 2012 that the Government pay attention in its periodic report to problems caused by dampness and mould damage. The central organisations reiterate their earlier proposal. The Finnish Institute of Occupational Health assessed in its report to the Parliamentary Audit Committee in 2012 that between 240,000 and 360,000 persons are exposed to significant dampness and mould damage at day care centres, schools, care institutions and offices.

The Parliamentary Audit Committee discussed the report by the Finnish Institute of Occupational Health and consulted several experts. Based on the Audit Committee's report (TrVM 1/2013 vp), the Finnish Parliament issued in May 2013 a 14-point communication on problems caused by dampness and mould damage in buildings (Parliamentary Communication 5/2013 vp).

The central organisations note that there have been only modest measures to address problems caused by dampness and mould damage and associated health hazards at workplaces. Employees are still being exposed to microbes and endotoxins in damp buildings. Besides loss of health, this problem causes annually substantial costs and financial losses for individuals and society.

Occupational health services

Regarding occupational health services, the central organisations point out deficiencies in the coverage of these services, especially in small enterprises with fewer than 10 employees. Furthermore, even if occupational health services are in place formally, their content may not meet the requirements of the Occupational Health Care Act in all respects, and e.g. all health checks in regard of work presenting a special risk of illness have not been conducted as required by the Act. Coverage problems also exist in fixed-term employment relationships and temporary agency work. Self-employed people pose a particular problem: their numbers are increasing because employees are outsourcing parts of their operations to respond to changes in working life. Only a fraction of self-employed people have arranged occupational health services for themselves. Therefore it is important to develop new means of supervising the coverage and content of occupational health services.

Article 12: The right to social security

While Finland has in many respects striven to gradually raise the level of its social security system, cuts have been made to several benefits in recent years.

In early 2014 the maximum duration of earnings-related unemployment security was graded according to employment history, which in many cases meant a shorter maximum duration. The level of the earnings-related unemployment security was lowered in early 2015. Cuts were introduced to the highest daily allowance amounts and the so-called increased earnings-related component. The amount of child benefit was also reduced by eight per cent.

Several cuts to social security decided in 2015 entered into force at the beginning of 2016. Adjustments to housing allowance according to income were made more difficult. It became more difficult to take rotation leave and the amount of the associated allowance was cut down. Parenthood allowance is no longer higher for the first 30 weekdays, and people who take parental leave earn fewer days of annual holiday. The level of sickness and rehabilitation allowances was cut down for those whose annual earnings exceed EUR 30,000. Cuts were also introduced to the reimbursements of medicine and travel costs under the health insurance scheme.

Article 13: The right to social and medical assistance

Article 13, paragraph 1 requires the Parties "to ensure that any person who is without adequate resources and who is unable to secure such resources either by his own efforts or from other sources, in particular by benefits under a social security scheme, be granted adequate assistance, and, in case of sickness, the care necessitated by his condition".

In Finland, the social security of employees exposed to microbes in damp buildings has not been addressed sufficiently. Many employees with illnesses caused by dampness and mould damage enjoy no social security after the illness period when they receive a wage or salary, because the Social Insurance Institution does not pay them the daily allowance under sickness insurance. It is established practice that a person is not regarded as incapable of work if he or she has symptoms only at a workplace with dampness and mould damage. If the employer does not arrange another work environment for the sick employee and the employee cannot return to the earlier work, he or she may be deprived of all subsistence if the symptoms of the illness do not suffice for a diagnosis of an occupational illness or sufficiently reduced work ability.

The diagnostics and examination methods for occupational diseases should be developed in order to better assess the nature of illnesses of employees suffering from dampness and mould damage and, in cases of occupational diseases, to arrange the employees' social security as part of the statutory accident insurance system financed by employers. Employers are responsible for a healthy and safe work environment. If they fail to fulfil this obligation, they must bear the ensuing costs, too. There were plans to address the problem as part of the total reform of the Employment Accidents Insurance Act but the initiative met such a level of opposition from the employers' side that the Government was not willing to take the matter further when only the wage earners' organisations supported it.