



24/07/2025

RAP/ RCha /EST/21(2024)

EUROPEAN SOCIAL CHARTER

Answers to additional questions related to

**21st National Report on the implementation of the European
Social Charter**

submitted by

THE GOVERNMENT OF ESTONIA

**Articles 2, 3, 4, 5, 6, and 20
Report**

CYCLE 2024

ESTONIA

Article 3.1

Please provide information on the content and implementation of national policies (including any existing action plans/strategies) on psychosocial or new and emerging risks in relation to:

- the gig or platform economy;
- jobs requiring intense attention or high performance.

Answer:

The gig or platform economy

Estonia has experienced a significant increase in platform work over the past decade. According to a [2021 study](#) by the Riigikogu Foresight Centre, approximately 56,000 Estonians engage in platform work weekly, with over 160,000 participating occasionally. [The Welfare Development Plan 2023-2030](#) acknowledges the growth of non-traditional forms of work. While most workers are employed in a traditional employment relationship with a full-time contract of indefinite duration, it has become increasingly common to work under contractual arrangements, including work contracts, agency agreements, freelance and project-based work (including platform work).

Most platform workers operate as self-employed persons under service contracts, which provide access to general social protections such as unemployment insurance and health coverage. Estonian legislation does not define platform workers as a separate category of employment. However, certain occupational health and safety requirements (e.g. ensuring the soundness and correct use of the work equipment and informing of hazards relating to their activities and ensuring their activities do not endanger those performing work, etc.) may be applicable to them under a service or contract agreement, in accordance with § 12 subsections 4-9 and § 24 subsection 2 of the Occupational Health and Safety Act.

Psychosocial risks related to the platform economy are not systematically addressed in legislation specific to platform work. However, national policies support inclusive Occupational Health and Safety measures for all forms of employment. [The Welfare Development Plan 2023-2030](#) outlines several priorities and actions relevant to addressing these psychosocial and new emerging risks, as already mentioned in Estonian's Social Charter report:

- Raising awareness among both employers and workers about occupational safety and health and industrial relations.
- Planning and implementing preventive actions, considering the specificities and needs of different types of work and work arrangements.
- Reducing the use of incorrect service contracts.
- Supporting and advising employers and workers in complying with requirements and managing risks at the workplace.
- Developing a legal framework for industrial relations and safety at work, considering the evolving expectations of workers and employers.

Jobs requiring intense attention or high performance

Under Estonian law, employers are required to ensure a safe and healthy working environment through risk assessment and preventive measures. This includes psychosocial risks, such as those arising from sustained high performance or tasks requiring intense attention. These obligations are clearly defined in § 9¹ of the Occupational Health and Safety Act.

Employers must take steps to prevent damage arising from psychosocial hazards, including:

- Adapting the organization of work and workplace to suit the employee;
- Optimising workload and work intensity;
- Ensuring adequate breaks during working hours;
- Improving the overall psychosocial working environment within the company.

Implementation of national policies

To support these aims in the Welfare Development Plan 2023-2030 and obligations from the law, the Labour Inspectorate provides free consultations and advisory services to employers and workers across sectors, providing guidance to employers on how to identify and address such risks. This includes guidance from legal advisors, occupational safety consultants, and as of summer 2023, [mental health consultants](#). The consultants support in managing psychosocial risks and are available to all companies regardless of size or sector. In addition to advisory support, enforcement mechanisms are in place to ensure compliance. The Labour Inspectorate conducts regular and targeted supervisions. Additionally, workers and third parties can anonymously report suspected violations or concerns regarding working conditions through [the Labour Inspectorate's confidential tip line](#) at 640 6000, via e-mail or via an online form. All tips are reviewed and, where necessary, followed up with inspections or further inquiry. Estonia's commitment to promoting mental health in the workplace is also embedded in the Mental Health Action Plan 2023–2026 of the Ministry of Social Affairs. The plan priorities systematic support for employee wellbeing and mental health at work.

In 2024, the Estonian government approved a bill to ratify the International Labour Organization [Convention No. 190 on eliminating violence and harassment in the world of work](#). By ratifying the Convention, Estonia respects, promotes and acknowledges everyone's right to a world of work free from violence and harassment.

Estonia also supported the [2024 EU Directive on Platform Work](#), which is expected to significantly improve employment contract coverage among platform workers and thereby enhance their working conditions. Importantly, this Directive not only strengthens the position of those who are deemed to have an employment relationship based on national laws or practice but also extends protection to persons performing platform work who do not have a formal employment contract. Specifically, the Directive addresses psychosocial risks arising from algorithmic and automated management systems by introducing safeguards that apply to all platform workers - irrespective of their contractual status.

Article 3.2

Please provide information on the measures taken to ensure that domestic workers are protected by occupational health and safety legislation.

Answer:

Domestic workers are protected under the Occupational Health and Safety Act if they are employed under an employment contract. The legal classification is based on the actual nature of the work, not the title of the contract as stated in Estonia's Social Charter report. Therefore, when domestic work is performed under an employment contract, the worker is entitled to full occupational health and safety protections as provided by the Occupational Health and Safety Act. However, if domestic workers operate as self-employed persons or under a contract for services, they fall outside the full scope of the Occupational Health and Safety Act, except in specific situations outlined in §12 subsections 4-9 and §24 subsection 2, and in these circumstances, they are responsible for their own occupational health and safety.

General occupational health and safety information, including guidance material and best practices, is made publicly available on the Labour Inspectorate's website [Tööelu](#), which serves both employers and workers. All workers, including domestic workers, have access to the Labour Inspectorate's advisory services and can seek assistance, submit inquiries or file complaints through [the Labour Inspectorate's confidential tip line](#) at 640 6000, via e-mail or via an online form.

Article 3.3

Please provide information on measures taken to ensure the supervision of implementation of health and safety regulations by the labour inspection or other competent authorities concerning domestic workers.

Answer:

As described in Article's 3.2 answer, domestic workers employed under formal employment contracts fall under the scope of the Occupational Health and Safety Act. The Labour Inspectorate supervises compliance with occupational health and safety requirements for all such employees, including domestic workers. Supervisions may be conducted when employment relationships are declared or

brought to the Inspectorate's attention, including following complaints or requests.

While formal employment of domestic workers is not common in Estonia, these workers retain the right to contact the Labour Inspectorate directly. They can report violations anonymously or request individual counselling from occupational health and safety advisers as mentioned above. The Labour Inspectorate handles all reports and inquiries in accordance with established procedures.

Additionally, public awareness campaigns and guidance materials available on the [Tööelu](#) website support both workers and employers in understanding their rights and obligations under the law.

Article 6.1

Please provide information on any joint consultation on matters related to (i) the digital transition, or (ii) the green transition.

Answer:

First of all, we note that in Estonia, there has been no joint consultations between employees and employers within the framework of collective bargaining that relate to the digital transition or the green transition.

Nevertheless, **several legislative acts** directly or indirectly **related to the green transition** have been processed by the Ministry of Climate of the Republic of Estonia. These include, for example: (1) the draft Climate Resilient Economy Act; (2) the Act amending the Nature Conservation Act, the Forestry Act, the Hunting Act, and the State Assets Act; (3) the Act amending the General Part of the Environmental Code Act and other Acts; (4) the Act amending the Waste Act and other related Acts, etc.

Consultation with stakeholders

Consultation and involvement in the legislative procedure is based on [the Rules for Good Legislative Practice and Legislative Drafting](#) and the accompanying guidelines. In addition, the Ministry of Climate follows its Good Practice of the Involvement, which consists of rules for informing and consulting stakeholders and the public throughout the decision-making process. According to this practice, the decision-making process involves informing and consulting relevant stakeholders and the public. *Informing* refers to providing stakeholders, including social partners, and the public with balanced and objective information that enables them to understand the purpose of the decision and the available options. *Public consultation* refers to asking stakeholders and the public for feedback at all stages of the policy-making process, including problem identification, determining objectives, analysing policy options, and preparing draft decisions.

The stakeholders to be consulted are identified during the preparation of draft legislation, taking into account the anticipated impact of the decision on stakeholders and society at large, in accordance with the impact assessment methodology. The need, scope and timing of the consultation process is decided on a case-by-case basis. Relevant stakeholders may include either groups of natural persons, legal persons, or informal associations that are likely to be affected by the draft decision, are involved in its implementation, or have a clearly expressed interest in the matter to be decided. When involving stakeholders, it is important to ensure a balanced representation of interests. The range of stakeholders is expanded as appropriate during the consultation process.

Stakeholders, including social partners, that have been involved and consulted in relation to the draft Climate Resilient Economy Act: Estonian Founders Society, Estonian Biogas Association, CleanTech Estonia, Estonian Biomass Association, Estonian Business and Innovation Agency, Estonian Electronics Industries Association, Association of Estonian Energy Workers' Trade Unions, Estonian Private Forest Union, Estonian Gas Association, Estonian Hotel and Restaurant Association, Estonian Association of Information Technology and Telecommunications, Estonian Power and Heating Association, Estonian Traders Association, Estonian Chemical Industry Association, Estonian Association for Environmental Management, Estonian Chamber of Environmental Associations, Estonian Property Maintenance Association, Estonian Chamber of Real Estate Agents, Estonian Union of Co-operative Housing Associations, Estonian Shipowners' Association, Estonian Aviation Cluster, Estonian Logistics and Freight Forwarding Association, Estonian Nature Tourism Association, Estonian Seafarers' Independent Union, Estonian Forest and Wood Industries Association, Estonian Forest Workers Trade Union, Estonian Ornithological Society, Estonian Banking Association, Estonian Association of Spatial Planners, Estonian Woodhouse Association, Estonian Chamber of Agriculture and Commerce, etc.

In most cases, draft acts are submitted to stakeholders, including social partners, for written

consultation. In addition, numerous meetings with representatives of various stakeholders, for example in the form of joint working groups, were organized during the preparation of the draft Climate Resilient Economy Act.

Regarding the **digital transition**, in 2021 the Ministry of Economic Affairs and Communications of Estonia adopted the [Digital Agenda 2030](#), which is implemented by means of a digital society programme which is prepared for four years and updated along with the budget strategy once a year. Estonia's Digital Agenda 2030 includes a vision and an action plan for developing the Estonian economy, state, and society with the help of digital technology in the next decade.

According to the vision of the Digital Agenda 2030, Estonia should be full of digital power. This encompasses the following:

- **our way of life is impressive – it is easy to accomplish what we need or want:**
 - Services function exactly according to my needs, and are available when I need them and in the manner I prefer.
 - Unnecessary procedures are a thing of the past both in the private and public sector, leaving me more time to carry out more valuable work or enjoy a more pleasant everyday life. The complexity of the functioning of the state is invisible for private persons and entrepreneurs.
 - I can access necessary services with a good connection everywhere and at any time, irrespective of whether I am in Tallinn, a remote village called Obinitsa or travelling around the world.
- **we are protected by the power of digitalisation – our digital life is safe and we make bold advances in digital development:**
 - My data are secure, but at the same time data can be easily used to create new smart solutions.
 - It is safe to use digital space; there is no need to fear misinformation, cyberbullying or cybercrime. I behave in a manner that does not involve digital risks; at the same time, I am unnoticeably provided with protection in the background.
 - The Estonian state and important services are always protected in cyberspace. It also gives our economy a competitive advantage.
- **our economy is empowered by digitalisation – digital solutions are the engine of the entire economy:**
 - The core companies of all sectors have completed the digital transformation in their operation or offer digital products and services. We have also made the economy environmentally friendly with the help of digital solutions.
 - Transactions are made, invoices are paid and reports are prepared completely digitally, automatically and in an instant – it saves us time and money.
 - People and companies from all over the world find it easy to do business in Estonia thanks to convenient procedures. Estonia has more active e-residents than permanent residents.
- **supported by the power of digitalisation, we value every person and contribute to co-creation:**

- We are a technological nation: always and in all aspects ready to create new solutions and use them everywhere. We acquire new knowledge and skills eagerly and quickly throughout our lives.
- Smart solutions make us even more connected and integrated, enable us to close gaps and support everyone in the required manner, where necessary. We contribute to the welfare of the state and the community; we are a society.
- Estonian culture is easily accessible via digital channels throughout the world, preserved for the future and actively (re)used. The Estonian language is alive and developing in digital space.
- **fertile conditions have been established for the creation of future solutions in Estonia:**
 - There are excellent conditions for creating and testing innovative solutions in Estonia and taking them to the world – it is like a smart village of the world. People come here from other parts of the world to create solutions for the future; new producers emerge and existing ones continue to operate eagerly.

Based on the vision, more specific goals have been set and lines of action have been planned in three areas:

- **The development of digital government, i.e. the use of digital solutions in the public sector**, since no other development plan includes the general development of digital government and the public sector also leads and sets the direction for the development of the Estonian digital society. The main goal is to strive for the best experience when using public services, so that our way of life can be impressive, as has been highlighted in the vision. For this purpose, we plan to take the next leaps in the development of digital government and ensure the sustainability of the established solutions;
- **The development of electronic communication, i.e. connectivity**, because the sufficient availability of connections forms the foundation of the use of digital solutions, be it in everyday life or business. The main goal is the availability of fast and affordable connections throughout Estonia.
- **The development of national cyber security**, since we can boldly move forward on the journey of digital development formulated in the vision if sufficient trust has been guaranteed. This area includes the provision of cyber security in the public sector and more broadly in the economy. The main goal is to keep the Estonian cyberspace reliable and secure.

The Estonian Digital Agenda 2030 has the following priorities concerning digital competence development:

- **The availability of a sufficient number of ICT professionals with an adequate level, including cyber specialists, is of critical importance.** The number of ICT specialists must at least double in the economy by 2030 and the proportion of cyber specialists must increase among them to achieve future targets to the extent necessary. For this purpose, relevant learning opportunities must constantly be expanded, and the quality of learning must be improved at all levels. This requires decisive steps with regard to increasing the volume and quality of teaching capacity, including ensuring a sufficient number of teachers. As the domestic education system

does not suffice for realising our potential, we must make it easy for talents to come to Estonia – it must be a convenient and attractive destination.

- **In order to take the wider digital transformation in the economy and public administration to the next level of digital maturity, it is important to launch widespread reskilling and upskilling initiatives in connection with digital skills.** Specialists of various fields need to acquire required specialised digital knowledge in order to launch and manage or support digital changes in their organizations. The development of specialised digital skills must be a natural part of every level of education. These steps also facilitate the adaptation of employees to changes in the economy.
- **The need to address the wider digital literacy of the population persists.** It must be ensured that citizens have up-to-date skills to deal with digital solutions in a useful and safe manner. By 2030, all Estonian adults should be regular Internet users. This gives us the opportunity to guarantee their sufficient capabilities, including a basic level of awareness, so that they can make even better use of services following the leap in the development of digital government.
- **Investments have to be made in research and development activities to increase the capacity of research and development related to the development of digital society.** This way, we can find and involve specialists to create smart solutions and detect knowledge and solutions that can be promptly tested and implemented in the state and economy.

Article 6.2

Please provide information on how the favourability principle is applied. Is it permitted for a workplace agreement to include terms less favourable for the employee than established in legislation or collective agreements agreed at a higher level.

Answer:

In Estonia, [the Employment Contracts Act](#) (hereinafter referred to as *TLS* by its Estonian acronym) regulates the relationship between an employer and an employee that arises on the basis of an employment contract.

[TLS § 2](#) establishes the principle of applying more favourable provision to the employee and is worded as follows: *An agreement derogating to the detriment of the employee from the provisions of this Act and the Law of Obligations Act concerning the rights and obligations and liability of the contracting parties is void, unless the possibility of an agreement derogating to the detriment of the employee has been prescribed by this Act.* In other words, the provisions of the law may not be deviated from to the detriment of the employee, except in cases where the possibility of deviating to the detriment of the employee is expressly permitted by TLS. The purpose of § 2 of TLS is to ensure the protection of the employee as the weaker party in the employment relationship. Therefore, even if the employee and employer agree on a working condition that is unfavourable to the employee compared to the provisions of the TLS when concluding the employment contract or during the employment relationship, and the TLS does not expressly provide for the possibility of concluding such an agreement, then such an agreement is void, i.e. such an agreement has no legal consequences from its inception.

In contrast, agreements that are more favourable to the employee than those provided by TLS are permitted. For example, the employment contract may grant the employee a longer annual holiday than stipulated in TLS, higher compensation in the event of extraordinary cancellation of the employment contract due to reasons attributable to the employer, or other terms that are more advantageous to the employee than those set out in the law.

Please provide information on any further developments regarding the promotion of collective bargaining of self-employed persons.

Answer:

Estonia is compiling an action plan for collective bargaining and intend to take specific measures that have already been agreed with our social partners – Estonian Trade Union Confederation and Estonian Employers' Confederation. The EU Directive on adequate minimum wages requires Estonia to draw up

an action plan to promote collective bargaining. We have negotiated the exact contents of the collective bargaining action plan with the social partners and reached a tripartite agreement on the specific measures we plan to implement in the coming years to increase the coverage of collective agreements. The Annex to the action plan contains a list of all proposals and possible measures that could be implemented in the future when the action plan is renewed.

Article 6.4

Please, indicate whether the police have the right to strike or there is a restriction on the right to strike of the police.

If there is a restriction on the right to strike, please indicate if the restriction is established by law, and why is it necessary in a democratic society for the protection of the rights and freedoms of others or for the protection of public interest, national security, public health or morals (Article G of the Charter).

Answer:

In Estonia, all public officials, including police officers, are prohibited from striking. This prohibition stems from Section 59 of the Civil Service Act ([Avaliku teenistuse seadus–Riigi Teataja](#)). The prohibition on public officials striking is inherent in their duties, including, for example, the obligation to act in the public interest and the obligation to contribute their maximum personal effort when performing their service duties.