

**EUROPEAN COMMITTEE OF SOCIAL RIGHTS
COMITÉ EUROPÉEN DES DROITS SOCIAUX**

DECISION ON ADMISSIBILITY

19 May 2026

Finnish Trade Union of Education (OAJ) v. Finland

Complaint No. 256/2025

The European Committee of Social Rights, a committee of independent experts established under Article 25 of the European Social Charter (“the Committee”), during its 355th session, in the following composition:

Aoife NOLAN, President
Tatiana PUIU, Vice-President
George THEODOSIS, Vice-President
Kristine DUPATE, General Rapporteur
Karin Møhl LARSEN
Yusuf BALCI
Mario VINKOVIĆ
Miriam KULLMANN
Carmen SALCEDO BELTRÁN
Franz MARHOLD
Alla FEDOROVA
Grega STRBAN
Olivier DE SCHUTTER
Kristina KOLDINSKÁ
Carmen-Constantina NENU

Assisted by Henrik KRISTENSEN, Executive Secretary,

Having regard to the complaint registered on 18 December 2025 as number 256/2025, lodged by the Finnish Trade Union of Education (OAJ) against Finland and signed by Katarina Murto, President of OAJ, and Ulla Walli, Director of its Legal Department, requesting the Committee to find that the situation in Finland is not in conformity with Article 6 of the Revised European Social Charter ("the Charter");

Having regard to the documents appended to the complaint;

Having regard to the observations on the admissibility of the complaint of the Government of Finland ("the Government") registered on 24 March 2026;

Having regard to the response from OAJ to the Government's observations, registered on 20 April 2026;

Having regard to the Charter, and in particular to Article 6§§1-4 which reads as follows:

Article 6 – The right to bargain collectively

Part I: "All workers and employers have the right to bargain collectively."

Part II: "With a view to ensuring the effective exercise of the right to bargain collectively, the Parties undertake:

1. to promote joint consultation between workers and employers;
 2. to promote, where necessary and appropriate, machinery for voluntary negotiations between employers or employers' organisations and workers' organisations, with a view to the regulation of terms and conditions of employment by means of collective agreements;
 3. to promote the establishment and use of appropriate machinery for conciliation and voluntary arbitration for the settlement of labour disputes;
- and recognise:
4. the right of workers and employers to collective action in cases of conflicts of interest, including the right to strike, subject to obligations that might arise out of collective agreements previously entered into."

Having regard to the Additional Protocol to the European Social Charter providing for a system of collective complaints ("the Protocol");

Having regard to the Rules of the Committee adopted by the Committee on 29 March 2004 at its 201st session and last revised on 11 September 2024 at its 343rd session ("the Rules");

Having deliberated on 19 May 2026;

Delivers the following decision, adopted on the above-mentioned date:

1. OAJ alleges violations of Article 6§§1–4 of the Charter on account of certain legislative amendments adopted in 2024 and 2025, which introduced new modalities for conducting collective bargaining at the enterprise level with the aim of weakening the role of trade unions and reducing the normative impact of higher-level collective

agreements, imposed a binding ceiling for wage increases established through conciliation, and restricted sympathy (secondary) strikes in a manner that is neither necessary nor proportionate within the meaning of Article G of the Charter. Moreover, OAJ alleges that the legislative amendments in question were adopted without prior consultation with trade unions.

2. In its observations, the Government raises no objection to the admissibility of the complaint.

THE LAW

As to the admissibility conditions set out in the Protocol and the Committee's Rules

3. The Committee notes that, in accordance with Article 4 of the Protocol, which Finland ratified on 17 July 1998 and which entered into force for Finland on 1 September 1998, the complaint has been submitted in writing and concerns Article 6§§1–4 of the Charter, provisions accepted by Finland when it ratified the Charter on 21 June 2002. Finland has been bound by these provisions since the treaty entered into force for it on 1 August 2002.

4. The Committee also notes that OAJ is a national representative trade union founded in 1973, whose statutory purposes include, among others, safeguarding the legal status of education professionals and improving their working and socio-economic conditions, notably through collective bargaining and advocacy (Section 2 of the OAJ statutes). According to information provided by OAJ, it represents nearly 120,000 education professionals, through a network of 320 local associations and 192 teacher group or school-specific associations covering the whole country. On the basis of all the information at its disposal, the Committee therefore considers that OAJ is a representative trade union for the purposes of the collective complaint procedure.

5. Moreover, the Committee notes that the grounds of the complaint are indicated detailing in what respect OAJ considers that Finland has not ensured the satisfactory application of the Charter. The complaint therefore satisfies the conditions of Article 4 of the Protocol for the purposes of admissibility.

6. Finally, the Committee notes that the complaint is signed by Katarina Murto, President of OAJ, and Ulla Walli, Director of its Legal Department, who, according to Article 23 of its statutes and the Extract from the Register of Associations annexed to the statutes, have the power to legally represent the organisation concerning all matters, including with respect to taking legal action. The Committee considers, consequently, that the complaint complies with Rule 23 of its Rules in this respect.

7. For these reasons, the Committee, on the basis of the report presented by Mario VINKOVIĆ, and without prejudice to its decision on the merits of the complaint,

UNANIMOUSLY DECLARES THE COMPLAINT ADMISSIBLE.

Pursuant to Article 7§1 of the Protocol, requests the Executive Secretary to notify the complainant organisation and the Respondent State of the present decision, to transmit it to the Parties to the Protocol and the States having submitted a declaration

pursuant to Article D§2 of the Charter, and to publish it on the Council of Europe's Internet site.

Invites the Government to make written submissions on the merits of the complaint by 30 July 2026.

Invites OAJ to submit a response to the Government's submissions by a deadline which the Committee shall determine.

Invites the Parties to the Protocol and the States having submitted a declaration pursuant to Article D§2 of the Charter to notify by 30 July 2026 any observations they may wish to submit.

In application of Article 7§2 of the Protocol, invites the international organisations of employers or workers mentioned in Article 27§2 of the Charter to make observations by 30 July 2026.

A handwritten signature in blue ink, appearing to be 'Mario Vinković'.

Mario VINKOVIĆ
Rapporteur

A handwritten signature in blue ink, appearing to be 'Aoife Nolan'.

Aoife NOLAN
President

A handwritten signature in blue ink, appearing to be 'Henrik Kristensen'.

Henrik KRISTENSEN
Executive Secretary