



24/01/2019

EUROPEAN SOCIAL CHARTER

Comments by the Federation of Finnish Enterprises (FFE)

on the 14th national report

on the implementation of the European Social Charter

submitted by

THE GOVERNMENT OF FINLAND

(Article 8 and Article 27
for the period 01/01/2014 – 31/12/2017)

Report registered by the Secretariat on

24 January 2019

CYCLE 2019

Translation of statement by the Federation of Finnish Enterprises (FFE)

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

The FFE presents the following statement, which is related to Articles 8 and 27 of the Charter.

The FFE would like to draw attention to the actual possibilities of entrepreneurs to take up family leaves.

Protection of maternity and right of workers with family responsibilities to equal opportunities and treatment, as defined in Articles 8 and 27 in the revised Social Charter, are formally well covered in Finland. The Finnish legislation fulfils the criteria of the Social Charter comprehensively, as individuals have right to take up leaves from work and receive benefits irrespective of their employment status.

However, certain differences exist on how individuals may use the rights in practice. The FFE is concerned that (especially women) entrepreneurs cannot use their rights that are related to aforementioned Articles properly. According to the FFE's survey, only 60 % of women entrepreneurs took family leave on the occasion of the birth of a child.¹ In comparison, practically all of the women working on the basis of employment contract use their right to take family leave when a child is born.

Consequently, the survey shows that (especially women) entrepreneurs does not have equal opportunities to take leaves to take care of their newborn babies. The survey also shows that a notable percentage (29 %) of those entrepreneurs who took family leave considered that the leave affected their business negatively. Therefore, even though the legislation enables entrepreneurs to take up leaves in a formally equal manner, the rights are not materialized in practice. The FFE considers this problematic in the light of aforementioned Articles of the Social Charter.

Nevertheless, it must be acknowledged that the Finnish legislation as such provide family leaves and benefits so that the requirements of the Social Charter are fulfilled. Furthermore, it is irrelevant in this regard that the regulatory basis for levels of benefits for entrepreneurs and for employees is different. The problem – that is related to the implementation of the Social Charter – is thus simply the unequal possibilities to use these rights in practice on ground of employment status. Therefore, the FFE calls for more flexibility to family leave schemes to enhance possibilities for better work life balance also for entrepreneurs, especially women.

¹ See the FFE's paper on the development needs of entrepreneurs' social security, p. 16-19 (in Finnish): https://www.yrittajat.fi/sites/default/files/suomi2025_sosiaaliturva.pdf